

# Let's Be Right on *Flag Etiquette*

\* Note - Click on the bookmark icon to your left for U.S. Flag topics --- then click on any topic for more detailed information.

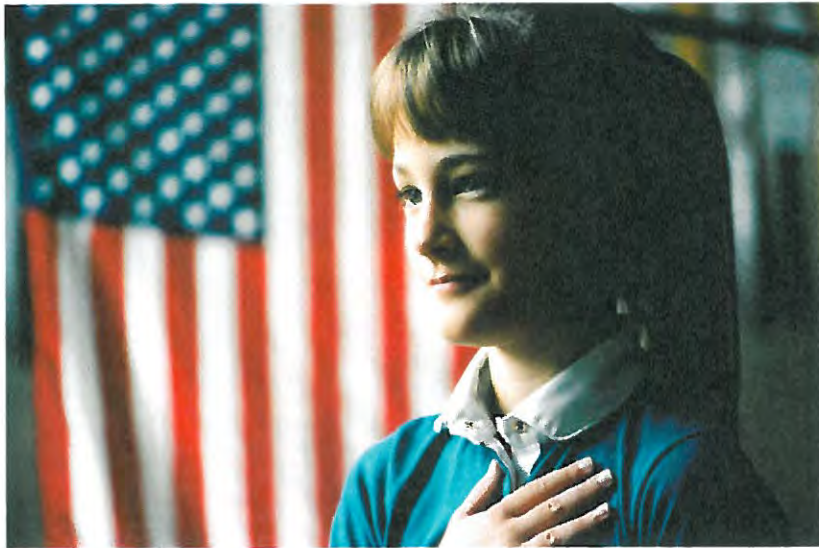
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**THE AMERICAN LEGION**

Prepared and distributed by the National Americanism Commission



## ***The Pledge of Allegiance***

**This is our pledge to our country. You hear it a lot. What does it mean?**

“I pledge allegiance” - I promise to be true

“to the flag” - to the sign 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 U.S.A.



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## Foreword

This booklet is published by The American Legion in an effort to increase the knowledge of the general public in the proper display and respect for the flag of the United States of America. The contents of this booklet includes a duplication of the United States Flag Code as stated in Title 4, Chapter 1, United States Code, sections 4-10. Public Law 105-225, August 12, 1998 amended Title 4, Chapter 1, United States Code by adding at its end much of the language that previously was in Title 36, Chapter 10, United States Code, sections 173-178. Section 6(b) of Public Law 105-225 then repealed those parts of Title 36, Chapter 10 United States Code that were moved to Title 4, Chapter 1, United States Code.

In the 1976 revision of the Flag Code by Congress, the symbolism of the United States flag is considered to be a living symbol representing a living country. This reference was added in response to the strong feelings of respect and reverence accorded by many of our citizens. In addition, the flag represents the many freedoms, rights and responsibilities not entrusted to the citizens of any other country in the world. Therefore, the proper display and use of the United States flag is the responsibility of every American citizen. It should be pointed out that the Flag Code is simply a guideline for proper flag etiquette. The law does not provide penalties for violations of any of its provisions. Misuse and improper display will, however, most likely incur ridicule and harassment from those more familiar with these provisions.

# 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 as 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; and P.L. 80, 106th Congress, First Session, October 25, 1999.

*(As with any codification of rules and customs, the Flag Code is not intended to cover every instance of display and use. The guidelines in the code cover a number of situations and practices which were traditionally used prior to the passage of the law. Common sense in most other cases will dictate the proper display and respect due the flag.)*

*The reader will encounter questions and answers that concern American Legion specific issues regarding the Flag Code. These questions do not relate to a particular portion of the Flag Code, but deal with American Legion protocol or tradition. This is especially true regarding presentation and display of the United States flag at American Legion meetings.*

*The interpretations of the Flag Code come from the most frequently asked questions and The American Legion's response to the hundreds of letters, e-mails, and phone calls received annually.)*

### Section 4

#### Pledge of Allegiance to the flag; manner of delivery

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.", 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 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

Q. *Wearing a Legion cap, is it proper to render the military salute while reciting the "Pledge of Allegiance?"*

A. No. If a person in uniform renders a military salute during the "Pledge" they are to "remain silent."

Q. *If everyone at our Legion meeting is wearing a Legion cap, how is it possible for us to "Pledge Allegiance" to our country, given the answer to the above question?*

A. The National Americanism Commission has deemed it appropriate for Legionnaires to come out of uniform (uncover), placing the cap and right hand over the heart, and reciting the "Pledge." To do otherwise would be a violation of Flag Code revisions or regulations of The American Legion. (A.C.)

