

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

DEPARTMENTAL REGULATION		Number: 5160-005
SUBJECT: Display and Use of the Flag	DATE: April 28, 2008	
	OP: Office of Procurement and Property Management, Property Management Division	

1. PURPOSE

This Departmental Regulation prescribes USDA policies, procedures, and responsibilities for the display and use of the flag of the United States of America; the flag of the Secretary of Agriculture; and the flag of the Department of Agriculture.

2. CANCELLATION

This regulation supersedes DR 5160-4, dated June 12, 1997.

3. AUTHORIZED FLAGS

There are three flags authorized for display within the Department: the flag of the United States of America, the flag of the Secretary of Agriculture and the Departmental flag. No agency or office within the USDA is allowed to design or fly any other flag or pennant as a means of agency identification without written approval of such flag or pennant from the Director, Office of Procurement and Property Management (OPPM).

4. AUTHORITIES FOR HALF-STAFFING THE FLAGS

- a. The President of the United States, the Governor of a State, or the Mayor of the District of Columbia may order the U.S. flag to be flown at half-staff to honor the death of a national state or District of Columbia figure, or in the event of the death of a member of the Armed Forces who died while serving on active duty (Title 4 U.S.C. as amended January 4, 2007).
- b. The Secretary of Agriculture is authorized to direct that the U. S. flag be flown at half-staff on occasions other than those specified in Proclamation No. 3044, March 1, 1954,

as amended by Proclamation No. 3948, December 12, 1969, at Agriculture-controlled facilities operated by Agriculture under the building delegations program for which General Services Administration (GSA) has delegated this authority.

- c. The authority to fly the flags at half-staff is delegated to Agency Heads from the Secretary of Agriculture, 7 CFR § 2.8. The guidelines and procedures, as outlined in 4 U.S.C. § 7 are to be followed. Agency Heads may choose to fly the flags at half-staff on special occasions. Such occasions are described in Appendix A, Section 3i.

5. OCCASIONS

- a. Occasions for flying the flags at half-staff are described in Appendix A, Sections 3i and j.
- b. In addition to occasions described in Appendix A, requests to half-staff the flags at specific sites for which Agriculture have responsibility or such sites within certain geographic areas upon the death of Federal, State, or local officials should be directed to Agency Heads or their designee for approval. For USDA offices and facilities located in space controlled by GSA, requests should be addressed to the appropriate GSA Regional Administrator for approval and necessary action.

6. RESPONSIBILITY

OPPM is responsible for disseminating departmental policy through this issuance. The Office of Security Services, Emergency Programs Operations Center (EOC) is responsible for notifying Agency Heads on occasions other than those specified in this issuance when the flags are to be flown at half-staff. Agencies are responsible for compliance with the provisions of this issuance at all field installations and for disseminating any further instructions or notifications received from OPPM or EOC to those agency activities affected.

7. NOTIFICATION

- a. The EOC will notify Agency Heads when this authority is exercised other than on those occasions specified in Appendix A, Sections 3i and j, when the flags are to be flown at half-staff.
- b. Agencies will disseminate the information contained in this issuance to all field activities which have facility management responsibility and establish internal notification procedures for ensuring compliance with half-staffing requirements. Agency procedures will address both duty and non-duty hours. Internal procedures should involve either:

- (1) Agencies having facility management responsibilities will refer to Appendix A, Sections 3i and j, for designated occasions to fly the flags at half-staff. If this policy is to be implemented, procedures must be established for those activities to verify news received through radio, television, or other news media of occasions requiring half-staffing with pre-established contacts at Agency Headquarters; or
- (2) Agencies will designate a central contact point to notify on each half-staffing occasion, other than specified in Appendix A, Sections 3i and j.

