

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)                               |
|-----------------|--------------------|--|
| 702 .....       | 36:169i-1(a)(2).   | Aug. 27, 1986, Pub. L. 99-402, § 4(a)(2), 100 Stat. 911. |

**§ 703. Duties of Federal land management agency**

To observe Carl Garner Federal Lands Cleanup Day at the Federal level, each Federal land management agency shall organize, coordinate, and participate with citizen volunteers and State and local authorities in cleaning and providing for the maintenance of Federal public land, recreation areas, and waterways within the jurisdiction of the agency.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1267.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)  |
|-----------------|--------------------|---|
| 703 .....       | 36:169i-1(a)(1).   | Aug. 27, 1986, Pub. L. 99-402, § 4(a)(1), 100 Stat. 911; Nov. 12, 1996, Pub. L. 104-333, § 806, 110 Stat. 4188. |

The word “authorities” is substituted for “agencies” for consistency in the revised title and with other titles of the United States Code.

**§ 704. Activities**

In cooperation with appropriate State and local government authorities, each Federal land management agency shall plan for and carry out activities on Carl Garner Federal Lands Cleanup Day that—

- (1) encourage continuing public and private sector cooperation in preserving the beauty and safety of areas within the jurisdiction of the agency;
- (2) increase citizens’ sense of ownership and community pride in those areas;
- (3) reduce litter on Federal lands, along trails and waterways, and within those areas; and
- (4) maintain and improve trails, recreation areas, waterways, and facilities.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1267.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)   |
|-----------------|--------------------|--|
| 704 .....       | 36:169i-1(b).      | Aug. 27, 1986, Pub. L. 99-402, § 4(b), 100 Stat. 911; Nov. 12, 1996, Pub. L. 104-333, § 806, 110 Stat. 4188. |

In this section, before clause (1), the word “county” is omitted as unnecessary. The word “authorities” is substituted for “agencies” for consistency in the revised title and with other titles of the United States Code.

**CHAPTER 9—MISCELLANEOUS**

- Sec. 901. Service flag and service lapel button.
- 902. National League of Families POW/MIA flag.
- 903. Designation of Medal of Honor Flag.

**Editorial Notes**

AMENDMENTS

2002—Pub. L. 107-248, title VIII, § 8143(b)(2), Oct. 23, 2002, 116 Stat. 1570, added item 903.

**§ 901. Service flag and service lapel button**

(a) INDIVIDUALS ENTITLED TO DISPLAY SERVICE FLAG.—A service flag approved by the Secretary of Defense may be displayed in a window of the place of residence of individuals who are members of the immediate family of an individual serving in the Armed Forces of the United States during any period of war or hostilities in which the Armed Forces of the United States are engaged.

(b) INDIVIDUALS ENTITLED TO DISPLAY SERVICE LAPEL BUTTON.—A service lapel button approved by the Secretary may be worn by members of the immediate family of an individual serving in the Armed Forces of the United States during any period of war or hostilities in which the Armed Forces of the United States are engaged.

(c) LICENSE TO MANUFACTURE AND SELL SERVICE FLAGS AND SERVICE LAPEL BUTTONS.—Any person may apply to the Secretary for a license to manufacture and sell the approved service flag, or the approved service lapel button, or both. Any person that manufactures a service flag or service lapel button without having first obtained a license, or otherwise violates this section is liable to the United States Government for a civil penalty of not more than \$1,000.

(d) REGULATIONS.—The Secretary may prescribe regulations necessary to carry out this section.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1267.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)   |
|-----------------|--------------------|--|
| 901(a) .....    | 36:179.            | Oct. 17, 1942, ch. 615, 56 Stat. 796; May 27, 1953, ch. 70, 67 Stat. 35. |
| 901(b) .....    | 36:180.            |  |
| 901(c) .....    | 36:181.            |  |
| 901(d) .....    | 36:182.            |  |

In subsection (c), the text of 36:181 (1st sentence) is omitted as executed. The word “Thereafter” is omitted as obsolete. The words “is liable to the United States Government for a civil penalty of” are substituted for “shall, upon conviction thereof, be fined” for consistency in the revised title and with other titles of the United States Code.

**§ 902. National League of Families POW/MIA flag**

(a) DESIGNATION.—The National League of Families POW/MIA flag is designated as the symbol of our Nation’s concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing, and unaccounted for in Southeast Asia, thus ending the uncertainty for their families and the Nation.

(b) REQUIRED DISPLAY.—The POW/MIA flag shall be displayed at the locations specified in subsection (d) of this section on POW/MIA flag display days. The display serves—

(1) as the symbol of the Nation’s concern and commitment to achieving the fullest possible accounting of Americans who, having been prisoners of war or missing in action, still remain unaccounted for; and

(2) as the symbol of the Nation’s commitment to achieving the fullest possible accounting for Americans who in the future may become prisoners of war, missing in action, or

otherwise unaccounted for as a result of hostile action.

(c) **DAYS FOR FLAG DISPLAY.**—For the purposes of this section, POW/MIA flag display days are all days on which the flag of the United States is displayed.

(d) **LOCATIONS FOR FLAG DISPLAY.**—The locations for the display of the POW/MIA flag under subsection (b) of this section are the following:

- (1) The Capitol.
- (2) The White House.
- (3) The World War II Memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial.
- (4) Each national cemetery.
- (5) The buildings containing the official office of—
  - (A) the Secretary of State;
  - (B) the Secretary of Defense;
  - (C) the Secretary of Veterans Affairs; and
  - (D) the Director of the Selective Service System.