Q. *Is it proper for women Legionnaires (cap or complete uniform) to remove their Legion caps during the "Pledge of Allegiance," National Anthem and during prayer?*

A. Since it may be inconvenient for women Legionnaires to remove their caps, it is permissible to conduct themselves as if they were not wearing a cap, i.e., place the right hand over the heart to recite the Pledge and during the National Anthem, and stand in proper manner during prayer. Should she elect to render the military salute during the Pledge, she must "remain silent." (A.C.)

Q. *Who wrote the Pledge of Allegiance?*

A. 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."

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.

**Executive Order No. 10834  
August 24, 1959**

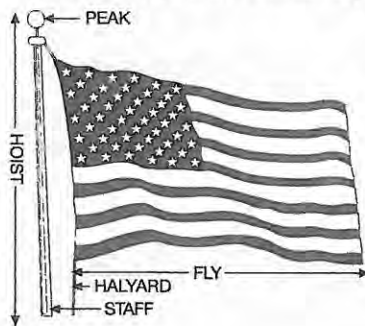
**Part I - Design of the flag**

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	7/13
fly of union	.76
diameter of star	.0616
width of stripe	1/13

Q. *What is the definition of the flag?*

A. In 1989 Congress agreed that term "flag of the United States" means any flag of the United States, or any part thereof, made of any substance, of any size, in a form commonly displayed. That makes it pretty clear we are not talking about articles of clothing that happen to be red, white and blue, have stars and stripes and may resemble the flag. It also makes it clear that we are not talking about digitized or other "images" of the flag.

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 purpose of this chapter shall be defined according to sections 1 and 2 of this title and Executive Order 10834 issued pursuant thereto.

**Section 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 flagstaffs in the open. However, when a patriotic effect is desired, the flag may be displayed 24 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, the 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), 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 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.



*Q. Is it proper to fly the flag of the United States at night?*

*A. The Flag Code states that 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.*

*Q. What is considered proper illumination when flying the flag at night?*

*A. "Proper illumination" is a light specifically placed to illuminate the flag (preferred) or having a light source sufficient to illuminate the flag so it is recognizable as such by the casual observer (A.C.)*

*Q. May a Legion Post display the flag twenty-four hours a day and during all kinds of weather without regard to illuminating the flag or using an all-weather flag?*

*A. American Legion Posts are to be guided by the same provisions of the Flag Code as are civilian displays. The National Americanism Commission, in fact, encourages Legion Posts to take special care to adhere to these provisions as a proper example for the community. (A.C.)*

*Q. Is it permissible to fly the flag of the United States during inclement weather?*

*A. The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed. (All-weather - nylon, synthetic, or other non-absorbent material)*

*Q. Is the flag to be displayed only on National holidays?*

*A. The Code suggests displaying the flag every day, but especially on holidays, including state holidays and during local celebrations.*

*Q. Is the Government required to fly the flag every day?*

*A. The Code suggests the flag be displayed daily on or near the main administration building of every public institution, in or near every polling place on election days and in or near every schoolhouse when school is in session.*

*Q. Is it permissible to display another flag or pennant above the flag of the United States?*

*A. No, except during church services conducted by naval chaplains at sea, the church pennant may be flown above the flag during church services for the personnel of the Navy.*

*Q. What is the United States Navy church pennant?*

*A. The church pennant consists of a blue Latin cross on a white background. It is entirely nonsectarian and is flown as a signal that church services are in progress. (U.S. Navy)*

Q. *What governs displaying the flag of the United States in connection with the flag of the United Nations or other national or international flags?*

A. No person shall display the flag of the United Nations or any other nation or international flag equal, above, or in a position of superior prominence of honor to, or in place of, the flag of 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 and honor, with that of the flag of the United States at the headquarters of the United Nations. This particular section of the Code can be confusing if not read carefully. First the term "national or international flag equal" refers to the flags of other nations, it does not imply the flags cannot be flown at the same height. If it did, then it would be in conflict with international rules which forbid the display of the flag of one nation higher than another in time of peace. Secondly, "or in place of" does not take away the right of an individual to display the flag of another country on his/her own property.

Q. *What is meant by the flag's own right?*

A. The "right" as the position of honor developed from the time when the "right hand" was the "weapon hand" or "point of danger." The right hand raised without weapon was a sign of peace. The right hand, to any observer, is the observer's left. Therefore, as used in the Flag Code, the flag and/or blue field is displayed to the left of the observer, which is the flag's "own right."

Q. *What is the order of display of the flags of the other nations?*

A. Accepted practice is to place the flags of other nations in alphabetical order after the United States flag.

Q. *What is the proper placement of two or more United States flags in a church or auditorium?*

A. Regardless of the number of United States flags, each would be displayed in accordance with Flag Code provisions. For most functions more than one flag is unnecessary. For a patriotic display as a show of color, the flags may be displayed as common sense and good taste would dictate.