8. PROCEDURES FOR NOTIFICATION ON LOWERING FLAGS AT ALL FEDERAL FACILITIES

- a. The EOC will receive an email message titled ****Occasion to Half-Staff the American Flag**** (or similar) from Suitland.Megacenter@dhs.gov.
- b. The EOC watchstander will review the email to ensure that the action affects all federal facilities as opposed to a certain Federal entity (for example, notices that only affect flags at DHS facilities where USDA facilities take no action). If the email does not specify or if the EOC watchstander is otherwise unsure, he or she will contact the White House Executive Office of the Clerk at 202-456-2227 or the Suitland Megacenter at 202-727-6161 to obtain clarification.
- c. Once it is determined that the email is indeed for all Federal facilities, the EOC watchstander will forward the email to the "Flag Notification Recipients" distribution list in the OpsCenter address book. The Flag Distribution list consists of key points of contact in all USDA Agencies.

9. PROCEDURES FOR NOTIFICATION ON THE LOWERING OF FLAGS AT USDA FACILITIES ONLY

- a. If a request is received for information about the Secretary of Agriculture authorizing the lowering to half-staff of the American flag, or upon receiving information about the death of a USDA employee, the watchstander will contact either the Chief of Staff or the Director of Scheduling for further information.
- b. Upon receiving authorization from the Office of the Secretary to fly the American flag at half-staff at USDA facilities, the watchstander will generate and send an email to the "Flag Notification Recipients" distribution list in the Ops Center address book. This email will specify the reason for the action, the period that the flag will be half-staffed, and will highlight the fact that it is at USDA facilities only.

10. COMPUTATION OF PERIODS FOR HALF-STAFFINGS

- a. When the number of days is specified.
 - (1) The day of death counts as the first day, even if the flags were not placed at half-staff that day because death occurred after the normal time to lower the flags for the day or notification was received too late to half-staff on that day.
 - (2) The flags must be flown each day for the specified number of calendar days, even if they would not normally be flown on some of the days. This policy is applicable only if operating personnel normally scheduled to work are available to perform this function.
- b. On the day of death and on the following day.
 - (1) If notification of death is received before the normal time to lower the flags for the day, the flags will be lowered to half-staff on that day and flown at half-staff on the following day.
 - (2) If notification is received too late to half-staff the flags on the day of death, the flags are flown at half-staff only on the day following death.
 - (3) If notification of death is received on a day that the flags are normally not flown, the flags must be flown at half-staff on that day and on the following day. However, if notification is received too late to half-staff the flags on the day of death, the flags are flown at half-staff only on the following day.
- c. From the day of death until interment.
 - (1) If notification of death is received before the time the flags are normally lowered for the day, the flags must be lowered to half-staff on that day. The flags will also be flown at half-staff on each succeeding day, including the day of interment.
 - (2) If notification is received too late to half-staff the flags on the day of death, the flags must be flown at half-staff beginning the following day and on each succeeding day through the day of interment.
 - (3) If notification of death is received on a day that the flags are normally not flown, the flags must be flown at half-staff on that day and on each succeeding day, including the day of interment. If notification is received too late to half-staff the flags on the day of death, the flags are flown at half-staff on the day following death and each succeeding day through the day of interment.

- d. Concurrent occasions to half-staff.

If during a period when the flags are already at half-staff, and notification of another death is received, the half-staff period will run concurrently, not consecutively.

