

117TH CONGRESS  
1ST SESSION

# H. R. 4212

To amend title 4, United States Code, to reflect contemporary customs and practices with respect to the flag, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2021

Mr. WOMACK (for himself, Mr. GOLDEN, Mr. WESTERMAN, Mr. DESJARLAIS, Mr. CRAWFORD, Mr. GOHMERT, Miss GONZÁLEZ-COLÓN, Mr. COLE, and Mr. BAIRD) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 4, United States Code, to reflect contemporary customs and practices with respect to the flag, and for other purposes.

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 “Flag Code Moderniza-  
5       tion Act of 2021”.

6       **SEC. 2. FLAG PRACTICES.**

7       (a) DISPLAY AND USE OF FLAG BY CIVILIANS.—Sec-  
8       tion 5 of title 4, United States Code, is amended by strik-  
9       ing “such civilians or civilian groups or organizations” and

1 inserting “such civilians, civilian groups, organizations, or  
2 corporations”.

3 (b) TIME AND OCCASIONS FOR DISPLAY.—Section  
4 6(d) of title 4, United States Code, is amended by striking  
5 “December 25;” and inserting “December 25; Presidents  
6 Day, third Monday in February; Thomas Jefferson’s  
7 Birthday, April 13; Loyalty Day—Law Day USA, May 1;  
8 National Maritime Day, May 22; Flag Week, week of June  
9 14; Aviation Day, August 19; Patriot Day (half-staff),  
10 September 11; POW/MIA Recognition Day, third Friday  
11 in September; American Gold Star Mother’s Day, last  
12 Sunday in September; Pearl Harbor Day (half-staff), De-  
13 cember 7;”.

14 (c) POSITION AND MANNER OF DISPLAY.—Section 7  
15 of title 4, United States Code, is amended—

16 (1) in subsection (f), by striking “flag’s right.”  
17 and inserting “flag’s right. The flags should be of  
18 approximately equal size or the flag of the United  
19 States shall be the larger flag.”; and

20 (2) in subsection (g), by striking “peace.” and  
21 inserting “peace. The flags of such nations shall be  
22 displayed to the observer’s right and in alphabetical  
23 order from left to right.”.

24 (d) RESPECT FOR FLAG.—Section 8 of title 4, United  
25 States Code, is amended—

1           (1) in subsection (c), by striking “should never  
2       be carried flat or horizontally, but always aloft and  
3       free.” and inserting “shall be displayed aloft and  
4       free. Unless such flag may be carried flat or hori-  
5       zontally for a patriotic purpose, including if the flag  
6       is too large to be displayed aloft and free.”;

7           (2) in subsection (i), by striking “It should not  
8       be embroidered on such articles as cushions or hand-  
9       kerchiefs and the like, printed or otherwise im-  
10      pressed on paper napkins or boxes or anything that  
11      is designed for temporary use and discard.”; and

12          (3) in subsection (j), by striking “policemen”  
13      and inserting “policemen, postal workers”.

14      (e) EFFECTIVE DATE.—The amendments made by  
15   this section shall take effect 90 days after the date of the  
16   enactment of this Act.

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