

# FEDERAL GOVERNMENT



# **FEDERAL GOVERNMENT**

The United States Constitution vests all legislative powers of the federal government in a Congress consisting of a Senate and House of Representatives.

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# FEDERAL GOVERNMENT

The government of the United States of America is a federal government of the constitutional republic of the 50 states constituting the United States of America, as well as one capitol district and several other territories. The federal government is composed of three distinct branches: legislative, executive, and judicial, which powers are vested by the U.S. Constitution in Congress, the President, and the federal courts, including the Supreme Court, respectively. The powers and duties of these branches are further defined by acts of Congress, including the creation of executive departments and courts inferior to the Supreme Court.

# **EXECUTIVE BRANCH**

The executive branch of the government is responsible for enforcing the laws of the land. The president, vice president, department heads (cabinet members), and heads of independent agencies carry out this mission.

# JUDICIAL BRANCH

Courts decide arguments about the meaning of laws and how they are applied. They also decide if laws violate the Constitution—an authority known as judicial review. This authority is how federal courts provide checks and balances on the legislative and executive branches.

## LEGISLATIVE BRANCH

Article I of the Constitution establishes the legislative or law- making branch of government. It has a bi-cameral Congress—the U.S. Senate and the U.S. House of Representatives.

# CONGRESS

Congress assembles at least once every year, beginning on the first Monday of December, in the U.S. Capitol building in Washington, D.C.

Powers granted to Congress by the constitution include imposing and collecting taxes, paying the national debt, regulating international and interstate commerce, establishing military forces, sitting in tribunals inferior to the Supreme Court, and providing for the common defense and general welfare of the United States.

### THE SENATE

Each state is represented by two Senators who are elected to six-year, staggered terms. Each Senator represents his or her entire state. Reserved to the Senate are the powers of trying all impeachments and reviewing all presidential appointments requiring Senate approval. The Vice President of the United States is President of the Senate, but only votes in case of a tie.

Senators must be at least 30 years of age, a citizen of the United States for nine years and an inhabitant of the state he or she represents. Senators may be re-elected to consecutive terms.

### THE HOUSE OF REPRESENTATIVES

The House of Representatives is composed of members chosen every second year to represent the congressional districts of his or her state. Each state's number of congressional districts is determined by population, with the total membership of the House of Representatives set at 435. Reserved to the House of Representatives is the origination of bills to raise revenue and the sole power of impeachment. The House of Representatives is led by a Speaker who is chosen by the members.

Representatives must be at least 25 years of age, citizens of the United States seven years, and inhabitants of the state they represent. They may be re-elected to consecutive terms.

Source: The Constitution of the United States of America/ ARTICLE 1 The Congress.



United States Senator Thad Cochran

Thad Cochran was born December 7, 1937, in Pontotoc. He is the son of William Holmes Cochran and Emma Grace Cochran, who were educators in Pontotoc, Tippah, and Hinds counties.

Cochran was strongly influenced by his parents' careers in education. He and his brother, Nielson, were immersed in academic environments, spending summers at the University of Mississippi while their parents earned Master's Degrees. They also lived at Blue Mountain College where their parents were members of the faculty.

In 1946, the Cochran family moved to Byram, where much time devoted to sports, music, the Boy Scouts, and church activities. Cochran became an Eagle Scout and helped establish a new scout troop at Spring Ridge Methodist Church. He served as its first Junior Assistant Scout Master.

At Byram High School, Cochran earned varsity letters in football, basketball, baseball, and tennis. He gave a piano and voice recital his senior year and was class valedictorian. He was also a member of the 4-H Club and Daniel Memorial Baptist Church. In 1955, Cochran enrolled in the University of Mississippi where he earned a B.A. degree with a major in psychology and a minor in political science. He was elected president of the Pi Kappa social fraternity, a company commander in the Navy ROTC, Vice President of the Student Body, and selected for membership in Omicron Delta Kappa, a national honorary leadership fraternity. During the summers, he worked as a life guard at Livingston Lake in Jackson.

