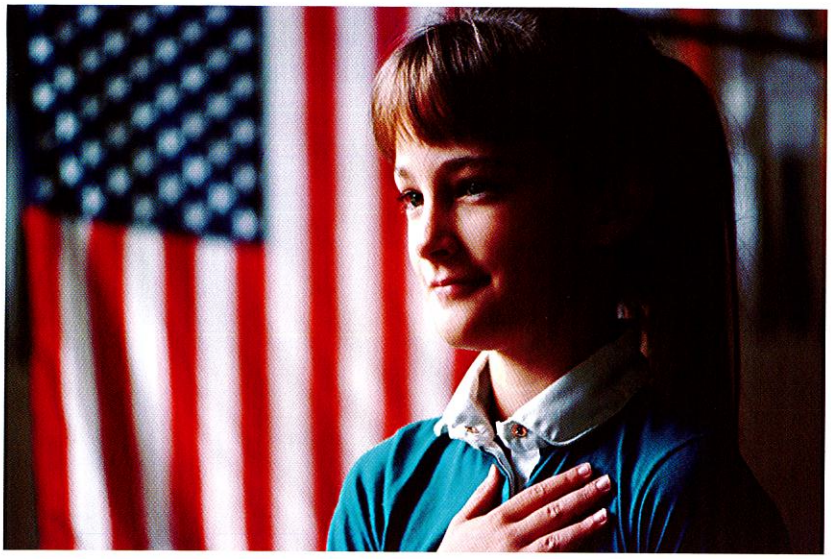
Let's Be Right on *Flag Etiquette*

THE AMERICAN LEGION



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 faithful

to the flag – to the symbol of our country

of the United States of America – the union of 50 states that have joined together to make up our country

and to the Republic – our nation, in which the supreme power rests in the body of citizens entitled to vote and is exercised by representatives chosen by them

for which it stands – the flag represents the United States

one Nation – this country alone

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 and every person in the country

To say the pledge is to promise to be true to the United States of America.

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Foreword

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 Section 6(b) of Public Law 105-225 then repealed those parts of Title 36, Chapter 10 that were moved to Title 4, Chapter 1.

In Congress' 1976 revision of the Flag Code, the U.S. flag is considered to be a living symbol representing a living country. This was added in response to Americans' strong feelings of respect and reverence for the flag. In addition, the flag represents many freedoms, rights and responsibilities not enjoyed by citizens of any other country in the world. Therefore, the proper display and use of the U.S. flag is incumbent upon 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 should be countered with the information in this booklet.

The Flag Code

Title 4, Chapter 1, U.S. Code

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, P.L. 110-417, 110th Congress, Second Session, October 14, 2008; and P.L. 111-41, 111th Congress, First Session, July 27, 2009.

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

This booklet features questions and answers concerning American Legion-specific issues regarding the Flag Code. These questions do not relate to a particular portion of the code, but deal with Legion protocol or tradition. This is especially true regarding the presentation and display of the U.S. flag at Legion meetings.

These interpretations of the Flag Code come from the most frequently asked questions, and the Legion's response, to hundreds of letters, emails 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 any non-religious 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.

When wearing a Legion cap, is it proper to render the military salute while reciting the Pledge of Allegiance?

No. If a person in uniform renders a military salute during the pledge, he or she should remain silent.

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?

The National Americanism Commission (AC) has deemed it appropriate for Legionnaires to 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.

Is it proper for female Legionnaires (cap or complete uniform) to remove their Legion caps during the Pledge of Allegiance, national anthem and during prayer?

Since it may be inconvenient for female 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 they choose to render a military salute during the pledge, they must remain silent. (AC)

Who wrote the Pledge of Allegiance?

The original Pledge of Allegiance was written by Francis Bellamy. It received wide publicity through the official program of the National Public Schools Celebration of Columbus Day, which was printed in the Sept. 8, 1892, *Youth's Companion* and simultaneously sent out in leaflet form to schools throughout the country.

Schoolchildren 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 U.S. 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 Flag Code. The official name of the Pledge of Allegiance was adopted in 1945. The last change in language came on Flag Day in 1954, when Congress passed a law adding the words "under God" after "one nation."

The Knights of Columbus led the movement to have the words "under God" added, with support from The American Legion.

Issued by President Dwight D. Eisenhower on Aug. 24, 1959, Executive Order No. 10834 amended the provisions of Title 4, Chapter 1, U.S. Code, and established the 50-star flag as the official flag of the United States, effective July 4, 1960.

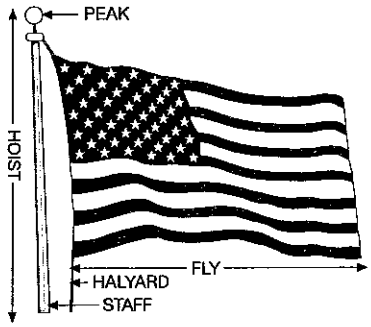
Executive Order No. 10834
Aug. 24, 1959

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 U.S. 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

What is the definition of the flag?

In 1989, Congress agreed that the 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 clear that 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.

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 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 Title 4 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; Father's Day, third Sunday in June; Independence Day, July 4; National Korean War Veterans Armistice Day, July 27; 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

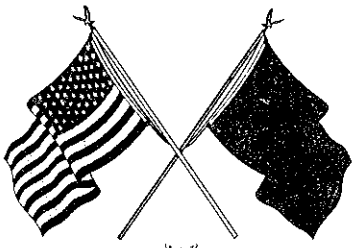
The flag, when carried in a procession with another flag or flags, should be either on the marching right; that is, the flag's own right, or, if there is a line of other flags, in front of the center of that line.

