

Union Calendar No. 96

112TH CONGRESS
1ST SESSION

H. R. 2061

[Report No. 112-149]

To authorize the presentation of a United States flag at the funeral of Federal civilian employees who are killed while performing official duties or because of their status as a Federal employee.

IN THE HOUSE OF REPRESENTATIVES

MAY 31, 2011

Mr. HANNA (for himself, Mr. HINCHEY, Mr. FARR, and Mr. BARTLETT) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

JULY 18, 2011

Additional sponsors: Ms. NORTON, Mr. WITTMAN, Ms. BORDALLO, Mr. WOLF, Mr. OWENS, Mr. REYES, Mr. CONNOLLY of Virginia, Mr. HARRIS, Mr. GRIJALVA, Mr. FILNER, Ms. EDWARDS, Mr. WESTMORELAND, Mr. MORAN, Mr. LONG, Ms. WILSON of Florida, Mr. RANGEL, Mr. TONKO, and Mr. HURT

JULY 18, 2011

Reported with amendments, 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 authorize the presentation of a United States flag at the funeral of Federal civilian employees who are killed while performing official duties or because of their status as a Federal employee.

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 “Civilian Service Rec-
5 ognition Act of 2011”.

6 **SEC. 2. PRESENTATION OF UNITED STATES FLAG ON BE-**
7 **HALF OF FEDERAL CIVILIAN EMPLOYEES**
8 **KILLED WHILE PERFORMING OFFICIAL DU-**
9 **TIES OR BECAUSE OF THEIR STATUS AS A**
10 **FEDERAL EMPLOYEE.**

11 (a) **PRESENTATION REQUIRED.**—Upon receipt of a
12 request under subsection (b), the head of an executive
13 agency shall furnish a flag of the United States to drape
14 the casket of an individual who—

15 (1) was an employee of the agency; and

16 (2) was killed while performing official duties or
17 because of the individual’s status as a Federal em-
18 ployee.

19 (b) **REQUEST FOR FLAG.**—The head of an executive
20 agency shall furnish a flag for a deceased employee de-
21 scribed in subsection (a) upon the request of—

22 (1) the employee’s next of kin; or

23 (2) if no request is received from the next of
24 kin, a close friend or associate of the employee as
25 determined by the head of the executive agency.

1 (c) MANNER OF PRESENTATION AND CEREMONY.—

2 A flag shall be furnished and presented under this section
3 in the same manner as a flag is furnished and presented
4 on behalf of a deceased member of the Armed Services
5 who dies while on active duty. At the request of the indi-
6 vidual who requested the flag under subsection (b), the
7 head of the executive agency furnishing the flag under
8 subsection (a) shall provide for the presentation of the flag
9 to the individual following the use of the flag to drape
10 the casket of the deceased employee.

11 (d) LIMITATION ON FLAGS PROVIDED.—If a flag fur-
12 nished under subsection (a) is presented to an individual
13 described in subsection (b)(2), no flag shall be subse-
14 quently presented to any other individual under this sec-
15 tion on account of the death of the same employee.

16 (e) CLASSIFIED INFORMATION.—The head of an ex-
17 ecutive agency may disclose information necessary to show
18 that a deceased individual is an employee described in sub-
19 section (a) to the extent that such information is not clas-
20 sified and to the extent that such disclosure does not en-
21 danger the national security of the United States.

22 (f) EMPLOYEE NOTIFICATION OF FLAG CEREMONY
23 BENEFIT.—The head of an executive agency shall provide
24 appropriate notice to employees of the agency of the flag
25 ceremony benefit provided for under this section.

1 (g) **DEFINITIONS.**—In this section:

2 (1) **EMPLOYEE.**—The term “employee” has the
3 meaning given that term in section 2105 of title 5,
4 United States Code, and includes employees of and
5 donors of volunteer services to temporary organiza-
6 tions under section 3161 of such title.

7 (2) **EXECUTIVE AGENCY.**—The term “executive
8 agency” has the meaning given that term in section
9 501 of title 5, United States Code.

10 **SECTION 1. SHORT TITLE.**

11 *This Act may be cited as the “Civilian Service Rec-*
12 *ognition Act of 2011”.*

13 **SEC. 2. PRESENTATION OF UNITED STATES FLAG ON BE-**
14 **HALF OF FEDERAL CIVILIAN EMPLOYEES**
15 **WHO DIE OF INJURIES IN CONNECTION WITH**
16 **THEIR EMPLOYMENT.**

17 (a) **PRESENTATION AUTHORIZED.**—*Upon receipt of a*
18 *request under subsection (b), the head of an executive agency*
19 *may pay the expenses incident to the presentation of a flag*
20 *of the United States for an individual who—*

21 (1) *was an employee of the agency; and*

22 (2) *dies of injuries incurred in connection with*
23 *such individual’s employment with the Federal gov-*
24 *ernment.*

1 (b) *REQUEST FOR FLAG.*—*The head of an executive*
2 *agency may furnish a flag for a deceased employee described*
3 *in subsection (a) upon the request of—*

4 (1) *the employee’s next of kin; or*

5 (2) *if no request is received from the next of kin,*
6 *an individual other than the next of kin as deter-*
7 *mined by the Director of the Office of Personnel Man-*
8 *agement.*

9 (c) *CLASSIFIED INFORMATION.*—*The head of an execu-*
10 *tive agency may disclose information necessary to show that*
11 *a deceased individual is an employee described in sub-*
12 *section (a) to the extent that such information is not classi-*
13 *fied and to the extent that such disclosure does not endanger*
14 *the national security of the United States.*

15 (d) *EMPLOYEE NOTIFICATION OF FLAG BENEFIT.*—
16 *The head of an executive agency shall provide appropriate*
17 *notice to employees of the agency of the flag benefit provided*
18 *for under this section.*

19 (e) *REGULATIONS.*—*The Director of the Office of Per-*
20 *sonnel Management, in coordination with the Secretary of*
21 *Defense and the Secretary of Homeland Security, may pre-*
22 *scribe regulations to implement this section. Any such regu-*
23 *lations shall provide for the head of an executive agency*
24 *to consider the conditions and circumstances surrounding*

1 *the death of an employee and nature of the service of the*
2 *employee.*

3 *(f) DEFINITIONS.—In this section:*

4 *(1) EMPLOYEE.—The term “employee” has the*
5 *meaning given that term in section 2105 of title 5,*
6 *United States Code, and includes—*

7 *(A) individuals who perform volunteer serv-*
8 *ices at the discretion of the head of an executive*
9 *agency; and*

10 *(B) an officer or employee of the United*
11 *States Postal Service or of the Postal Regulatory*
12 *Commission.*

13 *(2) EXECUTIVE AGENCY.—The term “executive*
14 *agency” has the meaning given that term in section*
15 *105 of title 5, United States Code, and includes the*
16 *United States Postal Service and the Postal Regu-*
17 *latory Commission.*

Amend the title so as to read: “A bill to authorize the presentation of a United States flag on behalf of Federal civilian employees who die of injuries in connection with their employment.”.

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