

112TH CONGRESS
1ST SESSION

S. 1444

To provide for the presentation of a United States flag on behalf of Federal civilian employees who are killed while performing official duties or because of their status as Federal employees.

IN THE SENATE OF THE UNITED STATES

JULY 28, 2011

Mr. AKAKA (for himself and Mr. LIEBERMAN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To provide for the presentation of a United States flag on behalf of Federal civilian employees who are killed while performing official duties or because of their status as Federal employees.

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”.

1 **SEC. 2. PRESENTATION OF UNITED STATES FLAG ON BE-**
2 **HALF OF FEDERAL CIVILIAN EMPLOYEES**
3 **KILLED WHILE PERFORMING OFFICIAL DU-**
4 **TIES OR BECAUSE OF THEIR STATUS AS FED-**
5 **ERAL EMPLOYEES.**

6 (a) DEFINITIONS.—In this Act:

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

10 (A) individuals who perform volunteer
11 services at the discretion of the head of an execu-
12 tive agency; and

13 (B) an officer or employee of the United
14 States Postal Service or of the Postal Regu-
15 latory Commission.

16 (2) EXECUTIVE AGENCY.—The term “executive
17 agency” has the meaning given that term in section
18 105 of title 5, United States Code, and includes the
19 United States Postal Service and the Postal Regu-
20 latory Commission.

21 (b) PRESENTATION OF FLAG.—Upon receipt of a re-
22 quest under subsection (c), the head of an executive agen-
23 cy shall pay the expenses incident to the presentation of
24 a flag of the United States for an individual who—

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

1 (2) dies of injuries incurred in connection with
2 such individual's status as a Federal employee.

3 (c) REQUEST FOR FLAG.—The head of an executive
4 agency shall furnish a flag for a deceased employee de-
5 scribed in subsection (a) upon the request of—

6 (1) the employee's next of kin; or

7 (2) if no request is received from the next of
8 kin, an individual other than the next of kin as de-
9 termined by the Director of the Office of Personnel
10 Management.

11 (d) EXCEPTIONS.—Subsections (b) and (c) shall not
12 apply if—

13 (1) the head of the executive agency determines
14 that fulfilling the requirements of subsections (a)
15 and (b) would endanger the national security of the
16 United States or require the disclosure of classified
17 information; or

18 (2) the employee is excluded from compensation
19 for death under section 8102(a) of title 5, United
20 States Code.

21 (e) EMPLOYEE NOTIFICATION.—The head of an exec-
22 utive agency shall provide appropriate notice to employees
23 of the agency of the flag benefit provided under this Act.

24 (f) REGULATIONS.—The Director of the Office of
25 Personnel Management, in coordination with the Sec-

- 1 Secretary of Defense and Secretary of Homeland Security,
- 2 may prescribe regulations to implement this Act.

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