Following his 1959 graduation from Ole Miss, Cochran was commissioned an Ensign in the U.S. Naval Reserve and assigned to duty aboard the USS MACON, a heavy cruiser homeported in Boston, Mass. He served 18 months on this ship, becoming the ship's legal officer after graduating as an honor student from the U.S. Navy School of Justice in Newport, R.I. He also became qualified as Officer of the Deck, in port and underway.

When his ship was decommissioned in January 1961, Cochran was assigned to the staff of the Commandant of the Eighth Naval District in New Orleans to complete his two-year tour of active duty in the Navy.

In the fall of 1961, Cochran enrolled in the School of Law at the University of Mississippi. While in law school, he won the Frederick Hamel Memorial Award for having the highest scholastic average in the first year class. He was selected for membership in the honorary legal fraternity Phi Delta Phi, served on the editorial board of the Mississippi Law Journal, argued before the Mississippi Supreme Court as a moot court finalist, and was elected chairman of the Honor Council.

Before graduating from law school, Cochran was awarded a Rotary Foundation Graduate Fellowship and studied jurisprudence and international law for a year at Trinity College, University of Dublin, Ireland. During this year abroad, he spoke to numerous Rotary Clubs and other groups in Ireland on the subject of the civil rights struggle in Mississippi and the United States. He also won the Hillary Term Moot Court competition sponsored by the Dublin Law Society.

In his final year of law school at Ole Miss, Cochran served as Article Editor of the Mississippi Law Journal and was selected for membership in Phi Kappa Phi, a national honorary scholastic fraternity. Several years later when he delivered the graduation address at the law school, Dean Parham Williams observed that Thad Cochran's law school grade point average was the third highest of all students who had graduated from the Ole Miss law school during the decade of the 1960s.

During the summer months in the law school years of 1962-64, Cochran returned to active duty in the Navy and taught military law and naval orientation at the Officer Candidate School in Newport, R.I. He was promoted to the rank of Lieutenant in the U.S. Naval Reserve.

After graduating from law school, Cochran joined the firm of Watkins & Eager in Jackson, one of the state's most respected law firms. He was made a partner in the firm in only two and a half years.

Cochran served as president of the Jackson Men's Y Club, as a member of the board of the Jackson Rotary Club, and as a member of the Board of Mississippi Opera, Inc. He organized the first Mississippi chapter of the American Field Service and served as charter president to sponsor foreign exchange programs for high school students.

He was chairman of the Legal Services program of the Jackson Junior Bar, chairman of the Mississippi Law Institute, a continuing legal education program for Mississippi lawyers, and president of the Young Lawyers Division of the Mississippi Bar Association. In 1971, Cochran was named by the Jaycees as Jackson's Young Man of the Year and as one of the Three Outstanding Young Men of the Year in Mississippi. In 1972, Cochran was elected United States Congressman for the Fourth District which included twelve counties in southwest Mississippi. He was appointed to the House Public Works and Transportation Committee, which had jurisdiction over economic development, transportation, and flood control.

As a Member of Congress, Cochran also served on a Republican task force to study the energy crisis, and he contributed to the writing of a report published in book form by the House Republican Conference. He was appointed later to the Committee on Standards of Official Conduct and the Select Committee on Ethics, which wrote a new ethics code for Members of Congress.

After winning re-election to the House in 1974, Cochran was elected by his colleagues to represent the Southern states on the House Republican Policy Committee. He was re-elected to the House of Representatives again in 1976. In both of his races for re-election, he received over 70 percent of the votes.

In 1978, Cochran was elected to the United States Senate, becoming the first Republican in more than 100 years to win a statewide election in Mississippi. He has since been re-elected six times and is currently serving his seventh term in office.

As a member of the Senate, Cochran has served as chairman of the Senate Republican Conference; chairman of the Agriculture, Nutrition, and Forestry Committee; and chairman of the Appropriations Committee.