Q. *Is it proper to use a set of desk flags in lieu of staffed flags for Legion meetings?*

A. While not inappropriate, the National Americanism Commission strongly recommends, whenever possible, the use of staffed flags, properly presented, for all meetings of The American Legion. (A.C.)

(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.



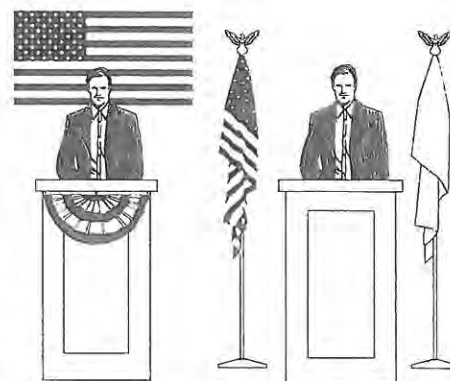
(i) When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.



(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.

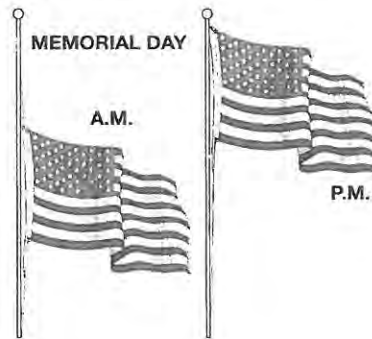


(k) When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, the flag of the United States of America should hold the position of superior prominence, in advance



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, 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 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.

Q. Is it proper for a Legion Post to lower the United States flag to "half-staff" to honor a deceased member of the Post?

A. No. The lowering of the flag is only authorized on Memorial Day, from sunrise until noon, and by executive order of the President, or State Governor. If it is so desired, the organizational flag may be lowered for this purpose. (A.C.)

Q. What happens to the State flag when the flag of the United States is half-staffed?

A. The State flag or any other flag or pennant in a display is lowered or removed when the flag is at half-staff. As indicated in the Flag Code, no flag or pennant should be placed above the flag of the United States.

Q. Is the flag to be half-staffed for National Pearl Harbor Remembrance Day (December 7th), National Korean War Veterans Armistice Day (July 27th), and Patriot's Day (September 11)?

A. In accordance with U.S. Code, Title 36, Chapter 1, the President of the United States is requested to issue a proclamation to display the flag at half-staff for the entire day.

Q. When should the flag be at half-staff?

A. (a) The flag is half-staffed on Memorial Day, from sunrise until noon; it is displayed at full-staff from noon until sunset.

(b) By order of the President of the United States, or by the Governor of any State, territory or possession. On occasion, heads of several departments and agencies of the U.S. Government may direct the flag to half-staff if deemed proper to do so.

Q. What is the significance of displaying the flag at half-staff?

A. This gesture is a sign to indicate the nation mourns the death of an individual(s). (Naval and Military Custom)

Q. Can the mayor order the flag to be half-staffed?

A. No, only the President of the United States or the Governor of your State may order the flag to be half-staffed.

Those individuals and agencies that usurp authority and display the flag at half-staff on inappropriate occasions are quickly eroding the honor and reverence accorded this solemn act.



Q. *What should be the position of the flag of the United States when displayed from a staff in a meeting place of an American Legion Post?*

A. In compliance with American Legion policy, the National Colors and Post flag, when in position, should be in position at either side and just in advance of the Commander's station; the National Colors on the right of the Commander, and Post Colors on his left when facing the audience, regardless of whether the Commander is on a platform or on ground level and the flags are posted on another level.

Q. *What should be the position of the flag when displayed from a staff in a church, public auditorium or other public meeting place, whether indoors or outdoors, on platform or on floor or ground level?*

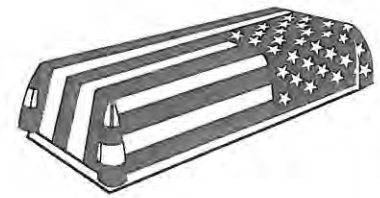
A. When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, the flag of the United States of America, should hold the position of superior prominence, in advance of the audience, and in the position of honor at the clergyman's or speaker's right as he faces the audience. Prior to the Flag Code changes in 1976, the display procedure was somewhat different. Now the staffed flag should always be placed to the right of the speaker without regard to a platform or floor level.

Q. *Is it permissible to wear an item of clothing that looks like the United States flag?*

A. Unless an article of clothing is made from an actual United States flag, there is NO breach of flag etiquette whatsoever. People are simply expressing their patriotism and love of country by wearing an article of clothing that happens to be red, white, and blue with stars and stripes. There is nothing illegal about the wearing or use of these items.

(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.



## Section 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 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 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, all 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 their 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 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.

