

Union Calendar No. 81

110TH CONGRESS
1ST SESSION

H. R. 692

[Report No. 110-139]

To amend title 4, United States Code, to authorize the Governor of a State, territory, or possession of the United States to order that the National flag be flown at half-staff in that State, territory, or possession in the event of the death of a member of the Armed Forces from that State, territory, or possession who dies while serving on active duty.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2007

Mr. STUPAK (for himself, Mr. WEXLER, Mr. BRADY of Pennsylvania, Mrs. MALONEY of New York, Mr. KILDEE, and Ms. KILPATRICK of Michigan) introduced the following bill; which was referred to the Committee on the Judiciary

MAY 9, 2007

Additional sponsors: Mr. ROGERS of Michigan, Ms. SCHAKOWSKY, Mr. POE, Mr. FATTAH, Mr. TOWNS, Mr. WALZ of Minnesota, Ms. BERKLEY, Mr. HARE, Ms. JACKSON-LEE of Texas, Mr. FRANKS of Arizona, Mr. MCGOVERN, Mr. ALLEN, Mr. GRIJALVA, Mrs. MUSGRAVE, Ms. HOOLEY, Mr. NADLER, Ms. ZOE LOFGREN of California, and Ms. KAPTUR

MAY 9, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend title 4, United States Code, to authorize the

Governor of a State, territory, or possession of the United States to order that the National flag be flown at half-staff in that State, territory, or possession in the event of the death of a member of the Armed Forces from that State, territory, or possession who dies while serving on active duty.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Army Specialist Joseph
 5 P. Micks Federal Flag Code Amendment Act of 2007”.

6 **SEC. 2. AUTHORITY OF GOVERNORS TO ORDER THE NA-**
 7 **TIONAL FLAG TO BE FLOWN AT HALF-STAFF**
 8 **IN THE EVENT OF THE DEATH OF A MEMBER**
 9 **OF THE ARMED FORCES.**

10 (a) **DEATH OF A MEMBER OF THE ARMED**
 11 **FORCES.**—Section 7(m) of title 4, United States Code, is
 12 amended in the sixth sentence by inserting “or the death
 13 of a member of the Armed Forces from any State, terri-
 14 tory, or possession who dies while serving on active duty”
 15 after “present or former official of the government of any
 16 State, territory, or possession of the United States”.

17 (b) **FEDERAL FACILITY CONSISTENCY WITH STATE**
 18 **PROCLAMATION.**—Such section is further amended by in-
 19 serting after the sixth sentence the following new sentence:
 20 “When the Governor of a State, territory, or possession

1 issues a proclamation under the preceding sentence that
2 the National flag be flown at half-staff because of the
3 death of a member of the Armed Forces, the National flag
4 flown at any Federal installation or facility in that State,
5 territory, or possession shall be flown at half-staff con-
6 sistent with that proclamation.”.

7 **SECTION 1. SHORT TITLE.**

8 *This Act may be cited as the “Army Specialist Joseph*
9 *P. Micks Federal Flag Code Amendment Act of 2007”.*

10 **SEC. 2. FINDING.**

11 *Congress finds that members of the Armed Forces of*
12 *the United States defend the freedom and security of the*
13 *United States.*

14 **SEC. 3. PROCEDURE FOR NATIONAL FLAG TO BE FLOWN AT**
15 **HALF-STAFF IN THE EVENT OF THE DEATH OF**
16 **A MEMBER OF THE ARMED FORCES.**

17 *(a) ISSUANCE OF PROCLAMATION.—Subsection (m) of*
18 *section 7 of title 4, United States Code, is amended in the*
19 *sixth sentence—*

20 *(1) by inserting “or the death of a member of the*
21 *Armed Forces from any State, territory, or possession*
22 *who dies while serving on active duty” after “present*
23 *or former official of the government of any State, ter-*
24 *ritory, or possession of the United States”; and*

1 (2) *by inserting before the period the following:*
2 “, and the same authority is provided to the Mayor
3 of the District of Columbia with respect to present or
4 former officials of the District of Columbia and mem-
5 bers of the Armed Forces from the District of Colum-
6 bia”.

7 (b) *FEDERAL FACILITY CONSISTENCY WITH PROCLA-*
8 *MATION.—Such subsection is further amended by inserting*
9 *after the sixth sentence the following new sentence: “When*
10 *the Governor of a State, territory, or possession, or the*
11 *Mayor of the District of Columbia, issues a proclamation*
12 *under the preceding sentence that the National flag be flown*
13 *at half-staff in that State, territory, or possession or in the*
14 *District of Columbia because of the death of a member of*
15 *the Armed Forces, the National flag flown at any Federal*
16 *installation or facility in the area covered by that procla-*
17 *mation shall be flown at half-staff consistent with that proc-*
18 *lamation.”.*

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