In the 114<sup>th</sup> Congress (2015-2016), Cochran was selected to serve as chairman of the Senate Committee on Appropriations, as well as Chairman of the Appropriations Subcommittee on Defense. He was previously chairman of the Committee on Appropriations in the 109<sup>th</sup> Congress (2005-2006).

Cochran is also a senior member on the Senate Committee on Agriculture, Nutrition, and Forestry, having most recently served as its ranking member in

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the 113<sup>th</sup> Congress (2013-2014). He has served on this panel since being sworn in as a Senator in 1979, and was its chairman from 2003-2005. He also continues to serve on the Senate Committee on Rules and Administration.

Cochran's legislative record reflects the needs of Mississippi and the nation. Guided by a conservative philosophy, Cochran has supported measures to reduce spending, control debt, promote national security, and create an environment that fosters job creation and economic growth in Mississippi and the nation.

Cochran's leadership and assistance has contributed to the funding of various university-based research endeavors. Some of these include: energy, agriculture, and forestry facilities at Mississippi State University; the School of Polymers and High Performance Materials at the University of Southern Mississippi; the National Center for Natural Products Research, the Center for Water and Wetlands Research, and the Food Service Management Institute at the University of Mississippi; the National Warmwater Aquaculture Research Center at Stoneville; and the Jackson Heart Study at Jackson State University, Tougaloo College and the University of Mississippi Medical Center.

Cochran has worked to ensure that the U.S. Armed Forces remain the best trained and equipped in the world, including support for the Navy's shipbuilding programs and the military bases and installations in Mississippi. Cochran is a member of the Senate National Security Working Group. In 2013, the Secretary of the Navy bestowed on Cochran the Navy Distinguished Public Service Award.

Cochran has used his seniority in the Senate and on the Senate Appropriations Committee to help Mississippi and the nation in the wake of disasters. After Hurricane Katrina in 2005, Cochran led the effort to provide over \$87 billion in supplemental federal assistance to the states affected by the storm. Cochran has used lessons from Hurricane Katrina to coauthor legislation enacted in 2013 to reform and improve federal disaster recovery activities. He helped develop the RESTORE the Gulf Coast Act to help Gulf Coast states recover from the 2010 Deepwater Horizon explosion and oil spill. He has also played a key role in reforming and reauthorizing the National Flood Insurance Program to improve the program's treatment of levees and other flood control infrastructure.

As ranking member of the Agriculture Committee in the 113<sup>th</sup> Congress, Cochran played a pivotal role in enacting the fiveyear 2014 farm bill, which improved and reformed federal agricultural policies, while also driving down government spending. The law also consolidated and reformed conservation programs.

Cochran, a long-time member of the Congressional Sportmen's Caucus, authored the Mississippi Wilderness Act, which was the first federal legislation ever passed for the perpetual protection of lands in the state of Mississippi. Cochran has helped develop, maintain, and improve the Natchez Trace Parkway, the Natchez National Historical Park, the Vicksburg National Military Park and the Gulf Islands National Seashore. He helped establish national wildlife refuges as a member of the Migratory Bird Conservation Commission, and he authored the Wildlife Habitat Incentives Program. He has received numerous awards from conservation and sportsmen's organizations.

Cochran is a member of the Kennedy Center Board of Trustees and a Regent emeritus of the Board of Regents of the Smithsonian Institution. He has been awarded honorary degrees from Kentucky Wesleyan College, Mississippi College, Blue Mountain College, the University of Richmond, and Tougaloo College. In 2011, he received the Mississippi Medal of Service.

In 1964, Cochran married Rose Clayton at the First Methodist Church in New Albany. Mrs. Cochran passed away in 2014 following a lengthy illness. The Cochrans have two children and three grandchildren.

In 2015, Cochran married Kay Bowen Webber in Gulfport.

Cochran is a member of Northminster Baptist Church in Jackson.

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# United States Senator Roger Wicker

Roger F. Wicker has represented Mississippi in the United States Senate since December 2007. During his time in the Senate, Wicker has championed pro-growth policies to create jobs and has worked to reduce spending, limit federal overreach, and maintain a strong national defense.