- Q. *During a funeral in which the casket is draped with a United States flag, what is proper conduct?*
- A. Not specifically covered by the Flag Code, the following is generally acceptable out of respect to the deceased and reverence to the flag. Mourners should stand at attention and hold the headdress over the left breast at any time the casket is being moved by the pallbearers and during the service at the grave, including the firing of volleys and the sounding of Taps. During prayer they will also bow their heads. In cold or inclement weather, they will remain covered. Those in uniform render the military salute when the casket is being moved by the pallbearers and during the firing of volleys and the sounding of Taps. (A.C.)
- Q. *May a person, other than a veteran have their casket draped with a United States flag?*
- A. Yes, although this honor is usually reserved for veterans or highly regarded State and National Figures, the Flag Code does not prohibit this use. (A.C.)
- Q. *When should small flags displayed on graves on Memorial Day be removed?*
- A. All Legion Posts should follow the practice of removing flags from veterans' graves as soon as possible after Memorial Day.
- Q. *How shall Legionnaires in uniform conduct themselves at the graveside?*
- A. At the graveside the cap should be held in the right hand over the left breast during the entire service. In cold and inclement weather the cap should not be doffed. (Officer's Guide)
- Q. *How is the flag to be displayed on a fully open or half open casket?*
- A. When a casket is fully open (full couch), common sense suggests that the flag be folded in the traditional triangular method, placed in the casket cap above the left shoulder of the deceased.  
  
On a half open (half couch) casket, the flag is arranged in three layers of ten inch folds to cover the closed half of the casket. The blue field will be the top layer on the deceased's left.  
  
Common sense suggests that when the military service includes cremated remains that the flag be folded in the traditional triangular method and be placed next to the urn.
- Q. *May a casket flag be used for any proper display purpose?*
- A. A flag that has been used to cover a casket can be used for any proper display purpose. There are no provisions in the Flag Code to suggest otherwise.

- Q. Does the flag have to be destroyed if it touches the ground?
- A. Care should be exercised in the handling of the flag, to protect it from becoming soiled or damaged. However, you are not required to destroy the flag if it touches the ground. As long as the flag remains suitable for display, even if washing or dry-cleaning (which is an acceptable practice) is required, the flag may continue to be displayed.
- Q. What is the correct way to wear a flag patch on an American Legion uniform?
- A. By resolution, the flag patch, when placed on an American Legion uniform, may be placed at the shoulder of either sleeve as long as the blue field is forward. Additionally, no emblem, name or patch shall be worn above the flag patch on the same sleeve. The decision as to the sleeve on which the patch is to be worn is left to the judgment of the individual, Post or Color Guard involved.

This proviso pertains only to the uniform of The American Legion.

As the provision of the Flag Code does not specify how the flag patch is to be worn, any other organizations may apply the flag patch as they deem appropriate. This includes members of the military, fire, police, or patriotic organizations. (NEC Resolution 38, May 1986)

- Q. How are unserviceable flags destroyed?
- A. The Code suggests that, "when a flag has served its useful purpose, it should be destroyed, preferably by burning." For individual citizens this should be done discreetly so that the act of destruction is not perceived as a protest or desecration. Many American Legion Posts conduct Disposal of Unserviceable Flag Ceremonies on June 14, Flag Day, each year. This ceremony creates a particularly dignified and solemn occasion for the disposal of unserviceable flags.
- Q. Can the flag be washed or dry-cleaned?
- A. Yes. There are no provisions of the Flag Code which prohibit such care. The decision to wash or dry-clean would be dependent on the material. (A.C.)

## Flag Folding Program

- Straighten out the flag to full length and fold lengthwise once.
- Fold it lengthwise a second time to meet the open edge, making sure that the union of stars on the blue field remains outward in full view. (A large flag may have to be folded lengthwise a third time.)
- A triangular fold is then started by bringing the striped corner of the folded edge to the open edge
- The outer point is then turned inward parallel with the open edge to form a second triangle.
- The diagonal or triangular folding is continued toward the blue union until the end is reached, with only the blue showing and the form being that of a cocked (three corner) hat.



A)



B)



C)



D)



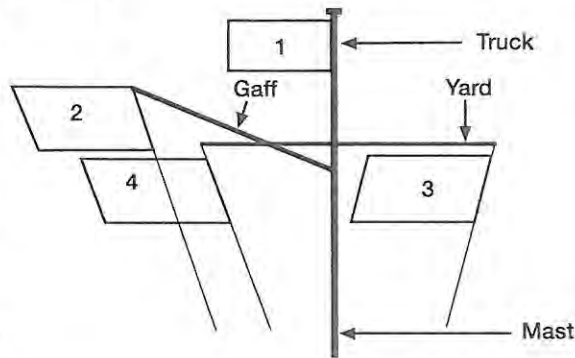
E)



## Display of the Flag in a Maritime Setting

For the most part, the provisions of the Flag Code are manifest in the traditions and customs for the display of the U.S. Ensign (flag) by seamen. The following provisions are made for the display of the flag on a mast located on Yacht club grounds.