11. DISPLAY OF FLAGS AT DEPARTMENT OWNED AND OCCUPIED FACILITIES

- a. The United States Flag. Display of the flag of the United States of America will be in accordance with 4 U.S.C. § 6 as described in Appendix A. On all working days and on such other days as are specifically provided by law or proclamation, weather permitting, the flag will be displayed on or near all buildings controlled or occupied solely by the Department. Where the Department occupies two or more buildings on a single site, the display of one flag on or near the main administration building is sufficient. Where the Department is collocated with another Federal department or agency, the host agency's policy on flag display prevails. Where the Department is collocated with the military or a military installation, military flag protocol is the governing authority. Regulations governing the display of the flag at half-staff upon the death of specified public officials or former public officials are covered in Appendix A, Sections 3i and j.
- b. The Flag of the Secretary of Agriculture. The official flag of the Secretary of Agriculture is the symbol of the rank of the cabinet office. It is to be displayed only in the Secretary's office or at Department functions attended by the Secretary. When the Secretary is transported via a vessel or automobile, a smaller version of the Secretary's flag may be displayed on such vessel or automobile. Refer to Appendix B for an illustration and description of the Secretary's flag.
- c. The Departmental Flag. The flag illustrated and described in Appendix C is the official flag of the Department of Agriculture.
 - (1) Indoor Display. The official flag of the Department of Agriculture may be used at functions attended by the Deputy Secretary, the Under Secretaries, or Agency Heads, or at other locations with the approval of the Chief, Property Management Division, OPPM. Requests for an indoor flag shall be in writing and detail the specifics for request. Also, the request must be accompanied by a Form AD-14, Request for Supplies, Forms and/or Publications signed by the Agency Head or his/her designee. Approved requests for flags will be forwarded to the Central Supply Stores located at the Beltsville Warehousing Complex for processing.
 - (2) Outdoor Display. The official flag of the Department of Agriculture will be displayed at the Department headquarters in Washington, D.C. and at such other locations as may be approved by the Chief, Property Management Division, OPPM. Requests for an outdoor flag shall be made in writing and detail the specifics for the request. Also, the request must be accompanied by a Form AD-14 signed by the Agency Head or his/her designee. Approved requests for flags will be forwarded to

the Central Supply Stores located at the Beltsville Warehousing Complex for processing.

-END-

APPENDIX A

UNITED STATES FLAG

Laws pertaining to the display of the flag of the United States of America are published in the United States Code (4 U.S.C. § 1 et. seq.). Portions pertinent to Departmental use have been cited, along with relevant internal policy on the display of the flag.

1. DISPLAY AND USE OF FLAG BY CIVILIANS; CODIFICATION OR RULES AND CUSTOMS; DEFINITION (4 U.S.C. § 5)

The following codification of existing rules and customs pertaining to the display and use of the flag of the United States of America is established for use by such civilians or civilian groups or organizations as may not be required to conform with regulations promulgated by one or more executive departments of the United States. The flag of the United States of America, for the purpose of this chapter, shall be defined according to Sections 1 and 2 of Title 4, United States Code and Executive Order 10834, The Flag of the United States, issued pursuant thereto.

2. TIME AND OCCASIONS FOR DISPLAY; HOISTING AND LOWERING (4 U.S.C. § 6)

- a. It is the universal custom to display the flag from sunrise to sunset on buildings and on stationary flagstaves in the open. However, when patriotic effect is desired, the flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness.
- b. The flag should be hoisted briskly and lowered ceremoniously.
- c. The flag should not be displayed on days when weather is inclement, except when an all-weather flag is displayed.
- d. The flag should be displayed on all days, especially on New Year's Day, January 1; Inauguration Day, January 20; Dr. Martin Luther King, Jr's Birthday, third Monday in January; Lincoln's Birthday, February 12; Washington's Birthday, third Monday in February; Easter Sunday (variable); Mother's Day, second Sunday in May; Armed Forces Day, third Saturday in May; Memorial Day (half-staff until noon), last Monday in May; Flag Day, June 14; Independence Day, July 4; Labor Day, first Monday in September; Constitution Day, September 17; Columbus Day, second Monday in October; Navy Day, October 27; Veteran's Day, November 11; Thanksgiving Day, fourth Thursday in November; Christmas Day, December 25; and such other days as may be proclaimed by the President of the United States; the birthdays of States (date of admission); and on State holidays.

- e. The flag should be displayed daily on or near the main administration building of every public institution.

3. POSITION AND MANNER OF DISPLAY (4 U.S.C. § 7)

The flag, when carried in a procession with another flag or flags, should be either on the marching right; that is, the flag's own right, or if there is a line of other flags, in front of the center of that line.

