

July 31, 2020

## Flag Policy

1. Purpose. This document establishes policy and provides procedural guidance on flying the flag of the United States of America ("Flag") and other flags and pennants at buildings under the jurisdiction, custody or control of the U.S. General Services Administration ("GSA"), including those buildings where the Administrator of General Services ("Administrator") has delegated operation and maintenance responsibilities to another Federal agency (each, individually, a "Delegated Building" and collectively, the "Delegated Buildings"). It replaces in their entirety all previous Flag policies, including the policy issued on March 18, 2015, and the Operational Guidance to the Flag policy, which was issued on March 20, 2015.

2. Applicability. The Flag must be flown at all (a) public buildings that are operated and managed by GSA (each, individually, a "GSA-Operated Building" and collectively, the "GSA-Operated Buildings"), (b) Delegated Buildings and (c) buildings where GSA has entered into a lease agreement with a person, copartnership, corporation, or other public or private entity for the accommodation of a Federal agency, if provisions for flying the Flag are addressed in the lease (each, individually, a "Leased Building" and collectively, the "Leased Buildings").

3. Responsibilities. The entity responsible for raising, lowering and half-staffing the Flag and other flags and pennants at each of the different categories of buildings is as follows:

- a. GSA-Operated Buildings. Unless specifically provided otherwise in this policy, at GSA-Operated Buildings, either the GSA operations and maintenance ("O&M") contractor or GSA's in-house facility management personnel is responsible for raising, lowering and half-staffing the Flag and other flags and pennants. At GSA-Operated Buildings where there is an on-site O&M contractor, the contractor is responsible for providing this service. If there is no on-site O&M contractor, GSA facility management personnel perform this function.
- b. Delegated Buildings. The Federal agency with the delegated real property O&M authority is responsible for raising, lowering and half-staffing the Flag and other flags and pennants at a Delegated Building.
- c. Leased Buildings. Subject to the terms of the lease, the occupant agency or the lessor, as applicable, is responsible for raising, lowering and half-staffing the Flag and other flags and pennants at a Leased Building.

4. Supplying Flags and Flagpoles. GSA will provide the Flag to GSA facility management personnel or the O&M contractor, as applicable, in sufficient quantities so that there is at least one spare Flag at each GSA-Operated Building. Federal agencies at Delegated Buildings are responsible for acquiring Flag replacements from either GSA's Federal Acquisition Service ("FAS") or another commercial source. At Leased Buildings, the lessor is responsible for acquiring the Flag from a commercial source that complies with the size provisions in section 6, below. Lessors and contractors are not authorized to order Flags from the FAS schedules.

GSA will provide flagpoles at GSA-Operated Buildings and Delegated Buildings. Federal agencies at Delegated Buildings are responsible for maintaining the flagpoles. At Leased Buildings, the lessor must provide and maintain the flagpole in accordance with the lease requirements.

5. Unserviceable Flags and Disposal. Torn, frayed, soiled, or otherwise damaged Flags and other flags and pennants that are unserviceable must not be displayed. The method of disposing of the Flag must conform to the provisions set forth in 4 U.S.C. § 8(k).

6. Flag Size. The Flag dimensions authorized for executive agencies must conform to the provisions of Executive Order 10834 (August 21, 1959), which is set forth in 4 U.S.C. § 1 note.

7. Flagpole. Standards for flagpole installations at GSA-Operated Buildings, Delegated Buildings, Leased Buildings, if the Federal Government is the sole occupant of the building, and other lease construction facilities, if the Federal Government intends to own or has an option to purchase the facility, are addressed in the *Facilities Standards for the Public Buildings Service*, PBS-P100, at <http://www.gsa.gov/P100>.

