

107TH CONGRESS
2D SESSION

H. R. 5640

AN ACT

To amend title 5, United States Code, to ensure that the right of Federal employees to display the flag of the United States not be abridged.

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To amend title 5, United States Code, to ensure that the right of Federal employees to display the flag of the United States not be abridged.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “American Flag Pride
3 Act”.

4 **SEC. 2. EMPLOYEES’ RIGHT TO DISPLAY THE FLAG OF THE**
5 **UNITED STATES.**

6 (a) IN GENERAL.—Chapter 72 of title 5, United
7 States Code, is amended by adding at the end the fol-
8 lowing:

9 “SUBCHAPTER III—EMPLOYEES’ RIGHT TO
10 DISPLAY THE FLAG OF THE UNITED STATES
11 **“§ 7221. Definitions**

12 “For purposes of this subchapter—

13 “(1) the term ‘flag’ has the same meaning as
14 is given the term ‘flag, standard, colors, or ensign’
15 under section 3 of title 4; and

16 “(2) the term ‘Federal employee’ includes a
17 person under a personal services contract with the
18 United States (including an individual employed by
19 such a person).

20 **“§ 7222. Employees’ right to display the flag of the**
21 **United States**

22 “No agency, officer, or other authority of the Govern-
23 ment of the United States shall adopt or enforce any pol-
24 icy, or enter into any agreement, that would restrict or
25 prevent a Federal employee from displaying the flag of
26 the United States, or a pin of that flag, on his or her

1 person, in his or her workplace, or on a Government vehi-
 2 cle operated by such employee.

3 **“§ 7223. Limitations**

4 “Nothing in this subchapter shall be considered to
 5 permit any display or use which would be inconsistent
 6 with—

7 “(1) any provision of chapter 1 of title 4 or any
 8 rule or custom pertaining to the proper display or
 9 use of the flag (as established in or under such
 10 chapter or otherwise applicable provisions of law); or

11 “(2) any reasonable restriction pertaining to the
 12 time, place, or manner of displaying the flag of the
 13 United States which is necessary—

14 “(A) for reasons of workplace safety; or

15 “(B) to prevent damage to public prop-
 16 erty.”.

17 (b) CLERICAL AMENDMENT.—The analysis for chap-
 18 ter 72 of title 5, United States Code, is amended by add-
 19 ing at the end the following:

“SUBCHAPTER III—EMPLOYEES’ RIGHT TO DISPLAY THE FLAG
 OF THE UNITED STATES

“7221. Definitions.

“7222. Employees’ right to display the flag of the United States.
“7223. Limitations.”.

Passed the House of Representatives October 16,
2002.

Attest:

Clerk.