(*Chapman Piloting: Seamanship and Small Boat Handling*, American Book-Stratford Press, Inc., New York, NY)



1. Single Mast (no Yard or Gaff):
  - U.S. Ensign (flag) is flown at the truck (#1).
  - All other flags or pennants flown below U.S. Ensign.
2. Mast with Yard:
  - U.S. Ensign (flag) is flown at the truck (#1).
  - Club burgee (flag) is flown at the starboard (right) yard arm (#3).
  - U.S. Power Squadron Ensign or other organizational flag at the port yard arm (#4).
3. Mast with a Yard and Gaff:
  - U.S. Ensign (flag) is flown at the gaff (#2).
  - Club burgee (flag) is flown at the truck (#1).
  - Flags at #3 and #4 vary depending on the activity at the club.

It is display #3 which causes the most confusion. This puts the Club burgee in a higher position, but not above that of the U.S. Ensign (flag). By the Flag Code provisions, this would seem to be an incorrect display. The tradition of the seas, however, is to hold the gaff as the position of honor; thus, the intent of this tradition and display is to give proper respect to the flag.

Where a yard is involved, rules provide that when a foreign ensign is displayed, the U.S. Ensign (flag) is flown at (#3); the foreign ensign at (#4); the Club burgee at (#1); and other flags at (#2).

The gaff extends aft (to the rear), and a mast on Yacht Club grounds is faced seaward. Therefore the gaff will (or should) be directed toward the land. The observation point then becomes a point somewhere on the sea side of the mast. This then makes the placement of the U.S. Ensign (flag) in regard to the foreign ensign conform to Flag Code provisions.

- Q. How are changes in the Flag Code made?
- A. Since the Flag Code is Public Law, it may be changed by the passage of appropriate legislation in Congress, or, as provided in the law itself, by proclamation of the President.
- Q. What do the colors of the flag mean?
- A. According to custom and tradition, white signifies purity and innocence; red, hardiness and valor; and blue signifies vigilance, perseverance, and justice.
- Q. What are the exact shades of the colors blue and red?
- A. The exact shades of blue and red are numbers 70075 and 70180 in the Standard Color Card of America published by the Color Association of the United States. In the Pantone system the colors are: Blue PMS 282 and Red PMS 193.
- Q. What size flag is appropriate to be displayed from a flagpole?
- A. The Flag Code is silent with regards to the size flag that is appropriate for different sizes of flagpoles. The rule of thumb which has been passed down through tradition and custom is the fly of the flag should be approximately one-fourth the height of the pole.
- Q. Are there any specifications regarding the flag pole or flag pole toppings?
- A. The Flag Code is silent in regard to the makeup, size, and structure of the flagpole. The flagstaff topping ornaments are also not subject to any restrictions under the code. As with many of the traditions and customs associated with the display of the flag, the standard flagstaff topping ornaments in common use come from the assortment allowed by military regulations. These include the eagle, acorn, gilt lance, ball, gilt star (Navy), spear, or flat truck (Navy). Most commonly used and encountered is the eagle.
- Q. What is the significance of the gold fringe which we see on some United States flags?
- A. Records indicate that fringe was first used on the flag as early as 1835. It was not until 1895 that it was officially added to the national flag for all regiments of the Army. For civilian use, fringe is not required as an integral part of the flag, nor can its use be said to constitute an unauthorized addition to the design prescribed by statute. It is considered that fringe is used as an honorable enrichment only. (Military tradition)

The courts have deemed without merit and frivolous, lawsuits that contend that the gold fringe adorning the flag conferred Admiralty/Maritime jurisdiction.

## ***Color Guards and the Flag Code***

*Q. Of what does a Color Guard consist?*

A. A basic Color Guard is composed of four persons, carrying and guarding one flag of the United States and one organization flag (or Post Color). The two Color bearers and the two guards (armed) are always lined up facing the marching front from left to right as follows: guard, organization flag or banner, the flag of the United States, guard.

*Q. Is it proper to use more than two guards in a Color Guard?*

A. Yes. Many Color Guards drill in threes. This formation uses two guards to the flag of the United States and two guards to the organization flag or banner.

*Q. How many guards may a Color Guard have?*

A. For the purposes of competition, The American Legion restricts a Color Guard to a minimum of four and a maximum of seventeen. For most purposes, four or five should be sufficient.

*Q. In advancing the colors, how should the flag of the United States and other flags be crossed at the front of the room?*

A. At no time should any other flag or banner pass in front of the flag of the United States. "Front" means nearest or next to the presiding officer. (NEC Resolution No. 451, 1959 National Convention)

*Q. Is it proper, when desirable, for the Color Guard to be led by the Sergeant-at-Arms?*

A. Yes. The Colors do not necessarily lead any procession. They may be preceded by officers, an escort, and occasionally they may be placed in the center of a marching unit. All are correct except that the colors shall not at any time be in the rear of the center line of a unit.

