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## SENATE RESOLUTION

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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

5  
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

10  
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

17  
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  
29 WHEREAS, in 1998, the Defense Authorization Act (P.L. 105-  
30 85) created 36 United States Code section 189a, which addressed  
31 the display of the POW/MIA flag; and



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3 repealed, the operative language of that section was recodified  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

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

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

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

32 WHEREAS, the flag of the United States and the flag of the  
33 State of Hawaii currently displayed in front of the State  
34 Capitol building are on separate permanent flagpoles; and  
35

36 WHEREAS, the State's Korean and Vietnam Veterans Memorial,  
37 dedicated on the grounds of the State Capitol in 1994, honors  
38 the four hundred fifty-four Hawaii servicemembers in the Korean  
39 War and the three hundred twelve Hawaii servicemembers in the  
40 Vietnam War who were killed or missing in action; and  
41



1 WHEREAS, the State's Eternal Flame, dedicated in 1972,  
2 stands directly across the street from the flags displayed at  
3 the State Capitol, and burns as a tribute to the men and women  
4 of Hawaii who have served in our armed forces in the defense of  
5 freedom and liberty; and  
6

7 WHEREAS, neither the State's Korean and Vietnam Veterans  
8 Memorial nor the Eternal Flame display the POW/MIA flag on a  
9 year-round basis; and  
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11 WHEREAS, more frequent displays of the POW/MIA flag in  
12 front of the State Capitol building would further remind Hawaii  
13 residents of the servicemembers who were never able to return  
14 home; now, therefore,  
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16 BE IT RESOLVED by the Senate of the Twenty-eighth  
17 Legislature of the State of Hawaii, Regular Session of 2016,  
18 that the Governor of the State of Hawaii is requested to order  
19 that whenever the flag of the United States is flown on a  
20 permanent flagpole in front of the State Capitol building, the  
21 National League of Families' POW/MIA flag shall be flown on the  
22 same halyard; and  
23

24 BE IT FURTHER RESOLVED that as long as the flag of the  
25 United States and the flag of the State of Hawaii that are  
26 displayed in front of the State Capitol building are flown on  
27 the different halyards, the Governor is requested to order that  
28 the National League of Families' POW/MIA flag be flown directly  
29 under the flag of the United States; and  
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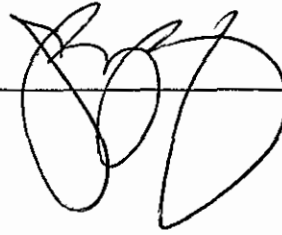
31 BE IT FURTHER RESOLVED that in the event the flag of the  
32 United States and the flag of the State of Hawaii that are  
33 displayed in front of the State Capitol building are flown on  
34 the same halyard, the Governor is requested to order that the  
35 National League of Families' POW/MIA flag be flown directly  
36 under the flag of the State of Hawaii; and  
37



S.R. NO. 22

1 BE IT FURTHER RESOLVED that certified copies of this  
2 Resolution be transmitted to the Governor; the Adjutant General;  
3 the Director of the Office of Veterans' Services; and the  
4 Chairman of the Board of the National League of Families of  
5 American Prisoners and Missing in Southeast Asia.  
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8

OFFERED BY: \_\_\_\_\_

A handwritten signature in black ink, consisting of stylized, overlapping loops and curves, positioned over a horizontal line.