He is a member of the Senate Republican leadership team, serving as chairman of the National Republican Senatorial Committee. As a member of the Senate Armed Services Committee, he chairs the Subcommittee on Seapower.

Wicker is also a member of the Commerce, Science, and Transportation Committee, serving as chairman of the Subcommittee on Communications, Technology, Innovation, and the Internet; Budget Committee; Environment and Public Works Committee; and the Rules Committee. He is co-chairman of the U.S. Helsinki Commission and Chair of the Committee on Political Affairs and Security in the OSCE's Parliamentary Assembly. Wicker is also a member of the U.S. Merchant Marine Academy Congressional Board of Visitors. Senator Wicker has been a strong advocate for economic development initiatives to help keep Mississippians competitive in a global marketplace. He has been honored by the National Association of Manufacturers (NAM) for his work on pro-growth, pro-manufacturing policies in Congress.

Senator Wicker has actively supported cancer survivorship programs and efforts to fight heart disease with the American Heart Association, diabetes, childhood obesity, and Alzheimer's. He has been recognized as a "champion" of polio eradication for his work to wipe out polio worldwide. Senator Wicker is the co-founder of the Senate Malaria Caucus and has worked to eliminate this preventable disease.

He has been instrumental in bringing more research funding to Mississippi universities for a wide range of healthrelated projects to fight disease and improve quality of life. Most notably, Wicker authored the Muscular Dystrophy Community Assistance, Research, and Education (MD CARE) Act of 2001, which created NIH centers of excellence to coordinate and enhance muscular dystrophy research. The Wicker Project at Children's National Medical Center is a leader in muscular dystrophy research.

Prior to his service in the Senate, Wicker was elected seven times, beginning in 1995, to represent Mississippi's First Congressional District in the House of Representatives. Before being elected to Congress, he served in the state Senate on behalf of Lee and Pontotoc counties.

Senator Wicker served on active duty in the U.S. Air Force and then joined the Air Force Reserve. He retired from the Reserve in 2004 with the rank of lieutenant colonel.

A native of Pontotoc, Mississippi, the Senator is the son of former Circuit Judge Fred Wicker and the late Mrs. Wordna Wicker. He was educated in the public schools of Pontotoc and received his B.A. and law degrees from the University of Mississippi. Wicker is a member of the First Baptist Church Tupelo, where he sings in the choir.

Senator Wicker is married to the former Gayle Long of Tupelo. They have three children: Margaret and son-in-law Manning McPhillips; Caroline and son-in-law Kirk Sims; and McDaniel Wicker and his wife Kellee; and four grandchildren: Caroline, Henry, Maury Beth McPhillips, and Evelyn Sims.

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United States Congressman First District **Trent Kelly** 

On Tuesday, June 2, 2015, Trent Kelly was elected in a special election runoff to represent the First District of Mississippi in the 114<sup>th</sup> Congress.

Trent lives in Saltillo with his wife of 25 years, Shelia, and their three children John Forrest, Morgan, and Jackson. They are members of Saltillo First United Methodist Church.

Trent was born on March 1, 1966, in Union, Mississippi to parents John and Barbara Kelly. In 1984, he graduated from Union High School and graduated East Central Community College in 1986. He earned his bachelor's degree and juris doctor from the University of Mississippi. In 2010, he received his master's degree in Strategic Studies from the United States Army War College in Carlisle, Pennsylvania.

Trent has spent 30 years in the Mississippi Army National Guard as an Engineer and is currently serving as a Colonel. In 1990, he mobilized for Desert Storm as an Engineer Second Lieutenant. In 2005, he deployed as a Major to Iraq with the 155th Brigade as the Operations Officer of the 150<sup>th</sup> Engineer Battalion. From 2009 to 2010, he deployed as a Lieutenant Colonel to Iraq as the Battalion Commander of Task Force Knight of the 155<sup>th</sup> Brigade Combat Team and commanded over 670 troops from Mississippi, Ohio, and Kentucky. He has received two Bronze Stars, Combat Action Badge, the DeFleury Medal, and numerous other federal and state awards for his service.