*Q. In a crowded hall where it is necessary to advance (or retire) the Colors in a single file, what formation should the Color Guard use?*

A. By the right file march. The guard may be halted in file and the Color bearers step out to post the Colors. When retrieving the Colors, the Color bearer with the Flag of the United States retrieves his Flag first and marches to the guard who steps off leading the file to the rear of the hall. The Post Color follows in order and it is followed by its guard.

Q. *In civilian use of Color Guards, including rituals, ceremonial occasions, etc., what authority on Color Guard formations and procedures should govern?*

A. Military regulations governing Color Guards in force at the time or such other regulations as have been established authoritatively by custom.

Q. *How should a Color Guard (the flag of the United States, organization flag or Post Color, and two guards) maneuver or conduct itself during any marching formation?*

A. The Color Guard is formed and marched in one rank at close interval, the Color bearers in the center. The armed members of the Color Guard execute neither the loading nor firings. In rendering honors they execute all required movements in the manual; in drill, all movements unless otherwise directed.

Q. *Is it proper for a Color Guard to execute TO THE REAR MARCH?*

A. No. A Color Guard does not execute TO THE REAR MARCH or ABOUT FACE. If it is necessary to reverse the direction of a Color Guard, it can be done by a number of commands known to any qualified guard officer. In such a movement the flag of the United States must be kept to the right throughout the maneuver. This cannot be done in TO THE REAR MARCH or ABOUT FACE.

Q. *While marching or standing guard in a place of worship or during a military funeral in a church, is the cap worn by the Color Guard?*

A. Yes. The cap should be worn in church by the Guard of Honor, the Color Guard and the Commander of same while in marching order or standing guard. When seated in pews, the cap should be removed; however, armed guards always remain covered wherever they are. Only when they do not bear arms do they uncover in church or while a prayer is uttered outdoors. In the case of the Color bearers, if the guards are armed, the entire Color Guard is armed and therefore follows the above rule.

Q. *Is there a specific version of the National Anthem which must be played?*

A. No. The American Legion recommends however, that the National Anthem subtitled "Service Version" written in the key of A-flat be utilized for general mass singing by adults and for band, or other instrumental performances.

Q. *Are rock versions of the National Anthem appropriate?*

A. Although not a violation of any prescribed law, The American Legion is opposed to these renditions and encourages the use of the "service Version" played and sung in a traditional manner.

Q. *Is it necessary for a person to stand and salute when the National Anthem is played?*

A. During rendition of the National Anthem when the flag is displayed, all present except those in uniform should 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.

Q. *Is it necessary for a person to stand and salute when the National Anthem is sung?*

A. The Flag Code states that during rendition of the National Anthem, those present should stand and render the proper salute. Rendition includes singing.

Q. *Is it necessary for a person to stand and salute when the National Anthem is played over a film tract, radio, "juke box," or other type of musical reproduction machine in a theater, restaurant or other public place?*

A. No. It is recommended that persons pay respect only when the National Anthem is played by a band, orchestra or other musical instruments actually in the room. The National Americanism Commission believes that when the National Anthem is played over a radio or in a restaurant from a "juke box" or some other type of musical reproduction machine, or in a theater over a film tract, it would seem more or less forced and unnatural to pay special respect. (A.C.)

Q. *What should persons do when they are walking along the street and "The Star-Spangled Banner" is heard?*

A. If the music is outdoors, near and quite audible, all persons should stop, uncover, and stand at attention. (A.C.)

## **The National Anthem**

Oh, say, can you see, by the dawn's early light,  
What so proudly we hailed at the twilight's last gleaming?  
Whose broad stripes and bright stars, thro' the perilous fight'  
O'er the ramparts we watched, were so gallantly streaming.  
And the rockets red glare, the bombs bursting in air,  
Gave proof through the night that our flag was still there.  
Oh, say, does that star-spangled banner yet wave  
O'er the land of the free and the home of the brave?

On the shore dimly seen, thro' the mists of the deep,  
Where the foe's haughty host in dread silence reposes,  
What is that which the breeze, o'er the towering steep,  
As it fitfully blows, half conceals, half discloses?  
Now it catches the gleam of the morning's first beam,  
In full glory reflected, now shines on the stream;  
'Tis the star-spangled banner: oh, long may it wave  
O'er the land of the free and the home of the brave.

And where is that band who so vauntingly swore  
That the havoc of war and the battle's confusion  
A home and a country should leave us no more?  
Their blood has wash'd out their foul footsteps' pollution.  
No refuge could save the hireling and slave  
From the terror of flight or the gloom of the grave,  
And the star-spangled banner in triumph doth wave  
O'er the land of the free and the home of the brave.

