

MAR 03 2016

SENATE CONCURRENT RESOLUTION

REQUESTING THE GOVERNOR TO ORDER THAT WHENEVER THE FLAG OF THE UNITED STATES IS FLOWN ON A PERMANENT FLAGPOLE IN FRONT OF THE STATE CAPITOL BUILDING, THE NATIONAL LEAGUE OF FAMILIES' POW/MIA FLAG SHALL BE FLOWN ON THE SAME HALYARD.

1 WHEREAS, in 1971, Mary Helen Hoff developed the idea for a
2 national flag as a reminder of the United States servicemembers
3 who, like her husband, Navy Commander Michael G. Hoff, were
4 Prisoners of War or Missing in Action; and

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6 WHEREAS, by the end of the Vietnam War, the United States
7 Department of Defense listed more than two thousand, five
8 hundred servicemembers as Prisoners of War (POW) or Missing in
9 Action (MIA); and

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11 WHEREAS, in 1979, the United States Congress and President
12 James Earl "Jimmy" Carter, Jr. proclaimed the first National
13 POW/MIA Recognition Day to acknowledge the servicemembers'
14 families' concerns and symbolize the steadfast resolve of the
15 American people to never forget the men and women who gave up
16 their freedom while protecting ours; and

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18 WHEREAS, in 1982, the National League of Families' POW/MIA
19 flag became the only flag other than the flag of the United
20 States to fly over the White House in Washington, D.C.; and

21
22 WHEREAS, in 1990, the United States Congress passed P.L.
23 101-355, which designated the POW/MIA flag as "the symbol of our
24 Nation's concern and commitment to resolving as fully as
25 possible the fates of Americans still prisoner, missing and
26 unaccounted for in Southeast Asia, thus ending the uncertainty
27 for their families and the Nation"; and
28



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1 WHEREAS, in 1998, the Defense Authorization Act (P.L. 105-
2 85) created 36 United States Code section 189a, which addressed
3 the display of the POW/MIA flag; and
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5 WHEREAS, while 36 United States Code section 189a was
6 repealed, the operative language of that section was recodified
7 into 36 United States Code section 902, which requires the
8 POW/MIA flag to be displayed at the United States Capitol, the
9 White House, the building of the office of the United States
10 Secretary of Defense, each major military installation, and
11 other specified locations on six designated days: Armed Forces
12 Day, the third Saturday in May; Memorial Day, the last Monday in
13 May; Flag Day, June 14; Independence Day, July 4; National
14 POW/MIA Recognition Day; and Veterans Day, November 11; and
15

16 WHEREAS, 36 United States Code section 902 requires the
17 POW/MIA flag to be displayed at the federal World War II
18 Memorial, Korean War Veterans Memorial, Vietnam Veterans
19 Memorial, and the medical centers of the United States
20 Department of Veterans Affairs on any day that the flag of the
21 United States is flown; and
22

23 WHEREAS, Section 5-18.5, Hawaii Revised Statutes, enacted
24 in 2010, requires the POA/MIA flag to be flown on the grounds of
25 the State Capitol on the same six designated days listed in 36
26 United States Code section 902, and allows the POW/MIA flag to
27 be flown directly under the flag of the United States if the
28 flag of the State of Hawaii is on a separate halyard from the
29 flag of the United States; and
30

31 WHEREAS, Section 5-18.5, Hawaii Revised Statutes, allows
32 but does not require the POA/MIA flag to be flown on the grounds
33 of the State Capitol building on other days; and
34

35 WHEREAS, the flag of the United States and the flag of the
36 State of Hawaii currently displayed in front of the State
37 Capitol building are on separate permanent flagpoles; and
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39 WHEREAS, the State's Korean and Vietnam Veterans Memorial,
40 dedicated on the grounds of the State Capitol in 1994, honors
41 the four hundred fifty-four Hawaii servicemembers in the Korean



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1 War and the three hundred twelve Hawaii servicemembers in the
2 Vietnam War who were killed or missing in action; and
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4 WHEREAS, the State's Eternal Flame, dedicated in 1972,
5 stands directly across the street from the flags displayed at
6 the State Capitol, and burns as a tribute to the men and women
7 of Hawaii who have served in our armed forces in the defense of
8 freedom and liberty; and
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10 WHEREAS, neither the State's Korean and Vietnam Veterans
11 Memorial nor the Eternal Flame display the POW/MIA flag on a
12 year-round basis; and
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14 WHEREAS, more frequent displays of the POW/MIA flag in
15 front of the State Capitol building would further remind Hawaii
16 residents of the servicemembers who were never able to return
17 home; now, therefore,
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19 BE IT RESOLVED by the Senate of the Twenty-eighth
20 Legislature of the State of Hawaii, Regular Session of 2016, the
21 House of Representatives concurring, that the Governor of the
22 State of Hawaii is requested to order that whenever the flag of
23 the United States is flown on a permanent flagpole in front of
24 the State Capitol building, the National League of Families'
25 POW/MIA flag shall be flown on the same halyard; and
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27 BE IT FURTHER RESOLVED that as long as the flag of the
28 United States and the flag of the State of Hawaii that are
29 displayed in front of the State Capitol building are flown on
30 the different halyards, the Governor is requested to order that
31 the National League of Families' POW/MIA flag be flown directly
32 under the flag of the United States; and
33

34 BE IT FURTHER RESOLVED that in the event the flag of the
35 United States and the flag of the State of Hawaii that are
36 displayed in front of the State Capitol building are flown on
37 the same halyard, the Governor is requested to order that the
38 National League of Families' POW/MIA flag be flown directly
39 under the flag of the State of Hawaii; and
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41 BE IT FURTHER RESOLVED that certified copies of this
42 Concurrent Resolution be transmitted to the Governor; the

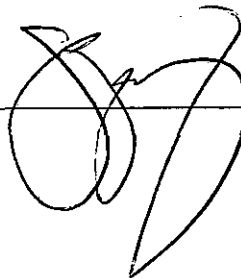


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1 Adjutant General; the Director of the Office of Veterans'
2 Services; and the Chairman of the Board of the National League
3 of Families of American Prisoners and Missing in Southeast Asia.

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OFFERED BY: _____

A handwritten signature in black ink, consisting of a large, stylized 'S' or 'J' shape with a loop, written over a horizontal line.