- a. The flag of the United States of America, when it is displayed with another flag against a wall from the crossed staffs, should be on the right, the flag's own right, and its staff should be in front of the staff of the other flag.
- b. The flag of the United States of America should be at the center and at the highest point of the group when a number of flags of States or localities or pennants of societies are grouped and displayed from staffs.
- c. When flags of States, cities or localities, or pennants of societies are flown on the same halyard with the flag of the United States of America the latter should always be at the peak. When the flags are flown from adjacent staffs, the flag of the United States of America should be hoisted first and lowered last. No such flag or pennant may be placed above the flag of the United States of America or the United States of America flag's right.
- d. When flags of two or more nations are displayed, they are to be flown from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace.
- e. When the flag of the United States of America is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is a half-staff.
- f. When displaying other flags horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left.
- g. When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, the flag of the United States of America should hold the position of superior prominence, in advance of the audience, and in the position of honor at the clergyman's or speaker's right as he/she faces the audience. Any other flag so displayed should be placed on the left of the clergyman or speaker or to the right of the audience.

- h. The flag should form a distinctive feature in the ceremony of unveiling a statue or monument, but it should never be used as the covering for the statue or monument.
- i. An Agency Head may direct that the flag be displayed at half-staff pursuant to the following conditions:
 - (1) The flag will fly at half-staff for a period not to exceed one day, except upon the death of a Forest Service employee while fighting fire or in a law enforcement action, the Chief of the Forest Service is delegated the authority to fly the flags at half-staff for three days.
 - (2) Flying the flag at half-staff will symbolize respect to the memory of a USDA individual(s) who died in the line of duty; the loss of life of a local individual(s) through an act of heroism or to honor fallen soldiers of a current war.
 - (3) The lowering of the flag to half-staff will only be done in USDA controlled-buildings or facilities.
 - (4) In a multi-tenant building complex or facility the lead agency must agree to fly the flag at half-staff.
- j. The flag, when flown at half-staff, should be first hoisted to peak for an instant and then lowered to the half-staff position. The flag should again be raised to the peak before it is lowered for the day. On Memorial Day the flag should be displayed at half-staff until noon only, then raised to the top of the staff.

By order of the President, the flag shall be flown at half-staff upon the death of principal figures of the United States Government and the Governor of a State, territory, or possession, as a mark of respect to their memory. In the event of the death of other officials or foreign dignitaries, the flag is to be displayed at half-staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law. In the event of the death of a present or former official of the Government of any State, territory, or possession of the United States, the Governor of that State, territory, or possession may proclaim that the flag of the United States of America shall be flown at half-staff. The flag shall be flown at half-staff thirty days from the death of the President; ten days from the death of the Vice President, the Chief Justice or retired Chief Justice of the United States, or the Speaker of the House or Representatives; from the day of death until interment of an Associate Justice of the Supreme Court, a Secretary of an executive or military department, a former Vice President, or the Governor of a State, territory, or possession; and on the day of death and the following day for a Member of Congress.

The President may issue each year a proclamation directing United States government officials to display the flag of the United States at half-staff on the following days: Peace Officers Memorial Day, May 15 unless that day is also Armed Forces Day; Memorial Day (half-staff until noon only, then raised to the top of the staff), last Monday in May; and National Pearl Harbor Day, December 7.

As used in the subsection –

- (1) the term “half-staff” means the position of the flag when it is one-half the distance between the top and bottom of the staff;
 - (2) the term “executive or military department” means any agency listed under sections 101 and 102 of Title 5, United States Code; and
 - (3) the term “Member of Congress” means a Senator, a Representative, a Delegate, or a Resident Commissioner from Puerto Rico.
- k. When the flag is suspended across a corridor or lobby in a building with only one main entrance, it should be suspended vertically with the union of the flag to the observer’s left upon entering. If the building has more than one main entrance, the flag should be suspended vertically near the center of the corridor or lobby with the union to the north, when entrances are to the east and west or to the east when entrances are to the north and south. If there are entrances in more than two directions, the union should be to the east.

4. RESPECT FOR THE FLAG (4 U.S.C. § 8)

No disrespect should be shown to the flag of the United States of America; the flag should not be dipped to any person or thing. Regimental colors, State flags, and organization or institutional flags are to be dipped as a mark of honor.