Oh, thus be it ever when free men shall stand,  
Between their loved homes and the war's desolation;  
Blest with vict'ry and peace, may the heav'n-rescued land  
Praise the Power that has made and preserved us as a nation  
Then conquer we must, when our cause is just,  
And this be our motto: "In God is our trust";  
And the star-spangled banner in triumph shall wave  
O'er the land of the free and the home of the brave.

### **Title 36, United States Code, Chapter 10**

#### **Section 170**

#### **National Anthem; Star-Spangled Banner**

The composition consisting of the words and music known as The Star-Spangled Banner is designated the national anthem of the United States of America.

**Section 171**

**Conduct during playing**

During rendition of the national anthem when the flag is displayed, all present except those in uniform should 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.

*Q. Is it proper to stand when "America," "God Bless America," "The Red, White and Blue" and other such patriotic songs are played?*

A. It is not required. However, on occasions when patriotic enthusiasm runs high, it is common practice. (A.C.)

*Q. Is it appropriate to sing the National Anthem while saluting the flag?*

A. Yes, it is appropriate to sing the National Anthem while saluting the flag; however, since it may be somewhat awkward, unnatural and incongruous to render the military salute while singing, it is permissible to remove the cap with the right hand and hold it at the left shoulder, the hand being over the heart. It is noted that this section pertaining to the National Anthem does not contain the "remain silent" clause associated with the "Pledge of Allegiance." (A.C.)

*Q. What is the order when playing the National Anthems of other countries with the Star-Spangled Banner?*

A. Accepted practice and common sense calls for the visitor or guest to be honored first followed by the host when the National Anthems of various nations are played.

*Q. What is the acceptable practice after the playing or singing of the National Anthem?*

A. Section 171, Title 36, United States Code, Chapter 10 addresses conduct during the playing of the National Anthem. However, it is silent as to conduct after the National Anthem has been sung or played.

It is perfectly acceptable and common practice to applaud or cheer upon the completion of the playing or singing of the National Anthem.



Q. *What is meant by the term "breaking the colors?"*

A. The term "breaking the colors" most likely evolved from "General Instruction #3" in the Officer's Guide and Manual of Ceremonies which states: "Comrades should be careful never to pass between the Flags and the station of the commander." In many areas of the country, this area is considered "hallowed ground" and violations are quickly noted. There is, however, no reference to this custom in Flag Code provisions. (A.C.)

Q. *Can one display a 48-star flag?*

A. Even though the fifty-star flag is authorized, no law or provisions of the Flag Code prohibits the use or display of any previously authorized flag of the United States.

Q. *In what order should the flags of the branches of the Armed Forces be displayed?*

A. The order of march is stated in regulation and calls for the Army to march first, followed by the Marine Corps, Navy, Air Force, and the Coast Guard. The same would be used to display the flags in one rank, such as a Color Guard, from left to right. (Military Regulation)

Q. *What is the custom of the 21-gun salute?*

A. The custom of gun salutes began in the 14th century on the high seas with the salute by cannon. During that time, warships fired a seven-gun salute, probably selected for either its astrological or Biblical significance. Warships would also show their peaceful intentions when nearing a friendly port by disarming themselves (emptying their guns) and friendly shore batteries did the same. This then evolved from a meaningful gesture to a ritual salute, the shore batteries took to answering each gun of a warship with three shore salutes. Early British warships had seven guns to empty, when each was answered by three shore salutes that came to twenty-one.

By 1875, the 21-gun salute was established as the international salute, with the United States adopting the practice on August 18, 1875.

The twenty-one gun salute is fired in honor of a national flag, the head of state of a foreign nation, a member of a royal family, and the president, ex-president, and/or president elect of the United States. It is also fired at noon on the day of the funeral of the president, ex-president, or president-elect of the United States.

## **The Top Ten Flag Myths**

### **1. The Flag Code is The American Legion Flag Code.**

On Flag Day, June 14, 1923, The American Legion and representatives of 68 other patriotic, fraternal, civic and military organizations met in Washington, DC for the purpose of drafting a code of flag etiquette. The 77th Congress adopted this codification of rules as public law on June 22, 1942. It is Title 4, United States Code Chapter 1.

### **2. A flag that has been used to cover a casket cannot be used for any other proper display purpose.**

A flag that has been used to cover a casket can be used for any proper display purpose to include displaying this flag from a staff or flagpole.

### **3. The Flag Code prohibits the display of a United States flag of less than 50 stars.**

According to the U.S. Army Institute of Heraldry the United States flag never becomes obsolete. Any officially approved American flag, irrespective of the number or arrangement of the stars and/or stripes may continue to be used and displayed until no longer serviceable.

### **4. The Flag Code does provide for penalties for violations of any of its provisions.**

The Flag Code is simply a guideline for proper flag etiquette. The law does not provide penalties for violation of any of its provisions.

