

# The Flag Code

## Title 4, United States Code, Chapter 1

As Adopted by the National Flag Conference, Washington, D.C., June 14-15, 1923, and Revised and Endorsed by the Second National Flag Conference, Washington, D.C., May 15, 1924. Revised and adopted at P.L. 623, 77th Congress, Second Session, June 22, 1942; as Amended by P.L. 829, 77th Congress, Second Session, December 22, 1942; P.L. 107 83rd Congress, 1st Session, July 9, 1953; P.L. 396, 83rd Congress, Second Session, June 14, 1954; P.L. 363, 90th Congress, Second Session, June 28, 1968; P.L. 344, 94th Congress, Second Session, July 7, 1976; P.L. 322, 103rd Congress, Second Session, September 13, 1994; P.L. 225, 105th Congress, Second Session, August 12, 1998; P.L. 80, 106th Congress, First Session, October 25, 1999; P.L. 110-41, 110th Congress, First Session, June 29, 2007; P.L. 110-181, 110th Congress, Second Session, January 28, 2008; P.L. 110-239, 110th Congress, Second Session, June 3, 2008, and P.L. 110-417, 110th Congress, Second Session, October 14, 2008.

## The Pledge of Allegiance



"I pledge allegiance"  
(I promise to be true)

"to the flag"  
(to the symbol of our country)

"of the United States of America"  
(each state that has joined to make our country)

"and to the Republic"  
(a republic is a country where the people choose others to make laws for them -- the government is for the people)

"for which it stands,"  
(the flag means the country)

"one Nation"  
(a single country)

"under God,"  
(the people believe in a supreme being)

"indivisible,"  
(the country cannot be split into parts)

"with liberty and justice"  
(with freedom and fairness)

"for all."

(for each person in the country...you and me!)

The pledge says you are promising to be true to the United States of America!

## **History of the Pledge of Allegiance**

The original Pledge of Allegiance was written by Francis Bellamy. It was first given wide publicity through the official program of the National Public Schools Celebration of Columbus Day, which was printed in The Youth's Companion of September 8, 1892, and at the same time sent out in leaflet form to schools throughout the country. School children first recited the Pledge of Allegiance this way:

"I pledge allegiance to my Flag and to the Republic for which it stands one Nation indivisible, with Liberty and Justice for all."

"The flag of the United States" replaced the words "my Flag" in 1923 because some foreign-born people might have in mind the flag of the country of their birth instead of the United States flag. A year later, "of America" was added after "United States."

No form of the Pledge received official recognition by Congress until June 22, 1942, when the Pledge was formally included in the U.S. Flag Code. The official name of The Pledge of Allegiance was adopted in 1945. The last change in language came on Flag Day 1954, when Congress passed a law, which added the words "under God" after "one nation."

Originally, the pledge was said with the right hand in the so-called "Bellamy Salute," with the right hand resting first outward from the chest, then the arm extending out from the body. Once Hitler came to power in Europe, some Americans were concerned that this position of the arm and hand resembled the Nazi or Fascist salute. In 1942 Congress also established the current practice of rendering the pledge with the right hand over the heart.

The Flag Code specifies that any future changes to the pledge would have to be with the consent of the President.

## **§ 5. Display and use of flag by civilians; codification of rules and customs; definition**

The following codification of existing rules and customs pertaining to the display and use of the flag of the United States of America is 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 the purposes of this chapter shall be defined according to sections 1 and 2 of Title 4 and Executive Order 10834 issued pursuant thereto.

## **§ 6. Time and occasions for display**

(a) It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flag staffs 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 ceremoniously.

(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  
Martin Luther King Jr's Birthday - third Monday in January  
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) - last Monday in May  
Flag Day - June 14  
Father's Day, third Sunday in June  
Independence Day - July 4  
Labor Day - first Monday - September 1 - 7  
Columbus Day - second Monday in October  
Navy Day - October 27  
Veterans Day - November 11  
Thanksgiving Day - fourth Thursday in November  
Christmas Day - December 25  
Other days as may be proclaimed by the President of the United States  
Birthdays of States (date of admission)  
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.

## **§ 7. Position and manner of display**

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 flag should not be displayed on a float in a parade except from a staff, or as provided in subsection (i) of this section.

(b) The flag should not be draped over the hood, top, sides, or back of a vehicle or of a railroad train or a boat. When the flag is displayed on a motorcar, 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. 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.