8. Flying the Flag. The Flag must be flown:

- a. During daylight hours, except as described in subsections 8.d, e and i, below, which subsections specify when the Flag may be flown after dark. Specific times for raising and lowering the Flag are based on and coincide with agency work schedules and availability of staffing to raise and lower the Flag;
- b. On all workdays;
- c. Seven days a week in the District of Columbia;
- d. Seven days a week, from sunrise until 10:00 p.m., at the National Archives and Records Administration in Washington, DC;
- e. Seven days a week, 24 hours a day, at land ports of entry that are open continuously;

- f. On days designated by Public Law 94-344 (Joint Resolution to Codify and Emphasize Existing Rules and Customs Pertaining to the Display and Use of the Flag of the United States of America) and Public Law 105-85 (National Defense Authorization Act for Fiscal Year 1998):
  - i. When the day falls on a Saturday and the event day is observed on the preceding Friday, the Flag is flown on both Friday and Saturday.
  - ii. When the day falls on a Sunday and the day is observed on the following Monday, the Flag is flown on both Sunday and Monday.
- g. In a particular State, on the statehood anniversary date and on the State holidays of each State;
- h. On other occasions specified in this policy; and
- i. At night, on occasions authorized by either the Administrator or the GSA Public Buildings Service ("PBS") Regional Commissioner for an affected region. Flying the Flag must comply with recognized custom or practice and not be inconsistent with applicable law. As required by section 9, below, Flags flown during darkness must be illuminated.

9. Illumination of the Flag. Flags flown during darkness must be illuminated. Illuminated Flags are not raised and lowered each day; however, illuminated Flags must be appropriately half-staffed on the days specified in this policy.

10. Flag Flying Exceptions. As part of the authorities delegated by the Administrator to the PBS Commissioner and the PBS Deputy Commissioner, and re-delegated by the PBS Deputy Commissioner to the PBS Regional Commissioners, for the O&M of Federal facilities, the PBS Regional Commissioners have the authority to determine when flying the Flag may be impractical at certain locations in their respective regions because:

- a. It is a classified installation;
- b. The facility is leased, owner-operated and used only for storage;
- c. There is a short-term lease on the facility and no intent to renew the lease; or
- d. The flagpole location presents a safety hazard to raising and lowering the Flag and relocating the flagpole is impractical. In such situations, the Flag does not need to be flown until the safety hazard is abated.

11. Flying the Flag in Stormy Weather. The Flag must not be flown, for safety reasons, during high winds, severe storms or icy conditions.

12. Days to Display the Flag. In accordance with Public Law 94-344, the Flag must be displayed at all GSA-Operated Buildings, Delegated Buildings and Leased Buildings (subject to the terms of the lease), on the following days:

New Year's Day	January 1
Martin Luther King's Birthday*	Third Monday in January
Inauguration Day	January 20
Lincoln's Birthday	February 12
Washington's Birthday	Third Monday in February
Easter Sunday	Variable
Mother's Day	Second Sunday in May
Peace Officers Memorial Day**	May 15
Armed Forces Day	Third Saturday in May
Memorial Day***	Last Monday in May
Flag Day	June 14
Independence Day	July 4
Labor Day	First Monday in September
Patriot Day****	September 11
Constitution Day	September 17
National Fallen Firefighters Memorial Day*****	First Sunday in October
Columbus Day	Second Monday in October
Navy Day	October 27
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Remembrance of Pearl Harbor	December 7
Christmas Day	December 25
Other days proclaimed by the President of the United States.	

\*Designated by Public Law 98-144, 5 U.S.C. § 6103 (An Act to amend Title 5, United States Code, to make the birthday of Martin Luther King, Jr., a legal public holiday).

\*\* Designated by Public Law 103-322 (Violent Crime Control and Law Enforcement Act of 1994).

\*\*\* Half-staff until noon and then raise until sunset.

\*\*\*\* Designated by Public Law 107-89, 36 U.S.C. § 144.

\*\*\*\*\* Designated by Public Law 107-51.

13. Time Frames and Locations for Half-Staffing the Flag. The time frames and locations for flying the Flag at half-staff upon the death of the officials enumerated in 4 U.S.C. § 7, as amended, are set forth in Attachment A, which is incorporated herein by reference. The period specified to half-staff the Flag cannot be adjusted, unless authorized in a Presidential order or proclamation.

