

107TH CONGRESS
2D SESSION

S. J. RES. 38

Providing for the designation of a Medal of Honor Flag and for presentation of that flag to recipients of the Medal of Honor.

IN THE SENATE OF THE UNITED STATES

JUNE 25, 2002

Mr. GRASSLEY introduced the following joint resolution; which was read twice and referred to the Committee on Armed Services

JOINT RESOLUTION

Providing for the designation of a Medal of Honor Flag and for presentation of that flag to recipients of the Medal of Honor.

- 1 Whereas the Medal of Honor is the highest award for valor
- 2 in action against an enemy force which can be be-
- 3 stowed upon an individual serving in the Armed
- 4 Forces of the United States;
- 5 Whereas the Medal of Honor was established by Congress
- 6 during the Civil War to recognize soldiers who had
- 7 distinguished themselves by gallantry in action;
- 8 Whereas the Medal of Honor was conceived by Senator
- 9 James Grimes of the State of Iowa in 1861; and

1 Whereas the Medal of Honor is the Nation’s highest mili-
 2 tary honor, awarded for acts of personal bravery or
 3 self-sacrifice above and beyond the call of duty: Now,
 4 therefore, be it

5 *Resolved by the Senate and House of Representatives*
 6 *of the United States of America in Congress assembled,*

7 **SECTION 1. DESIGNATION OF MEDAL OF HONOR FLAG.**

8 (a) IN GENERAL.—Chapter 9 of title 36, United
 9 States Code, is amended by adding at the end the fol-
 10 lowing new section:

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

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

16 “(b) PRESENTATION.—The Medal of Honor Flag
 17 shall be presented as specified in sections 3755, 6257, and
 18 8755 of title 10 and section 505 of title 14.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
 20 at the beginning of such chapter is amended by adding
 21 at the end the following new item:

“903. Designation of Medal of Honor Flag.”.

1 **SEC. 2. PRESENTATION OF FLAG TO MEDAL OF HONOR RE-**
 2 **CIPIENTS.**

3 (a) ARMY.—(1) Chapter 357 of title 10, United
 4 States Code, is amended by adding at the end the fol-
 5 lowing new section:

6 **“§ 3755. Medal of honor: presentation of Medal of**
 7 **Honor Flag**

8 “The President shall provide for the presentation of
 9 the Medal of Honor Flag designated under section 903
 10 of title 36 to each person to whom a medal of honor is
 11 awarded under section 3741 of this title after the date
 12 of the enactment of this section. Presentation of the flag
 13 shall be made at the same time as the presentation of the
 14 medal under section 3741 or 3752(a) of this title.”.

15 (2) The table of sections at the beginning of such
 16 chapter is amended by adding at the end the following
 17 new item:

“3755. Medal of honor: presentation of Medal of Honor Flag.”.

18 (b) NAVY AND MARINE CORPS.—(1) Chapter 567 of
 19 such title is amended by adding at the end the following
 20 new section:

21 **“§ 6257. Medal of honor: presentation of Medal of**
 22 **Honor Flag**

23 “The President shall provide for the presentation of
 24 the Medal of Honor Flag designated under section 903
 25 of title 36 to each person to whom a medal of honor is

1 awarded under section 6241 of this title after the date
 2 of the enactment of this section. Presentation of the flag
 3 shall be made at the same time as the presentation of the
 4 medal under section 6241 or 6250 of this title.”.

5 (2) The table of sections at the beginning of such
 6 chapter is amended by adding at the end the following
 7 new item:

“6257. Medal of honor: presentation of Medal of Honor Flag.”.

8 (c) AIR FORCE.—(1) Chapter 857 of title 10, United
 9 States Code, is amended by adding at the end the fol-
 10 lowing new section:

11 **“§ 8755. Medal of honor: presentation of Medal of**
 12 **Honor Flag**

13 “The President shall provide for the presentation of
 14 the Medal of Honor Flag designated under section 903
 15 of title 36 to each person to whom a medal of honor is
 16 awarded under section 8741 of this title after the date
 17 of the enactment of this section. Presentation of the flag
 18 shall be made at the same time as the presentation of the
 19 medal under section 8741 or 8752(a) of this title.”.

20 (2) The table of sections at the beginning of such
 21 chapter is amended by adding at the end the following
 22 new item:

“8755. Medal of honor: presentation of Medal of Honor Flag.”.

1 (d) COAST GUARD.—(1) Chapter 13 of title 14,
 2 United States Code, is amended by inserting after section
 3 504 the following new section:

4 **“§ 505. Medal of honor: presentation of Medal of**
 5 **Honor Flag**

6 “The President shall provide for the presentation of
 7 the Medal of Honor Flag designated under section 903
 8 of title 36 to each person to whom a medal of honor is
 9 awarded under section 491 of this title after the date of
 10 the enactment of this section. Presentation of the flag
 11 shall be made at the same time as the presentation of the
 12 medal under section 491 or 498 of this title.”.

13 (2) The table of sections at the beginning of such
 14 chapter is amended by inserting after the item relating
 15 to section 504 the following new item:

“505. Medal of honor: presentation of Medal of Honor Flag.”.

16 (e) PRIOR RECIPIENTS.—The President shall provide
 17 for the presentation of the Medal of Honor Flag des-
 18 ignated under section 903 of title 36, United States Code,
 19 as added by section 1(a), to each person awarded the
 20 Medal of Honor before the date of the enactment of this
 21 joint resolution who is living as of that date. Such presen-
 22 tation shall be made as expeditiously as possible after the
 23 date of the designation of the Medal of Honor Flag by
 24 the Secretary of Defense under such section.