Trent has worked at McRae's Department Store as a manager, maintained a private law practice in Saltillo, and served as Tupelo City Prosecutor and Forfeiture Attorney for North Mississippi Narcotics Unit. Prior to being elected to Congress, Trent served as a District Attorney for the 1<sup>st</sup> Circuit Judicial District (Lee, Pontotoc, Alcorn, Monroe, Itawamba, Prentiss, and Tishomingo) managing all felony cases.

In Congress, he serves on the House Committee on Agriculture and House Small Business Committee.

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United States Congressman Second District Bennie Thompson

Congressman Thompson has spent his entire life giving a voice to the voiceless. The Congressman's lifelong public service record is a testament to his unwavering dedication to fulfil and exceed the expectations of the constituents of the Second Congressional District of Mississippi. A native of rural Bolton, Mississippi, Thompson has always been aware of the realities that plague the South. Viewing the experiences his family endured first hand became the catalyst for his passion for those who were oftentimes underserved.

Congressman Thompson is a product of the Hinds County School District. After graduation, he earned a Bachelor of Science from Tougaloo College and a Master of Science from Jackson State University. While pursuing his education, Thompson began to cultivate his passion for grassroots political activism. A product of the Civil Rights movement, Thompson joined the Student Nonviolent Coordinating Committee (SNCC), and helped to organize voter registration drives for African-Americans in the Mississippi Delta. After graduating from college, Thompson followed in the footsteps of his mother and worked as a schoolteacher. It was during this time that he began to aggressively pursue a career in politics.

Thompson served as alderman from 1968 to 1972, and went on to serve as mayor from 1973 to 1980, both in his hometown of Bolton. As mayor and founding member and President of the Mississippi Association of Black Mayors, he initiated policies and provided services that benefited the underserved citizens of his hometown. In his capacity as mayor, Thompson made improved the water and sewer systems, paved streets, renovated dilapidated houses, spearheaded the construction of city hall, and re-evaluated the town's real estate to reflect accurate values.

From 1980 to 1993, Thompson served as a Hinds County Supervisor and was the founding member and President of the state's Association of Black Supervisors. Thompson's reputation for being a pragmatic local public servant afforded him an opportunity to be the vocal champion for his constituents. Thompson's years of dedication and service to those constituents lead them to elect him to Congress in 1993 to represent the Second District of Mississippi.

Congressman Thompson has served the Second Congressional District since 1993. He is the longest-serving African-American elected official in the state of Mississippi. He is also the only Democrat in the Mississippi Congressional Delegation. Thompson's stellar voting record is indicative of his determination to be an activist for reform. In 2000, Thompson authored legislation creating the National Center for Minority Health and Health Care Disparities, which subsequently became law. Thompson also received a Presidential appointment to serve on the National Council on Health Planning and Development.

In August 2005, the state of Mississippi was severely damaged by the natural

disasters of Hurricanes Katrina and Rita. Congressman Thompson aggressively advocated for disaster relief improvements within government agencies, and provided oversight to ensure that federal funds were properly allocated for Gulf Coast recovery.

In 2006, during the 109th Congress, Thompson's Washington colleagues expressed their overwhelming confidence in his abilities, and selected him to serve as the first Democratic Chairman of the House Homeland Security Committee. As Chairman, Congressman Thompson introduced and engineered House passage of the most comprehensive homeland security package since September 11, 2001 — H.R. 1, the "9/11 Commission Recommendations Act of 2007."

Congressman Thompson has served on the Agriculture, Budget and Small Business Committees. Each day, Congressman Thompson works to level the playing field. Thompson employs a progressive, yet realistic, approach to overcome the disparities and be the unabashed champion for civil rights, equal education, and healthcare reform for Mississippi.