14. Other Occasions to Half-Staff the Flag. In addition to the occasions set forth in 4 U.S.C. § 7, as amended, other occasions for flying the Flag at half-staff at certain GSA-Operated Buildings, Delegated Buildings and Leased Buildings include:

- a. GSA-Operated Buildings. The death of a person, other than those identified in Attachment A, who worked in a specific GSA-Operated Building, where the head of the department or agency has authorized the half-staffing of the Flag. In such instances, the head of the deceased person's department or agency may request the Administrator, the PBS Commissioner, the PBS Deputy Commissioner, or the PBS Regional Commissioner for the region where the building is located to half-staff the Flag at the specific building designated by the agency head. The head of the department or agency does not have the authority to direct that the Flag be flown at half-staff at other facilities under GSA's jurisdiction, custody or control. However, the head of the department or agency may request the Administrator, the PBS Commissioner, the PBS Deputy Commissioner, or the PBS Regional Commissioner for the region where the building or buildings are located (but only if all the buildings are located in the same region) to lower the Flag for the other facilities. The period of half-staffing the Flag must not exceed the period that is set forth for "Federal Officials" in Attachment A;
- b. Delegated Buildings. The death of a person, other than those identified in Attachment A, who worked in a specific Delegated Building, where the head of the department or agency has authorized the half-staffing of the Flag. In such instances, the head of the department or agency does not have the authority to direct that the Flag be flown at half-staff at other facilities under GSA's jurisdiction, custody or control. However, the head of the department or agency may request the Administrator, the PBS Commissioner, the PBS Deputy Commissioner, or the PBS Regional Commissioner for the region where the building or buildings are located (but only if all the buildings are located in the same region) to lower the Flag for the other facilities. The period of half-staffing the Flag must not exceed the period that is set forth for "Federal Officials" in Attachment A;
- c. Leased Buildings. The death of a person, other than those identified in Attachment A, who worked in a specific Leased Building, where the head of the department or agency has authorized the half-staffing of the Flag. In such instances, the head of the department or agency does not have the authority to direct that the Flag be flown at half-staff at other facilities under GSA's jurisdiction, custody or control. However, the head of the department or agency may request the Administrator, the PBS Commissioner, the PBS Deputy Commissioner, or the PBS Regional Commissioner for the region where the building or buildings are located (but only if all the buildings are located in the same region) to lower the Flag for the other facilities. The period of half-staffing the Flag must not exceed the period that is set forth for "Federal Officials" in Attachment A; and

d. Other Requests to Half-Staff the Flag. The death of a prominent citizen not enumerated in 4 U.S.C. § 7, as amended, as provided in accordance with Presidential orders or instructions, recognized customs or practices not inconsistent with law, or proclamations or other orders from a Governor of a State, territory or U.S. possession, or the Mayor of the District of Columbia, as applicable. In addition, the Administrator, the PBS Commissioner, the PBS Deputy Commissioner, or the PBS Regional Commissioner for the region where the building or buildings are located (but only if all the buildings are located in the same region) may request that the Flag be flown at half-staff on buildings or grounds under their jurisdiction on occasions other than those specified in 4 U.S.C. § 7, as amended, that they consider proper. If the PBS Regional Commissioner initiates the request to fly the Flag at half-staff, the PBS Regional Commissioner must promptly notify the PBS Deputy Commissioner. Finally, the heads of departments and agencies operating Delegated Buildings or occupying GSA-Operated Buildings or Leased Buildings may request that the Flag be flown at half-staff on buildings or grounds under their jurisdiction on occasions other than those specified in 4 U.S.C. § 7, as amended, that they consider proper. The PBS Regional Commissioner in the region where the buildings or grounds are located must approve any such request and promptly notify the PBS Deputy Commissioner. If the request covers more than one region, the PBS Commissioner or the PBS Deputy Commissioner must approve the request.

15. Notification Process to Half-Staff the Flag. The process for notifying GSA facility management personnel or O&M contractors, as applicable, and Federal agencies operating Delegated Buildings to fly the Flag at half-staff on GSA-Operated Buildings, Delegated Buildings and Leased Buildings depends on whether the request is to fly the Flag at half-staff nationwide, statewide, locally, or agency-wide.

