



**U.S. Department of Justice**  
Federal Bureau of Prisons

**PROGRAM STATEMENT**

OPI CPD/CSB  
NUMBER 1020.03  
DATE March 8, 2024

## **American Flag Protocol**

/s/

*Approved:* Colette S. Peters  
Director, Federal Bureau of Prisons

### **1. PURPOSE AND SCOPE**

To provide guidance for displaying the flag of the United States at all Bureau of Prisons (Bureau) facilities on specified occasions.

Chapter 1 of Title 4 of the United States Code contains the “Flag Code,” which provides uniform guidelines for the use and display of the United States flag. 4 U.S.C. §§ 4–10; *see* Proclamation No. 3044, 19 Fed. Reg. 1235 (Mar. 1, 1954), as amended by Proclamation No. 3948, 34 Fed. Reg. 19699 (Dec. 12, 1969).

#### **a. Summary of Changes**

##### *Policy Rescinded*

P1020.02 American Flag Protocol (12/23/2013)

- Updated authorized half-staff occasions.
- Updated disposal of worn American flags.
- The terms “staff” and “staff member(s)” have been replaced with the term “employee(s).”

**b. Program Objective.** To ensure appropriate memorialization of honored citizens and Bureau employees and provide direction for display of the United States flag on occasions of mourning.

**c. Institution Supplement.** None Required. Should local facilities make any changes outside changes required in national policy or established any additional local procedures to implement national policy, the local Union may invoke to negotiate procedures or appropriate arrangements.

## 2. HALF-STAFF DEFINED

To signify mourning, the flag of the United States may be flown at half-staff on occasion. 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. 4 U.S.C. § 7(m)(1).

When the flag is flown at half-staff, it is first hoisted to the peak for an instant, then lowered to the half-staff position. The flag is again raised to the peak before it is lowered for the day. 4 U.S.C. § 7(m).

## 3. AUTHORIZED HALF-STAFF OCCASIONS

a. **Certain Memorial Days.** The flag is flown at half-staff on the following memorial days:

- *National Fallen Firefighters Memorial Service.* Usually the first Sunday in October; announced by Presidential Proclamation.
- *Peace Officers Memorial Day.* May 15th unless that day is also Armed Forces Day.
- *Memorial Day.* The last Monday in May, until noon only, then raised to the top of the staff.
- *Patriot Day.* September 11<sup>th</sup>.
- *National Pearl Harbor Remembrance Day.* December 7th.

b. **By Presidential Order.** The flag is flown at half-staff by order of the President, upon the death of principal figures of the United States Government and the Governor of a state, territory, or possession, and according to presidential instructions in the event of death of other officials or foreign dignitaries, as follows:

- *President or former President.* For 30 days from the day of death.
- *Vice President, the Chief Justice or retired Chief Justice, or the Speaker of the House of Representatives.* For 10 days from the day of death.
- *Associate Justice of the Supreme Court, the Secretary of an executive or military department, a former Vice President, or the Governor of a state, territory, or possession.* From the day of death until interment. The term “executive or military department” means any agency listed under 5 U.S.C. §§ 101–102.
- *Member of Congress.* On the day of death and the following day. The term “Member of Congress” means a Senator, a Representative, a Delegate, or the Resident Commissioner from Puerto Rico.

Should the President issue such a proclamation, all Federal buildings nationwide will half-staff the flag.

c. **By Order of a State Governor or the Mayor of the District of Columbia.** The Governor of a State, territory, or possession, or the Mayor of the District of Columbia, may order the flag to be half-staffed upon the death of a present or former official, or of a member of the Armed Forces from that state, territory, or possession who dies while on active duty. *See* 4 U.S.C. § 7 (m). Should a governor or a mayor of the District of Columbia issue such a proclamation, all Bureau facilities in that jurisdiction will follow local direction.

d. **Federal Agency or Department Head.** A Federal agency or department head may order the flag to be half-staffed on facilities under their jurisdiction, on occasions which they consider proper. *See* Proclamation No. 3044, 19 Fed. Reg. 1235 (Mar. 1, 1954), as amended by Proclamation No. 3948, 34 Fed. Reg. 19699 (Dec. 12, 1969). Pursuant to this authority, the Bureau authorizes half-staffed flags for its employees in accordance with the Program Statement **Procedures in the Event of a Staff Member's Death**. For employees whose death is considered outside of the definition of in-the-line-of duty, special considerations (e.g., moment of silence etc.) can be made.

#### 4. BUREAU OF PRISONS – DELEGATION OF AUTHORITY – PROCEDURES

a. **Delegation of Authority.** The Director of the Bureau delegates the authority to order flags half-staffed to the Assistant Director, Correctional Programs Division (CPD). The Assistant Director may order flags half-staffed on their own authority, or in response to a request from the Warden or CEO of a Bureau facility, or from a Union representative.

b. **Procedures.** Requests from Union representatives or employees to half-staff flags at Bureau facilities should be directed to the Warden or CEO of that facility or facilities. The Warden or CEO of a Bureau facility makes a request in writing to the Assistant Director, CPD. For correctional facilities under the jurisdiction of the Bureau, the Assistant Director issues final approval in writing. Ordinarily, in the event of an employee's death in the line of duty, approval is granted to half-staff the flag at all Bureau facilities on the day the memorial service is held.

For buildings under control or lease of the General Services Administration (GSA), such as Central Office buildings and certain Regional Offices, contact the Office of General Counsel, Central Office.

The Warden or CEO may request to half-staff the flag in honor of a Bureau employee by electronic message to the Assistant Director. Make the request in the following format:

*Subject line:* Request to Half-Staff United States Flag

*Purpose:* Due to the death of [employee name], in the line of duty, I request the U.S. flag be

lowered to half-staff at this facility.

*Date:* List the date of death, the date of interment, and the date of memorial service at the institution or facility.

*Time:* Specify the time frame requested for the half-staffed flag.

## **5. DISPOSAL OF WORN AMERICAN FLAGS**

Special attention shall be given to the condition of the flags that are flown, so that no flag shall be displayed in a condition to which it appears dirty, faded, or torn/tattered. Flags in this condition should be replaced.

Title 4 U.S.C. § 8(k) provides that “[t]he 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.” Local community organizations can be contacted to assist with this ceremony.

## REFERENCES

### *Program Statements*

P3790.03      Procedures in the Event of a Staff Member's Death (8/11/2022)

### *Federal Statutes*

4 U.S.C. §§ 4–105 U.S.C. §§ 101–102

### *Federal Regulations*

19 Fed. Reg. 1235

34 Fed. Reg. 19699

### *Presidential Proclamations*

Proclamation No. 3044, Mar. 1, 1954 (by President Eisenhower)

Proclamation No. 3948, Dec. 12, 1969 (by President Nixon)

### *ACA Standards*

None

### *Records Retention Requirements*

Requirements and retention guidance for records and information applicable to this program are available in the Records and Information Disposition Schedule (RIDS) system on the Bureau's intranet site.