




JULY 31, 2020

MEMORANDUM FOR PBS REGIONAL COMMISSIONERS

FROM: ANDREW HELLER  
ASSISTANT COMMISSIONER   
OFFICE OF FACILITIES MANAGEMENT - PM

SUBJECT: Revised Flag Policy

This memorandum transmits a revised policy that contains updated operational guidance for facility managers on flying the flag of the United States of America (Flag) and other flags and pennants. The revisions are in response to new statutory requirements for flying the Prisoner of War (POW) Missing in Action (MIA) flag and flying the Flag at half-staff in the event of the death of a first responder serving in the line of duty, and the “Memorandum of Agreement between the General Services Administration and the Department of Homeland Security,” signed on September 27, 2018, which removed the requirement that Federal Protective Service (FPS) contract guards perform the “post order” duties to raise, lower and half-staff the Flag and other flags and pennants. The revisions also address other suggestions from the regional offices and the Office of Facilities Management. The attached revised Flag policy cancels and replaces in their entirety the previous version of the Flag policy, which was issued on January 28, 2008, and revised on March 18, 2015, and the Operational Guidance to the Flag policy, which was issued on March 20, 2015.

**Authority:** The Administrator of General Services (Administrator) has broad authority under 40 U.S.C. § 301 note to issue policy on building operations, including when to fly the Flag at Federal buildings under the jurisdiction, custody and control of the U.S. General Services Administration (GSA), including those buildings for which operation and maintenance (O&M) authority is delegated to other Federal agencies by the Administrator, and at GSA-leased buildings, if provisions for flying the Flag are addressed in the lease. The Administrator has delegated this authority to the Commissioner of Public Buildings, who, in turn, has redelegated this authority to the Assistant Commissioner for the Office of Facilities Management.

**Policy Revisions:** The revised Flag policy removes the reference to FPS contract guards and replaces them with GSA’s O&M contractors, who are now authorized to raise and lower the Flag and other flags and pennants and half-staff the Flag. Other significant revisions include incorporating the provisions of Public Law 116-67, which requires that the POW MIA flag be flown on all days at locations specified in the statute, and section 10102 of division A of Public Law

115-123, which permits flying the Flag at half-staff in the event of the death of a first responder serving in the line of duty. Other changes are also included in sections 5, 7, 14, and 17.

The national O&M specification already requires the O&M contractor to handle these Flag flying responsibilities. In those limited instances where this requirement is not included in the O&M contract, the region should work with its facility management contractors to include this service as a change to the scope of work under the contract. At Federally owned locations that do not have an O&M contractor on-site, GSA facility management personnel must provide this service. Federal agencies with delegated real property O&M authority from the Administrator are responsible for raising and lowering the Flag and other flags and pennants and half-staffing the Flag in accordance with the revised policy.

The revised policy applies to real property O&M activities for all buildings under GSA's jurisdiction, custody and control, including those buildings for which O&M authority is delegated to other Federal agencies by the Administrator, and at GSA-leased buildings, if provisions for flying the Flag are addressed in the lease.

Attachment