

ARS □ CSREES □ ERS □ NASS

Policies and Procedures

Title: Display and Handling of the Flags of the United States, the Department of Agriculture, and the Secretary of Agriculture

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Distribution: All REE Headquarters, Areas, and Field Locations

This P&P provides instructions pertaining to the display and use of the flag of the United States of America, the flag of the Department of Agriculture, and the flag of the Secretary of Agriculture.

The P&P now incorporates the guidelines by which the ARS Administrator may order the half-staffing of the United States Flag.

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1. Authorities

- 36 United States Code (U.S.C.) 173-178
- 7 Code of Federal Regulations Part 2 B 2.7a
- Departmental Regulation 5160-4
- Executive Order 10824
- Public Law 93-344

2. Policy

The official United States (U.S.) flag must be displayed in accordance with 36 U.S.C. 173-178 at the Research, Education, and Economics (REE) facilities. REE will not design or use a distinctive flag or pennant as a means of identification of its activities without approval of such flag or pennant from the Director, Office of Procurement and Property Management (OPPM).

The official flag of the Department of Agriculture (USDA) may be used at indoor functions attended by the Administrators, REE.

The official flag of the Secretary of Agriculture will be displayed only during the presence of the Secretary.

3. Display of Flags

The U.S. Flag

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 REE or collocated with other agencies of USDA.

Where REE occupies two or more buildings on a single site or a military installation, the display of one flag on or near the main administration building is sufficient.

The Flag of USDA

Indoor Display. The official flag of USDA may be used at functions attended by the Department Deputy Secretary, the Under Secretaries, Assistant Secretaries, or Administrators, REE, or at other locations with the approval of the Chief, Property Management Division, OPPM.

Outdoor Display. The official flag of USDA will be displayed at USDA, Washington, D.C., and at such other locations as may be approved by the Chief, Property Management Division, OPPM.

The Flag of the Secretary of Agriculture

The official flag of the Secretary of Agriculture will be displayed only during the presence of the Secretary.

4. Procedures for Obtaining Approval to Display the Flag of USDA

Center Director (CD)/Research Leader (RL)/Location Coordinator (LC). If appropriate, submit request for approval to display the official flag of USDA to the Area Director (AD).

AD. Review and approve request to display the official flag of USDA at locations within his/her Area and forward request to the Real Property Management Branch (RPMB), Facilities Division.

RPMB. Forward request for approval to display the official flag of USDA at the Agricultural Research Service (ARS) locations to the Chief, Property Management Division, OPPM.

5. Half-Staffing the U.S. Flag

The official U.S. flag is to be flown at half-staff at REE locations on the following occasions:

- Upon the death of certain persons as identified in Exhibit 1.
- At the direction of the Secretary of Agriculture.
- The Administrator, ARS, may direct that the official U.S. flag be flown at half-staff at all ARS locations on special occasions, such as the death of an ARS Hall of Fame Scientist.

Computation of Periods for Half-Staffing

When the number of days is specified:

- 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.
- The flags must be flown each day for the specified 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.

On the day of death and on the following day:

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.

- 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.
- 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.

From the day of death until interment:

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.

- 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.
- 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, above instructions for the “day of death and the following day,” under “Computation of Periods for Half-Staffing,” apply.

Coincident occasions to half-staff:

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

6. Procedures for Obtaining Approval to Half-Staff the U.S. Flag

CD/RL/LC. If appropriate, submit request to the AD for approval to display the flags of the U.S. at half-staff to address local observances.

AD. Order the U.S. flags to be flown at half-staff at all locations within the Area to address local observances.

RPMB. Notify AD's and the Deputy Directors when the Secretary of Agriculture orders the flags of the U.S. and USDA to be flown at half-staff.

7. Summary of Responsibilities

Agency Administrators or Designees

- Responsible for compliance with the provisions of this Policies and Procedures (P&P).
- Disseminate the information contained in this P&P to all locations.
- Establish internal notification procedures for ensuring compliance with half-staffing requirements.

Area/CD's, LC's, and RL's (ARS only)

- Responsible for compliance with the provisions of this P&P.
- Establish internal notification procedures for ensuring compliance with half-staffing requirements.

RPMB

- Disseminate the information contained in this P&P to all Areas.
- Establish internal notification procedures for ensuring compliance with half-staffing requirements.

- Establish procedures to verify news received requiring half-staffing notification.

8. Glossary

AD. Area Director

ARS Facilities. Federally-owned buildings under the custody and control of ARS, and leased space in buildings under the custody and control of ARS, including General Services Administration (GSA)-leased space, in which ARS is the sole occupant.

CD. Center Director

GSA-Leased Space. Privately-owned buildings which are occupied by ARS.

Half-Staff. The position of the flag when it is one-half the distance between the top and bottom of the staff.

LC. Location Coordinator

RL. Research Leader

RPMB. Real Property Management Branch

U.S.C. United States Code

JAMES H. BRADLEY
Deputy Administrator
Administrative and Financial Management

DISPLAY OF THE U.S. FLAG

Laws pertaining to the display the U.S. flag are published in the U.S.C. (36 U.S.C. 173-178). Only excerpts pertinent to REE have been quoted.

1. Display and Use of Flag by Civilians; Codification of Rules and Customs; Definition (36 U.S.C. 173)

The following codification of existing rules and customs pertaining to the display and use of the U.S. flag 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 U.S. The U.S. flag, for the purpose of this chapter, shall be defined according to Sections 1 and 2 of Title 4, U.S.C, and Executive Order 10824, issued pursuant thereto.

