

OFFICIAL FLAGS OF THE DEPARTMENT OF HOMEALND SECURITY

I. Purpose

This directive sets forth DHS policy for the acquisition, display and use of the United States (U.S.) flag, the official flag of the Department of Homeland Security (DHS) and the personal flags of the Secretary and Deputy Secretary.

II. Scope

- A. This directive applies to all Components.
- B. This directive does not modify the policies, uniform of the United States Coast Guard (USCG) or the USCG ensign, standard and insignia required or authorized by the Commandant of the Coast Guard.

III. Authorities

- A. Title 4, United States Code (U.S.C.) § 1, Flag and Seal, Seat of Government and the States, Chapter 1 – The Flag
- B. Title 6, U.S.C. § 455, Homeland Security Act of 2002, Section 875(a)
- C. DHS Management Directive 123-06, Use of the Department of Homeland Security Seal

IV. Responsibilities

- A. The Office of Protocol is responsible for all aspects of this Directive including Directive development and monitoring compliance across DHS.
- B. Component Heads and Designated Officials are responsible and accountable for implementation within their Component.

V. Policy and Requirements

DHS policy is:

- A. The DHS flag is displayed in the lobbies of or on the grounds of buildings occupied solely by DHS.
- B. The DHS flag may be displayed in the reception rooms and lobbies of offices or leased space occupied solely by DHS.
- C. The following DHS officials are authorized to display a DHS flag in their respective offices:
1. Secretary
 2. Deputy Secretary
 3. All Under Secretaries
 4. All Assistant Secretaries
 5. General Counsel
 6. Inspector General
 7. Administrator of the Federal Emergency Management Agency
 8. Administrator of the Transportation Security Administration
 9. Commandant of the United States Coast Guard
 10. Commissioner of Customs and Border Protection
 11. Director, United States Citizenship and Immigration Services
 12. Director, Federal Law Enforcement Training Center
 13. Director of the Federal Protective Service
 14. Director of the United States Secret Service
 15. Director, Domestic Nuclear Detection Office
 16. Citizenship and Immigration Services Ombudsman

The officials listed above may extend the entitlement to display the DHS flag to officials within their respective organizations other than those listed. Each determination of additional entitlement is made in writing and a copy sent to the DHS Office of Protocol.

- D. The following Components may fly and display their flag (organizational) with the DHS flag:

1. United States Coast Guard
2. United States Citizenship and Immigration Services
3. Customs and Border Protection
4. Federal Emergency Management Agency
5. Immigration and Customs Enforcement
6. United States Secret Service
7. Transportation Security Administration
8. Federal Law Enforcement Training Center

E. The United States Coast Guard (USCG) and Customs and Border Protection (CBP) (historic U.S. Customs) ensigns may be flown and displayed with the DHS flag.

F. Use of the positional flag of the Secretary of Homeland Security is limited to the office of the Secretary and to those other locations where the Secretary is present in an official capacity. It may also be flown on a vessel where the Secretary is aboard in an official capacity, or on an automobile when used in an official capacity. In all instances, the flag is only displayed in conjunction with and subordinate to the Flag of the United States.

G. Use of the positional flag of the Deputy Secretary of Homeland Security is limited to the office of the Deputy Secretary and to those other locations where the Deputy Secretary is present in an official capacity. It may also be flown on a vessel where the Deputy Secretary is aboard in an official capacity, or on an automobile when used in an official capacity. In all instances, the flag is only displayed in conjunction with and subordinate to the Flag of the United States.

H. Display of the DHS Flag

1. On a stage with a speaker, the DHS flag is on the audience's right.
2. With the DHS flag in a DHS office, the flags should be behind the official's desk or against the wall. The Flag of the United States is placed on the observer's left and the DHS flag on the right.
3. With the DHS flag from the side of a building, the Flag of the United States should be displayed in a position of prominence.
4. With the DHS flag from two separate ground mounted masts, the Flag of the United States should be flown at the observer's left.

5. In a lobby with the Flag of the United States, the DHS flag should be at the observer's right.
6. On the same halyard with the DHS flag, the Flag of the United States should be at the highest point.
7. With two or more other flags, such as the DHS flag and CBP flag, the Flag of the United States is displayed to the observer's far left if all poles are of the same height or displayed in the center of the display at a point higher than the other flags.
8. On a flagpole, the DHS flag is immediately below the Flag of the United States if no other flags are displayed. If there are other flags in the display, they are flown in order of accepted flag precedence.

I. Acquisition of the DHS Flag

DHS components may purchase Official DHS flags using appropriated funds. Flags are to be manufactured by a vendor approved by the Institute of Heraldry, located at Fort Belvoir, Va., in accordance with applicable DHS Flag specifications.

J. Display of U.S. Flag – Half-Staff

In accordance with section 5 of Proclamation 3044, 3 Code of Federal Regulation, 1954–1958 Comp., p. 4, the Secretary is delegated authority to order that the United States flag is flown at half-staff on buildings and grounds, and Coast Guard vessels under their jurisdiction, on occasions other than those specified in Title 4, U.S.C., § 7 when they consider proper, and that suitable military honors be rendered as appropriate.

1. The Secretary may authorize the flag to be flown at half-staff for a period of one day in respect to a DHS 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 service members of a current war.
2. The Secretary may authorize the flag to be flown at half-staff for a period of up to three days in respect to a DHS individual(s) who died in the line of duty in a law enforcement action.
3. Authorization to fly the flag at half-staff is not given for deaths resulting from natural causes, intentional negligence or intentional misconduct except under extraordinary circumstances i.e. hazarding one's life to rescue another, etc.
 - a. Intentional misconduct is any wrongful or improper conduct that is intended or deliberate.

b. Intentional negligence is the conscious and intentional omission of the proper degree of care under the circumstances (e.g. excessive speed in a vehicle, failure to wear safety restraints and flotation devices, etc.)

4. Requests to fly the flag at half-staff are addressed to the Secretary and submitted through the Component Executive Secretariat process.

a. Requests, at a minimum include a clear and concise summary deduced from the incident report. The summary should include the circumstances of death and findings (line of duty, law enforcement action, no misconduct or intentional negligence, heroic action, etc.). Requests answer what occurred, when it occurred, how occurred, who was involved, and to what extent, and finally the requested date for the half-staff display.

b. Requests are signed by the Component head or designee and include sufficient detail for the Secretary to make an informed determination.

5. The lowering of the flag to half-staff is only to be done in DHS controlled buildings or facilities.

6. For DHS offices and facilities managed by the General Services Administration, the request to half-staff is subject to the approval of the appropriate General Services Administration Regional Administrator.

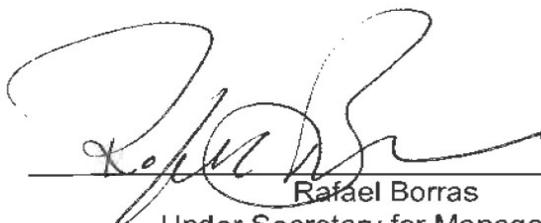
K. Presentation of the US Flag

Component Heads and Designees may acquire and present a US flag during ceremonies to commemorate distinguished service to DHS.

L. The Office of Public Affairs should be consulted for flag design input as that office is responsible for the management of the DHS branding.

VI. Questions

Any questions or concerns regarding this directive should be addressed to the Chief Protocol Officer.



Rafael Borrás
Under Secretary for Management

3/4/13
Date