(6) Each major military installation, as designated by the Secretary of Defense.

(7) Each medical center of the Department of Veterans Affairs.

(8) Each United States Postal Service post office.

(e) **COORDINATION WITH OTHER DISPLAY REQUIREMENT.**—Display of the POW/MIA flag at the Capitol pursuant to subsection (d)(1) of this section is in addition to the display of that flag in the Rotunda of the Capitol pursuant to Senate Concurrent Resolution 5 of the 101st Congress, agreed to on February 22, 1989 (103 Stat. 2533).

(f) **DISPLAY TO BE IN A MANNER VISIBLE TO THE PUBLIC.**—Display of the POW/MIA flag pursuant to this section shall be in a manner designed to ensure visibility to the public.

(g) **LIMITATION.**—This section may not be construed or applied so as to require any employee to report to work solely for the purpose of providing for the display of the POW/MIA flag.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1268; Pub. L. 105–354, §1(1), Nov. 3, 1998, 112 Stat. 3238; Pub. L. 107–323, §2(a), (b), Dec. 4, 2002, 116 Stat. 2787; Pub. L. 116–67, §2, Nov. 7, 2019, 133 Stat. 1128.)

HISTORICAL AND REVISION NOTES  
PUB. L. 105–225

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>  |
|------------------------|---------------------------|--|
| 902(a) .....           | 36:189.                   | Aug. 10, 1990, Pub. L. 101–355, §2, 104 Stat. 416.                               |
| 902(b) .....           | 36:189 note.              | Dec. 5, 1991, Pub. L. 102–190, title X, §1084(a)–(c), (e), 105 Stat. 1482, 1483. |
| 902(c) .....           | 36:189 note.              | Dec. 5, 1991, Pub. L. 102–190, title X, §1084(d), 105 Stat. 1483.                |

In subsection (b), the text of section 1084(c) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190, 105 Stat. 1483) is omitted as executed.

PUB. L. 105–354

This amends section 902 of title 36 to reflect changes made by section 1082 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, Nov. 18, 1997, 111 Stat. 1917, 36 App. U.S.C. 189a).

Section 1082(g) of that Act, which defined “POW/MIA flag” as used in section 1082 by reference to section 2 of Public Law 101–355, is unnecessary because the two provisions are restated together in section 902 of title 36.

Section 1082(h), which required that regulations be prescribed no later than 180 days after enactment of Public Law 105–85, is repealed as executed.

Section 1082(i), which required that the Administrator of GSA procure and distribute POW/MIA flags no later than 30 days after enactment of Public Law 105–85, is repealed as executed.

Section 1082(j), which repealed section 1084 of Public Law 102–190 (previously restated as subsections (b) and (c) of section 902 of title 36), is repealed as executed.

**Editorial Notes**

AMENDMENTS

2019—Subsec. (c). Pub. L. 116–67 added subsec. (c) and struck out former subsec. (c) which set out specific days for POW/MIA flag display.

2002—Subsec. (c)(2). Pub. L. 107–323, §2(b), added subpar. (A) and redesignated former subpars. (A) and (B) as (B) and (C), respectively.

Subsec. (d)(3). Pub. L. 107–323, §2(a), substituted “The World War II Memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial” for “The Korean War Veterans Memorial and the Vietnam Veterans Memorial”.

1998—Subsecs. (b) to (g). Pub. L. 105–354 added subsecs. (b) to (g) and struck out former subsecs. (b) and (c) which read as follows:

“(b) **DISPLAY.**—The flag shall be displayed—

“(1) at each national cemetery and at the National Vietnam Veterans Memorial each year on Memorial Day and Veterans Day and on any day designated by law as National POW/MIA Recognition Day; and

“(2) on, or on the grounds of, the buildings containing the primary offices of the Secretaries of State, Defense, and Veterans Affairs, and the Director of the Selective Service System on any day designated by law as National POW/MIA Recognition Day.

“(c) **TERMINATION OF FLAG DISPLAY REQUIREMENT.**—Subsection (b) of this section ceases to apply when the President decides that the fullest possible accounting has been made of all members of the Armed Forces and civilian employees of the United States Government who have been identified as prisoners of war or missing in action in Southeast Asia.”

**Statutory Notes and Related Subsidiaries**

DISPLAY ON EXISTING FLAGPOLE

Pub. L. 107–323, §2(c), Dec. 4, 2002, 116 Stat. 2788, provided that: “No element of the United States Government may construe the amendments made by this section [amending this section] as requiring the acquisition of [sic] erection of a new or additional flagpole for purposes of the display of the POW/MIA flag.”

**§ 903. Designation of Medal of Honor Flag**

(a) **DESIGNATION.**—The Secretary of Defense shall design and designate a flag as the Medal of Honor Flag. In selecting the design for the flag, the Secretary shall consider designs submitted by the general public.

(b) **PRESENTATION.**—The Medal of Honor Flag shall be presented as specified in sections 7285, 8307, and 9285 of title 10 and section 505<sup>1</sup> of title 14.

(Added Pub. L. 107–248, title VIII, §8143(b)(1), Oct. 23, 2002, 116 Stat. 1570; amended Pub. L.

<sup>1</sup> See References in Text note below.