Congressman Thompson is a lifelong member of the Asbury United Methodist Church in Bolton, Mississippi. He married his college sweetheart, London Johnson of Mound Bayou, Mississippi in 1968, they remain happily married to this day. The couple has one daughter BendaLonne, one granddaughter, Jeanna, and one grandson, Thomas Gordon. Congressman Thompson is an avid outdoorsman. He also enjoys gardening, reading, and listening to blues music.

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United States Congressman Third District **Gregg Harper** 

Gregg Harper is currently serving his fourth term in the U.S. House of Representatives after having been first elected to Congress in November of 2008. Mississippi's Third Congressional District stretches from Wilkinson County in southwest Mississippi to Oktibbeha County and includes the northeast corner of Jackson and the I-20 corridor into east central Mississippi.

Gregg has lived in the Third Congressional District since 1972 and currently resides in Pearl, Mississippi with his wife of 37 years, Sidney. They have a son, Livingston and a daughter, Maggie, and son in law, Brett Bailey. The Harpers are active members of Crossgates Baptist Church in Brandon where he previously served for many years as a high school Sunday school teacher and later for college students.

The son of a former petroleum engineer and a mom who worked two days a week until she was 88 years old, Gregg learned at a young age the value of hard work and the importance of a solid education. Gregg and Sidney are both graduates of Mississippi College where he majored in Chemistry. He then earned his law degree from the University of Mississippi School of Law in 1981.

Prior to being elected to Congress, Gregg practiced law for twenty-seven years, including serving as the prosecuting attorney for the cities of Brandon and Richland. He also served on the Mississippi Oil and Gas Board, and remains active in his community as a member of both the Pearl and Rankin County Chambers of Commerce. He was also honored to serve as the board attorney for the Mississippi Baptist Children's Village until his election to Congress in 2008.

In the House of Representatives Gregg serves on the influential House Committee on Energy and Commerce, where he is a member of three subcommittees: Environment and the Economy; Commerce, Manufacturing and Trade; and Energy and Power. He serves as the vice-chairman of the Subcommittee on Environment and the Economy. Congressman Harper was also appointed by the Speaker to sit on three select Committees: the Committee on House Administration; the Joint Committee on the Library of Congress, where he serves as vice-chairman; and the Joint Committee on Printing, where he serves as chairman.

A longtime advocate for American-made energy, Gregg Harper believes that Congress must advance ideas that stabilize fuel prices and build a steady supply of American energy. The Congressman is also committed to supporting families raising children with special needs, and as a member of Congress founded the Congressional Internship Program for Individuals with Intellectual Disabilities. He has worked to streamline federal programs and services intended to be a support to youth with significant disabilities in transition from adolescence to adulthood. In 2014, Gregg Harper authored the Gabriella Miller Kids First Research Act that was passed into law, ended taxpayer

financing of presidential campaigns and conventions, and redirected that funding to pediatric medical research. A strong advocate for our Second Amendment rights, Gregg is a Life Member of the National Rifle Association.

Congressman Harper has also championed laws removing burdensome and unneeded federal mandates, promoting innovative drug developments for neurodevelopmental disorders, and advancing telemedicine. It is Gregg Harper's desire to serve the state of Mississippi and our country with honor and integrity as he works in in the U.S. House of Representatives to advocate conservative values in the important tasks and challenges facing America.

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United States Congressman Fourth District Steven Palazzo

Congressman Steven M. Palazzo is proud to serve the people of South Mississippi's 4<sup>th</sup> Congressional District, which includes Mississippi's Gulf Coast and Pine Belt regions. As a U.S. Marine Corps veteran, current member of the Mississippi National Guard, and former member of the Mississippi House of Representatives, Congressman Palazzo has a record of service that began long before he was first sworn into office on January 5, 2011.

Steven currently serves on the House Appropriations Committee, where he sits on three subcommittees: the Commerce, Justice, Science subcommittee, the Subcommittee on Agriculture, and the Legislative Branch Subcommittee. His committee is responsible for allocating every dollar of federal discretionary spending.

