

**U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons**



**PROGRAM STATEMENT
American Flag Protocol**

Approved by	<i>William K. Marshall III</i> William K. Marshall III Director, Federal Bureau of Prisons
DPI	CPD
Number	1020.04
Date	March 19, 2026

Summary of Changes

<i>Program Statement Rescinded:</i> <ul style="list-style-type: none">▪ 1020.03 American Flag Protocol (3/8/2024)
<i>Changes:</i> <ul style="list-style-type: none">▪ Removes any references to the Union and local negotiations.

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. Program Objectives.

- To ensure appropriate memorialization of honored citizens and Bureau staff and provide direction for display of the United States flag on occasions of mourning.
- Staff involved in the display and adjustments of the American Flag follow the standard procedures provided in this program statement.

b. Institution Supplement. None.

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. See 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 in accordance with 4 U.S.C. § 7(m). When prudent, outside resources are utilized, including public and private agencies, private industry, and colleges or universities (e.g., training videos, self-study courses, library resources).

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 11th.
- *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; a Governor of a state, territory, or possession; and 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 (DC), 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 in accordance with 4 U.S.C. § 7 (m). Should a governor or mayor of DC issue such a proclamation, all Bureau facilities in that jurisdiction will follow local direction.

d. **Federal Agency or Department Head.** The Attorney General or the Director of the Bureau may order the flag to be half-staffed on facilities under their jurisdiction, on occasions which they consider proper in accordance with 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 staff in accordance with the Program Statement **Procedures in the Event of a Staff Member's Death**. For staff 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

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.

Requests from staff to lower flags to half-staff at Bureau facilities should be directed to the Warden or CEO of that facility. The Warden or CEO of the facility must submit a written request 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 a staff member'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 staff member by electronic message to the Assistant Director, CPD. The request must be made in the following format:

Subject line: Request to Half-Staff United States Flag

Purpose: Due to the death of [staff member's 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.

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

Procedures in the Event of a Staff Member's Death

Federal Statutes

4 U.S.C. §§ 4–10

5 U.S.C. §§ 101–102

Federal Regulations

19 Fed. Reg. 1235

34 Fed. Reg. 19699

Presidential Proclamations

Proclamation No. 3044, Mar. 1, 1954

Proclamation No. 3948, Dec. 12, 1969

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) on the Bureau's intranet site.