- a. Nationwide. Except as otherwise provided in 4 U.S.C. § 7, as amended, requests to fly the Flag at half-staff nationwide must originate from the White House. The request is transmitted to the Department of Homeland Security ("DHS"), Federal Protective Service ("FPS") MegaCenter, with a follow-up order by e-mail from the White House to the MegaCenter. The request is then sent by e-mail from the MegaCenter to the GSA facility management personnel and Federal agencies operating Delegated Buildings for implementation.
- b. Statewide and the District of Columbia. Except as otherwise provided in 4 U.S.C. § 7, as amended, requests to fly the Flag at half-staff statewide or in the District of Columbia must originate from the Office of the Governor of the State, territory or U.S. possession, or the Office of the Mayor of the District of Columbia, as applicable. All requests must be transmitted to the DHS/FPS MegaCenter that sends out alerts to Federal buildings in that State, territory or U.S. possession, or in the District of

Columbia, as applicable. The request must be accompanied by a follow-up order by e-mail from the Office of the Governor or the Office of the Mayor, as applicable, to the MegaCenter. The request is then sent by the MegaCenter by e-mail to the appropriate GSA facility management personnel and Federal agencies operating Delegated Buildings for implementation.

- c. Local. Requests to fly the Flag at half-staff on a particular building or group of buildings in a particular geographical area under GSA's jurisdiction, custody or control must be approved by the PBS Regional Commissioner or the PBS Regional Commissioner's designee in the region where the building or buildings are located. The PBS Regional Commissioner or the PBS Regional Commissioner's designee must promptly notify the PBS Deputy Commissioner of any such decision to fly the Flag at half-staff. Once approved, the local GSA regional office must notify the appropriate GSA facility management personnel and Federal agencies operating Delegated Buildings for implementation.
- d. Agency-wide. Requests to fly the Flag at half-staff on a department or agency-wide basis are transmitted to the appropriate DHS/FPS MegaCenter(s) with a follow-up request from the department or agency head to the MegaCenter. The MegaCenter must contact the Administrator, the PBS Commissioner or the PBS Deputy Commissioner for approval. Once approved, the MegaCenter must e-mail the order, together with the appropriate agency building list, to the appropriate GSA facility management personnel and Federal agencies operating Delegated Buildings for implementation.

16. Displaying the POW/MIA Flag. In accordance with Public Laws 105-85 and 116-67, the POW/MIA flag must be displayed on all days that the Flag is flown at the GSA-Operated Buildings, Delegated Buildings and Leased Buildings containing (a) the official office of (i) the Secretary of State, (ii) the Secretary of Veterans Affairs and (iii) the Director of the Selective Service System, and (b) a United States Postal Service post office.

17. Other Flags and Pennants. The PBS Regional Commissioners may authorize the flying of additional flags and pennants in their respective region at GSA-Operated Buildings, Delegated Buildings and Leased Buildings as follows:

- a. State flag. In a particular State, on the anniversary of statehood, on State holidays and on other special occasions;
- b. City flag. In a particular city, on the anniversary of the founding of the city and on other special occasions;
- c. Agency Pennant flag. Upon the request of a Federal agency, if (i) the agency is the sole occupant in the building or (ii) the agency occupies the majority of the rentable square footage in a multi-occupant building, obtains the written consent from all the other occupants in the building

and transmits these consents along with the request to the PBS Regional Commissioner, as provided in that certain June 17, 2008, memorandum issued by the PBS Commissioner entitled "Flying Agency Pennants at GSA Buildings." In addition, as further provided in the June 17, 2008, memorandum, an agency may continue to fly an agency pennant flag, if the agency had obtained approval from GSA to fly the pennant flag prior to the issuance of the memorandum.

- d. Non-Agency Pennant flag. For a limited time (not more than two days) following the receipt of a special award by a Federal agency, to commemorate the birthday/establishment of a Federal agency, in connection with a Federal agency-funded drive, or other special occasions that are approved by the PBS Regional Commissioner.

These other flags and pennants must not be larger than the Flag and must be on the flagpole beneath the Flag when flown on the same staff.

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## ATTACHMENT A

### TIME FRAMES AND LOCATIONS FOR HALF-STAFFING THE FLAG

#### PRESIDENT OF THE UNITED STATES

Period - 30 days from the day of death.

Location - All GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

#### FORMER PRESIDENT OF THE UNITED STATES

Period - 30 days from the day of death.

Location - All GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

#### VICE PRESIDENT OF THE UNITED STATES

Period - 10 days from the day of death.

Location - All GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

#### FORMER VICE PRESIDENT OF THE UNITED STATES

Period - From the day of death until interment.