Since his first term, Steven has served on the Majority Whip team. He also spent five years as the Chairman of the Space Subcommittee, overseeing the country's space program and ensuring America's continued access to space. Before being selected for the Appropriations Committee,

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Congressman Palazzo also sat on the House Armed Services and Homeland Security Committees. His military experience also provided the opportunity for Steven to lead the House National Guard Caucus, where he remains chairman. In 2016, he also took the helm of the House Aerospace Caucus.

In these roles, he has been a consistent advocate for a strong national defense, a leader on veterans' issues, and a champion for bringing fiscal common-sense back to Washington by supporting balanced budgets and pro-growth policies. Congressman Palazzo believes in smart federal investment while cutting the true drivers of our national debt: mandatory spending.

Steven's prior life includes experience working on oil rigs, serving on active duty overseas, and starting and owning his own small business. He also served in the Mississippi House of Representatives from 2006 to 2010. A Gulf Coast native, Steven is the proud father of three children: Barrett, Aubrey and Bennett.

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# **U.S. CONGRESSIONAL DISTRICTS**



# SPLIT-COUNTY DISTRICTS



Hinds County/Madison County Inset



Oktibbeha County Inset



**Clarke County Inset** 

# UNITED STATES COURT OF APPEALS FIFTH FEDERAL JUDICIAL CIRCUIT

(Louisiana, Mississippi, Texas)

# **Circuit Judges**

Circuit Judges		
Carl E. Stewart, Chief Judge .	300 Fannin St., Ste. 5226 Shreveport, LA 71101-3425	(318) 676-3765
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New Orleans, LA 70130-3425

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Phyllis K. McLarty
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# SOUTHERN DISTRICT OF MISSISSIPPI

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Northern (Jackson)501 E. Court Street, Suite 2.500, Jackson 39201	(601)	608-4000	
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Eastern (Hattiesburg)701 N. Main St., Ste. 200, Hattiesburg 39401			
Southern (Gulfport)2012 15th St., Ste. 403, Gulfport 39501			
Judges	(220)	000 1/00	
Louis Guirola Jr., Chief District Judge2012 15th St., Ste. 814, Gulfport 39501	(228)	563 1767	
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Courtroom Deputy Clerk: Anne Scafide 2012 15th St., Ste. 714, Gulfport 39501			
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P.O. Box 928, Natchez 39121			
Courtroom Deputy Clerk: Debra JacksonP.O. Box 928, Natchez 39121	(601)	442-3006	
	(001)		
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# **U.S. DISTRICT COURT DIVISIONS**



# SOCIAL SECURITY ADMINISTRATION

OFFICE OF DISABILITY ADJUDICATION AND REVIEW

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# UNITED STATES FLAG ETIQUETTE

The following flag laws and regulations are contained in the Public Law as amended July 7, 1976, by the 94th Congress of the United States. They set forth the existing rules, customs, and etiquette pertaining to the display and use of the flag of the United States of America.

### Section 1

The following codification of existing rules and customs pertaining to the display and use of the flag of the United States of America shall be and is hereby established for the use of 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 Government of the United States.

The flag of the United States, for purposes of this chapter, shall be defined according to Title 4, United States Code, Chapter 1, §§ 1 and 2, and Executive Order 10834 issued pursuant thereto.

#### Section 2

(a) It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaffs in the open. However, when a 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 cautiously.

(c) The flag should not be displayed on days when the 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; 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), 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; Veterans 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.

(f) The flag should be displayed in or near every polling place on election days.

(g) The flag should be displayed during school days in or near every schoolhouse.

### Section 3

The flag, when carried in a procession with another flag or flags, should be 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 should not be displayed on a float in a parade except from a staff, or as provided in subsection (i).

(b) The flag should not be draped over the hood, top, sides or back of a vehicle or of a railroad train or boat. When the flag is displayed on a motor car, the staff shall be fixed firmly to the chassis or clamped to the right fender.

(c) No other flag or pennant should be placed above or, if on the same level, to the right of the flag of the United States of America, except during church services conducted by naval chaplains at sea, when the church pennant may be flown above the flag during church services for the personnel of the Navy.