(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.



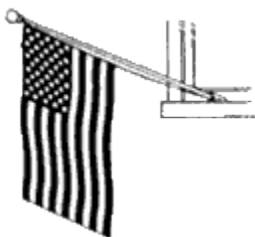
(e) The flag of the United States of America should be at the center and at the highest point of the group when a number of flags of States or localities or pennants of societies are grouped and displayed from staffs.



(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 the window sill, 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.



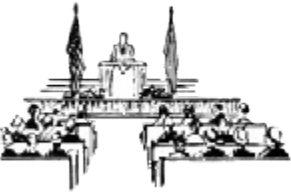
i) When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.



(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.



l) 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 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 or the death of a member of the Armed Forces from any State, territory, or possession who dies while serving on active duty, the Governor of that State, territory, or possession may proclaim that the National flag shall be flown at half-staff and the same authority is provided to the Mayor of the District of Columbia with respect to present or former officials of the District of Columbia and members of the Armed Forces from the District of Columbia. When the Governor of a State, territory, or possession, or the Mayor of the District of Columbia, issues a proclamation under the preceding sentence that the National flag be flown at half-staff in that State, territory, or possession or in the District of Columbia because of the death of a member of the Armed Forces, the National flag flown at any Federal installation or facility in the area covered by that proclamation shall be flown at half-staff consistent with that proclamation. The flag shall be flown at half-staff 30 days from the death of the President or a former President; 10 days from the day of death of the 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. The flag shall be flown at half-staff on Peace Officers Memorial Day, unless that day is also Armed Forces Day. 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, 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 into 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.

## § 8. Respect for flag



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 a 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 napkin 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. (Disposal of Unserviceable Flags Ceremony)

## § 9. Conduct during hoisting, lowering or passing of flag

During the ceremony of hoisting or lowering the flag or when the flag is passing in a parade or in review, those present in uniform should render the military salute. Members of the Armed Forces and veterans who are present but not in uniform may render the military salute. All other persons present should face the flag and stand at

attention with their right hand over the heart, or if applicable, remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Citizens of other countries should stand at attention. All such conduct toward the flag in a moving column should be rendered at the moment the flag passes.

## **§ 10. Modification of rules and customs by President**

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.

Executive Order No. 10834 issued by President Dwight D. Eisenhower on August 24, 1959, amended the provisions of Title 4, U.S.C., Chapter 1 and established the 50 star Flag as the official Flag of the United States, effective on July 4, 1960.

## **The Flag Code - Modification of rules and customs by President**

Executive Order No. 10834  
August 24, 1959

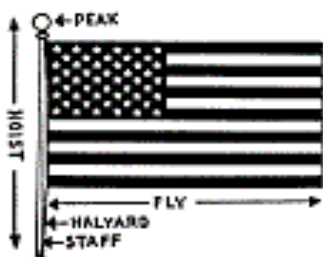
### **Part I - Design of the flag**

Section 1. The flag of the United States shall have thirteen horizontal stripes, alternate red and white, and a union consisting of white stars on a field of blue.

Section 2. The position of the stars in the union of the flag and in the union jack shall be as indicated on the attachment to this order, which is hereby made a part of this order.

Section 3. The dimensions of the constituent parts of the flag shall conform to the proportions set forth in the attachment referred to in section 2 of this order.

## **Standard Proportions of the Flag**



hoist(width) of flag - 1.0  
fly (length) of flag - 1.9  
hoist of union-  $\frac{7}{13}$   
fly of union- .76  
diameter of star - .0616  
width of stripe -  $\frac{1}{13}$

## **Title 36, Subtitle I, Part A section 301 United States Code – National Anthem**

(a) Designation.— The composition consisting of the words and music known as the Star-Spangled Banner is the national anthem.

(b) Conduct During Playing.— During a rendition of the national anthem—

- (1) when the flag is displayed—



(A) individuals in uniform should give the military salute at the first note of the anthem and maintain that position until the last note;

(B) members of the Armed Forces and veterans who are present but not in uniform may render the military salute in the manner provided for individuals in uniform; and

(C) all other persons present should face the flag and stand at attention with their right hand over the heart, and men not in uniform, if applicable, should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart; and

- (2) when the flag is not displayed, all present should face toward the music and act in the same manner they would if the flag were displayed.