2. Time and Occasions for Display; Hoisting and Lowering (36 U.S.C. 173)

- a. It is the universal custom to display the flag from sunrise to sunset on buildings and on stationary flagstuffs in the open. However, when a patriotic effect is desired, the flag may be displayed 24 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; Dr. Martin Luther King, Jr.'s Birthday, third Monday in January; Inauguration Day, January 20; Lincoln's Birthday, February 12; President's Day, 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), the 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 U.S.; the birthday 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 (36 U.S.C. 175)

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 U.S. flag, when it is displayed with another flag against a wall from 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 U.S. flag 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 the flags of States, cities or localities, or pennants of societies are flown on the same halyard with the U.S. flag, the latter should always be at the peak. When the flags are flown from adjacent staffs, the U.S. flag should be hoisted first and lowered last. No such flag or pennant may be placed above the U.S. flag or to the right of the U.S. flag.
- 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 U.S. flag is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union or blue field of the flag should be placed at the peak of the staff unless the flag is at half-staff.
- f. When displaying either horizontally or vertically against a wall, the union or blue field 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 U.S. flag should hold the position of superior prominence, in advance of the audience, and in the position of honor at the clergy's or speaker's right as he/she faces the audience. Any

other flag or display should be placed on the left of the clergyman or speaker or at the right of the audience.

- h. The flag should form a distinctive feature of the ceremony of unveiling a statue or monument, but it should never be used as the covering for the statue or monument.
- i. The flag, when directed by an Agency Head to fly at half-staff, must meet the following provisions:
 - (1) The flag will fly at half-staff for a period not to exceed 1 day.
 - (2) Flying the flag at half-staff symbolizes respect to the memory of a USDA individual(s) who died in the line of duty or the loss of life of a local individual(s) through an act of heroism.
 - (3) The lowering of the flag to half-staff can 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 the peak for an instant and then lowered to the half-staff position. The flag should be again 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 and 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 U.S. Government and the Governor of a State, territory, or possession as a mark of respect to the 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 U.S., the Governor of that State, territory, or possession may

proclaim that the U.S. flag shall be flown at half-staff. The flag shall be flown at half-staff 30 days from the death of the President or a former President; 10 days from the death of the Vice President, the Chief Justice or retired Chief Justice of the U.S., or the Speaker of the House of

Representatives; from the day of death until interment of an associate Justice of the Supreme Court, a Secretary of an executive 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.

As used in this 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, U.S.C.; and
- (3) the term “Member of Congress” means a Senator, a Representative, a Delegate, or a Resident Commissioner from Puerto Rico.

4. Respect of the Flag (36 U.S.C. 176)

No disrespect should be shown to the U.S. flag; 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.

- a. The flag shall never touch anything beneath it, such as the ground, the floor, water, or merchandise.
- b. The flag should never be fastened, displayed, used, or stored in such a manner as to permit it to be easily torn, soiled, or damaged in any way.
- c. 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.

5. Conduct During Hoisting, Lowering, or Passing of the Flag (36 U.S.C. 177)

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

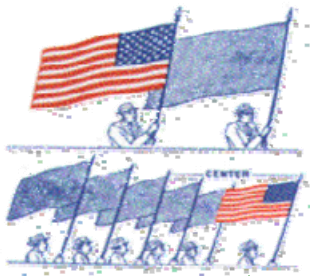
should face the flag and stand at attention with the right hand over the heart. Those present in uniform should render the military salute. When not in uniform, men should remove their headdress with their right hand and hold it at their left shoulder with the hand being over the heart. Aliens should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

6. Modification of Rules and Customs by President (36 U.S.C. 178)

Any rule or custom pertaining to the display of the U.S. flag, set forth in section 171 to 178 of Title 36, U.S.C., 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 U.S., whenever he deems it to be appropriate or desirable and any such alteration or additional rule shall be set forth in a proclamation.

Exhibit 2

PICTORIAL EXHIBIT



Carried in a Procession



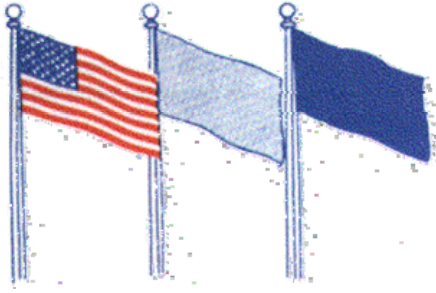
Cross Staffs



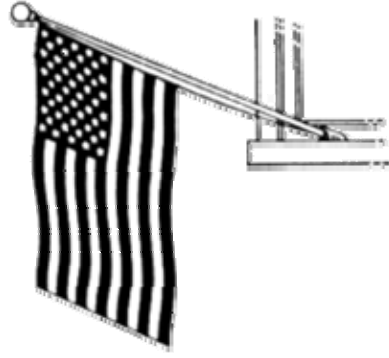
Displayed with Other Flags



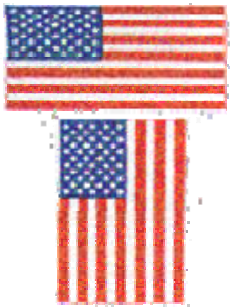
Flown on Same Halyard



Two or More Nations



Window Sill Display



Against a Wall Horizontally
Vertically



On Speakers Platform



Clergy/Speakers Right