Location - All GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

#### THE CHIEF JUSTICE OF THE SUPREME COURT

Period - 10 days from the day of death.

Location - All GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

#### RETIRED CHIEF JUSTICE OF THE SUPREME COURT

Period - 10 days from the day of death.

Location - All GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

**ASSOCIATE JUSTICE OF THE SUPREME COURT**

Period - From the day of death until interment.

Location - All GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

**SPEAKER OF THE HOUSE OF REPRESENTATIVES**

Period - 10 days from the day of death.

Location - All GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

**MEMBER OF THE CABINET**

Period - From the day of death until interment.

Location - All GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

**PRESIDENT PRO TEMPORE OF THE SENATE**

Period - From the day of death until interment.

Location - All GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

**MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES**

Period - From the day of death until interment.

Location - All GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

**MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES**

Period - From the day of death until interment.

Location - All GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

**U.S. SENATOR, U.S. REPRESENTATIVE, TERRITORIAL DELEGATE, OR RESIDENT COMMISSIONER FROM PUERTO RICO**

Period - On the day of death and on the following day.

Location - All GSA-Operated Buildings, Delegated Buildings and Leased Buildings in the metropolitan area of the District of Columbia and in the State,

congressional district, territory, U.S. possession, or commonwealth of such Senator, Representative, Territorial Delegate, or Resident Commissioner, respectively.

**GOVERNOR OF STATE, TERRITORY OR POSSESSION**

Period - From the day of death until interment.

Location - All GSA-Operated Buildings, Delegated Buildings and Leased Buildings in the State, territory or U.S. possession, as applicable.

**OTHER OFFICIALS, FORMER OFFICIALS OR FOREIGN DIGNITARIES**

Period - As directed by the President or in accordance with recognized customs or practices not inconsistent with law.

Location - As directed by the President or in accordance with recognized customs or practices not inconsistent with law.

**FEDERAL OFFICIALS, INCLUDING FEDERAL CIRCUIT AND DISTRICT COURT JUDGES**

Period - On the day of death and on the following day (if requested).

Location - The official's principal duty station and those other GSA-Operated Buildings, Delegated Buildings and Leased Buildings that are occupied by the official's department or agency in the same geographic area where the head of the official's agency has requested that the Flag be flown at half-staff.

**OFFICIALS FROM ANY STATE, TERRITORY OR POSSESSION (OTHER THAN THE GOVERNOR), OR THE DISTRICT OF COLUMBIA**

Period - On the day of death and on the following day.

Location - At locations as requested throughout the State or in the District of Columbia, as applicable, including all GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

**CITY OFFICIAL**

Period - On the day of death and on the following day.

Location - At locations as requested in the city where the individual performed official duties, including all GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

**MEMBER OF THE ARMED FORCES FROM ANY STATE, TERRITORY, POSSESSION, OR THE DISTRICT OF COLUMBIA WHO DIES WHILE SERVING ON ACTIVE DUTY**

Period - As directed by proclamation or other order from the Governor of a State, territory or U.S. possession, or the Mayor of the District of Columbia, pursuant to Public Law 110-41, the "Army Specialist Joseph P. Micks Federal Flag Code Amendment Act of 2007."

Location - All buildings throughout the State, territory, U.S. possession, or the District of Columbia covered by the proclamation or other order, including GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

**FIRST RESPONDER WORKING IN ANY STATE, TERRITORY, POSSESSION, OR THE DISTRICT OF COLUMBIA WHO DIES WHILE SERVING IN THE LINE OF DUTY**

Period - As directed by proclamation or other order from the Governor of a State, territory or U.S. possession, or the Mayor of the District of Columbia, pursuant to section 10102 of division A of Public Law 115-123, the "Honoring Hometown Heroes Act."

Location - All buildings throughout the State, territory, U.S. possession, or the District of Columbia covered by the proclamation or other order, including GSA-Operated Buildings, Delegated Buildings and Leased Buildings.

**PROMINENT CITIZENS (NOT ENUMERATED IN STATUTE)**

Period - On the day of death and on the following day.

Location - Whichever of the above locations is applicable, as provided in accordance with Presidential orders or instructions, recognized customs or practices not inconsistent with law, or proclamations or other orders from a Governor of a State, territory or U.S. possession or the Mayor of the District of Columbia.