5. CONDUCT DURING HOISTING, LOWERING OR PASSING OF THE FLAG (4 U.S.C. § 9)

During the ceremony of hoisting of or lowering the flag or when the flag is passing in a parade or in a review, all persons present except those in uniform should face the flag and stand at attention with the right hand over the heart.

Those present in uniform should render the military salute. When not in uniform, men should remove their headdress with their right hand and hold it at left shoulder, the hand being over the heart. Aliens should stand at attention. The salute to the flag in a moving column should be rendered at the moment the flag passes.

6. DESTRUCTION OF WORN FLAGS (4 U.S.C. § 8)

The flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning. A local chapter of the Veterans of Foreign Wars (VFW) may be able to assist in properly disposing of the flag.

7. MODIFICATION OF RULES AND CUSTOMS BY PRESIDENT (4 U.S.C. § 10)

Any rule or custom pertaining to the display of the flag of the United States of America, set forth in 4 U.S.C. § 1 et seq., may be altered, modified, or repealed, or additional rules with respect thereto may be prescribed, by the Commander-in-Chief of the Armed Forces of the United States, whenever he deems it to be appropriate or desirable and any such alteration or additional rule shall be set forth in a proclamation.

APPENDIX B

OFFICIAL FLAG OF THE SECRETARY OF AGRICULTURE



The flag pictured above is the flag of the Secretary of Agriculture. It was authorized by Secretary Claude R. Wickard on June 9, 1941. The official description is as follows:

The color of the flag of the Secretary of Agriculture will be of blue silk, four feet four inches on the pike by five feet six inches fly. In each of the four corners will be a white 5-pointed star, 6-1/2 inches in diameter, with one pointed upward. The centers of the stars will be 8-1/2 inches from the long edges and 12 inches from the short edges of the colors. In the center of the color will be the Official Seal of the Department of Agriculture, adopted June 21, 1895, 31 inches in diameter, in proper colors, which consist of a shield azure with a shock of corn upon a base vert, in back of an American plough proper, within an annulet argent, outer edges roped, inner edges beaded, charged with the inscription "United States Department of Agriculture," and in base a scroll bearing the legend "1862 Agriculture is the Foundation of Manufacture and Commerce 1889" or; the area between the shield and annulet to be azure, diapered with 44 mullets argent; the device and stars embroidered. The color will be trimmed on three edges with a knotted fringe of silk 2-1/2 inches wide. Attached below the spear head of the flag will be a cord 8 feet 6 inches in length, with a tassel at each end. Cord and tassels will be of blue and white silk strands.

The flag of the Secretary of Agriculture was designed by Paul P. Moller of the Exhibits Service of the Office of Information and approved by the Heraldic Division of the Quartermaster General's Office, War Department, on June 9, 1941.

Dimensions of Vessel or Auto Flags. A smaller flag is authorized for use on vessels or automobiles transporting the Secretary of Agriculture. The recommended size for a vessel flag is approximately 36 inches in width and 46 inches in length. An automobile flag should be about 16 inches in width and 20 inches in length. The seal and stars are to be reduced proportionately when these smaller flags are manufactured.

APPENDIX C

OFFICIAL FLAG OF THE DEPARTMENT OF AGRICULTURE



The Official flag of the Department of Agriculture, pictured above, is described as follows:

The color of the flag of the Department of Agriculture will be blue. In the center will be the Official Seal of the Department of Agriculture, adopted June 21, 1895, in proper colors, which consists of a shield azure with a shock of corn upon a base vert, in back of an American plough proper, within an annulet argent, outer edges roped, inner edges beaded, charged with the inscription "United States Department of Agriculture," and in base a scroll bearing the legend "1862 Agriculture is the Foundation of Manufacture and Commerce 1889" or; the area between the shield and annulet to be azure diapered with 44 mullets argent.

The dimensions of the flag shall be as follows:

For outdoor display, five feet on the pike by nine feet fly (5'0" x 9'0").

For indoor display, four feet four inches on the pike by five feet six inches fly (4'4" x 5'6"). For indoor display, a fringe may be used.