### **5. You must destroy the flag when it touches the ground.**

As long as the flag remains suitable for display, the flag may continue to be displayed as a symbol of our great country.

### **6. The Flag Code prohibits the washing or dry-cleaning of the flag.**

There are no provisions of the Flag Code, which prohibit the washing or dry-cleaning of the flag. The decision to wash or dry-clean would of course depend upon the type of material.

### **7. There has been a change to the Flag Code that no longer requires the flag to be properly illuminated during the hours of darkness.**

There has been NO CHANGE to Flag Code section 6(a), which states: "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."

**8. The mayor, a town official, or a Post Commander can order the flag to be displayed at half-staff.**

The gesture of placing the flag at half-staff means that the Nation or the state mourns the death of a highly regarded National or state figure, hence only the President of the United States or the Governor of the state may order the flag to be half-staffed in accordance with Flag Code section 7(m).

Those individuals and agencies that usurp authority and display the flag at half-staff on inappropriate occasions are quickly eroding the honor and reverence accorded this solemn act.

**9. The Flag Code states that when the flag is no longer a fitting emblem for display it is to be disposed of by burning in private.**

The Flag Code as revised and adopted by the Congress of the United States in 1942 has never included the word(s) "private" or "in privacy." Section 8(k) of the Flag Code states: "The flag, when it is in such a condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning."

Since 1937, The American Legion has promoted the use of a public flag disposal ceremony. This ceremony is a fitting tribute and an overt expression of patriotism, which enhances the public's understanding of honor and respect due the American flag.

**10. The Flag Code prohibits the "fringing" of the flag.**

Fringing of the flag is neither approved of nor prohibited by the Flag Code. The American Legion considers that fringe is used as an honorable enrichment to the flag.

Additionally the courts have deemed without merit and frivolous, lawsuits that contend that the gold fringe adorning the flag conferred Admiralty/Maritime jurisdiction.

*Q. How is a flag decal to be displayed on a motor vehicle?*

A. Unfortunately, the Flag Code does not offer much in terms of clear and concise guidance. There are two schools of thought with regards to the display of a flag decal on an automobile.

First, when a person is walking forward with a staffed flag "aloft and free" the blue union would be forward. So one can argue that the blue field of the flag decal would face forward when placed on the side of the automobile. This is the preferred method.

However, the same methodology from reading Flag Code section 7(i) with regards to the display of the flag from a wall can also be applied, namely that the blue union would be in the upper left hand corner (observer's).

Either display technically would be correct.

*Q. Can the flag be repaired or mended?*

A. There are no provisions of the Flag Code which prohibit the sewing or repairing the flag. We do caution that if material is removed, the flag may no longer conform to the size proportions, as specified in Executive Order 10834.

*Q. Is it correct to say that certain stars in the blue field represent certain States?*

A. While there is no legal or other authority for saying that any particular star in the blue union of the flag represents any particular state, many people feel it is natural and logical to consider, or assume that the first star represents the first state admitted into the Union (or rather, that ratified the Constitution) and that the last star represents the last State admitted. So from the upper left-hand corner, reading from left to right, top to bottom row would represent the various States in order of their admission into the Union.

The following flag education and etiquette publications are available from National Emblem Sales, P.O. Box 1050, Indianapolis, IN 46206-1050 or telephone toll-free 1-888-453-4466. Consult current Emblem Sales Catalog for pricing information.

**LET'S BE RIGHT ON FLAG ETIQUETTE**  
(No. 72600)

**FLAG CODE** (No. 72601). Illustrates and describes the correct way to display the flag.

**"LIGHT OF LIBERTY" COMIC BOOK** (No. 72551). Twenty pages detailing our fight for freedom, how government works and the rights and responsibilities of every citizen.

**"OUR COUNTRY'S FLAG" COMIC BOOK** (No. 72550). A twenty page educational comic book relating the history, significance and proper treatment of the United States flag.

**PLEDGE OF ALLEGIANCE COMIC BOOK** (No. 72552). Teach young people all about the Pledge of Allegiance with this colorful and fun booklet. An essential part of every young person's education as an American.

**KNOW YOUR AMERICA** (No. 75205). Complete manual on Americanism, includes a comprehensive flag education and etiquette section.

**FLAG APPRECIATION CERTIFICATE** (No. 75242). Designed to honor those individuals, organizations, and businesses that display the flag on a daily basis.

Flag reference books (should be available from your local library):

**The Flag of the United States - Its History and Symbolism** by James A. Moss

**The Flag Book of the United States**  
by Whitney Smith

**The History of the United States Flag**  
by Milo M. Quaife, Melvin J. Weig and Roy E. Appleman

**So Proudly We Hail - The History of the United States Flag** by Rear Admiral William Rea Furlong and Commodore Byron McCandless

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