(d) The flag of the United States of America, 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.

(e) 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.

(f) When flags of States, cities or localities, or pennants of societies are flown on the same halyard with the flag of the United States, the latter should always be at the peak. When the flags are flown from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No such flag or pennant may be placed above the flag of the United States or to the United States flag's right.

(g) 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.

(h) When the flag of the United States is displayed from a staff projecting horizontally or at an angle from a windowsill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half-staff. When the flag is suspended over a sidewalk from a rope extending from a house to a pole at the edge of the sidewalk, the flag should be hoisted out, union first, from the building.

(i) When displayed either 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. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.

(j) When the flag is displayed over the middle of the street, it should be suspended vertically with the union to the north in an east and west street or to the east in a north and south street.

(k) 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 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.

(1) 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.

(m) 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, 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 the 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 National flag shall be flown at half-staff. The flag shall be flown at half-staff thirty days from the death of the President or a former President; ten days from the death of a Vice President, the Chief Justice or a retired Chief Justice of the United States, 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 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. As used in this subsection:

- 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 the Resident Commissioner from Puerto Rico.

(n) When the flag is used to cover a casket, it should be so placed that the union is at the head and over the left shoulder. The flag should not be lowered in the grave or allowed to touch the ground.

(o) 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.

#### Section 4

That 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. (a) The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.

(b) The flag should never touch anything beneath it, such as the ground, the floor, water or merchandise.

(c) The flag should never be carried flat or horizontally, but always aloft and free.

(d) The flag should never be used as wearing apparel, bedding, or drapery. It should never be festooned, drawn back, nor up, in folds, but always allowed to fall free. Bunting of blue, white and red, always arranged with the blue above, the white in the middle, and the red below, should be used for covering a speaker's desk, draping the front of the platform, and for decoration in general.

(e) The flag should never be fastened, displayed, used or stored in such manner as to permit it to be easily torn, soiled, or damaged in any way.

(f) The flag should never be used as a covering for a ceiling.

(g) The flag should never have placed upon it, nor on any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture or drawing of any nature.

(h) The flag should never be used as a receptacle for receiving, holding, carrying or delivering anything.

(i) The flag should never be used for advertising purposes in any manner whatsoever. It should not be embroidered on such articles as cushions or handkerchiefs and the like, printed or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discard.

Advertising signs should not be fastened to a staff or halyard from which the flag is flown.

(j) No part of the flag should ever be used as a costume or athletic uniform. However, a flag patch may be affixed to the uniform of military personnel, firemen, policemen, and members of patriotic organizations. The flag represents a living country and is itself considered a living thing. Therefore, the lapel flag pin being a replica, should be worn on the left lapel near the heart.

(k) 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.

### Section 5

During the ceremony of hoisting or lowering the flag or when the flag is passing in a parade or in 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 the headdress with their right hand and hold it at the 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.

# Section 6

During rendition of the national anthem when the flag is displayed, all present except those in uniform shall stand at attention facing the flag with the right hand over the heart. Men not in uniform should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should render the military salute at the first note of the anthem and retain this position until the last note. When the flag is not displayed, those present should face toward the music and act in the same manner they would if the flag were displayed there.

#### Section 7

The Pledge of Allegiance to the Flag:

"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

The Pledge should be rendered by standing at attention facing the flag with the right hand over the heart. When not in uniform men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute.

# Section 8

Any rule or custom pertaining to the display of the flag of the United States of America, set forth herein, 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.

No person shall display the flag of the United Nations or any other national or international flag equal, above, or in a position of superior prominence or honor to, or in place of, the flag of the United States at any place within the United States or any Territory or possession thereof: provided that nothing in this section shall make unlawful the continuance of the practice heretofore followed of displaying the flag of the United Nations in a position of superior prominence or honor, and other national flags in positions of equal prominence or honor, with that of the flag of the United States at the headquarters of the United Nations.

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# **PROPER FLAG DISPLAY**