(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.

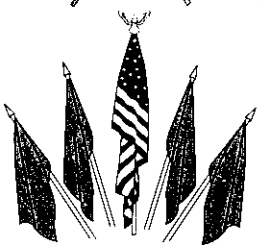
(b) The flag should not be draped over the hood, top, sides, or back of a vehicle or of a railroad train or a boat. When the flag is displayed on a motorcar, the staff shall be fixed firmly to the chassis or clamped to the right fender.

(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.

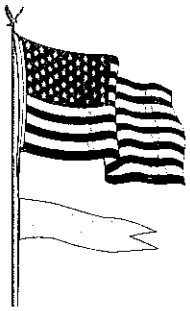
(d) The flag of the United States of America, when it is displayed with another flag against a wall from crossed staffs, should be on the right, the flag's own right, and its staff should be in front of the staff of the other flag.



(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.



Is it proper to fly the U.S. flag at night?

The Flag Code states that 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.

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

"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. (AC)

May a Legion post display the U.S. flag 24 hours a day and during all kinds of weather without regard to illuminating the flag or using an all-weather flag?

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. (AC)

Is it permissible to fly the U.S. flag during inclement weather?

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

Is the flag to be displayed only on national holidays?

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

Are U.S. government buildings required to fly the flag every day?

The Flag Code suggests that 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.

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

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

What is the U.S. Navy church pennant?

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.

What governs the display of the U.S. flag in connection with the flag of the United Nations or other national or international flags?

"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 Flag 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 forbidding 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 or her own property.

What is meant by the flag's own right?

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."

What is the order of display of the flags of the other nations?

Accepted practice is to place the flags of other nations in alphabetical order after the U.S. flag.

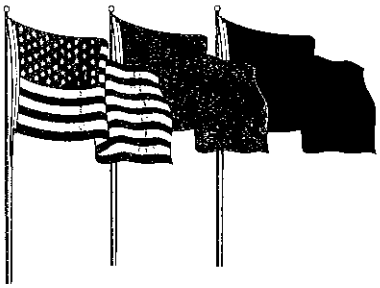
What is the proper placement of two or more U.S. flags in a church or auditorium?

Regardless of the number of 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.

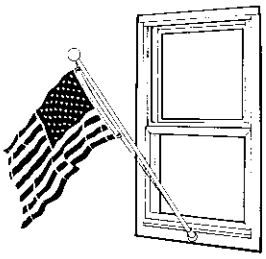
Is it proper to use a set of desk flags in lieu of staffed flags for American Legion meetings?

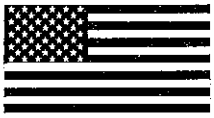
While this is not inappropriate, the National Americanism Commission strongly recommends, whenever possible, the use of staffed flags, properly presented, for all meetings of The American Legion. (AC)

(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.

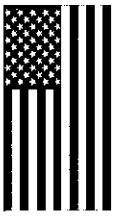


(h) When the flag of the United States is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half-staff. When the flag is suspended over a sidewalk from 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.

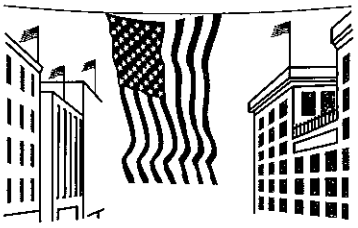




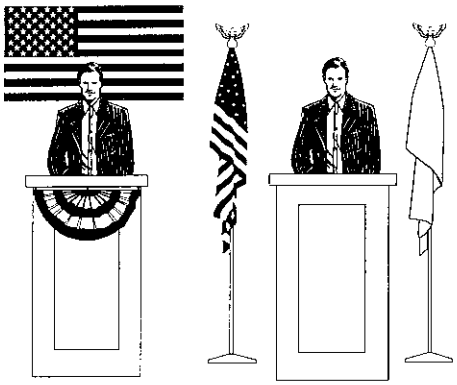
(i) When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.



(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.

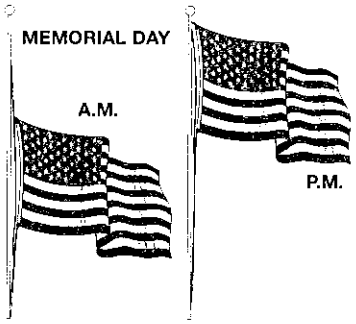


(k) When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, the flag of the United States of America should hold the position of superior prominence, in advance of the audience, and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

Is it proper for a Legion post to lower the U.S. flag to half-staff to honor a deceased member of the post?

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

What happens to the state flag when the U.S. flag is at half-staff?

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 U.S. flag.

Is the flag to fly at half-staff for National Pearl Harbor Remembrance Day (Dec. 7) and Patriot's Day (Sept. 11)?

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

When should the flag be at half-staff?

(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 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.

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

This gesture is a sign to indicate the nation or state mourns the death of an individual(s), following naval and military custom.

Can a mayor order the flag to fly at half-staff?

No. Only the president or 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 erode the honor and reverence accorded this solemn act.

What should be the position of the U.S. flag when displayed from a staff in a meeting place of an American Legion post?

In compliance with American Legion policy, the U.S. flag and post flag, when in position, should be in position at either side and just in advance of the commander's station – the U.S. flag on the commander's right 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.

How is the flag to be displayed on a fully open or half open casket?

When a casket is fully open (full couch), common sense suggests that the flag be folded in the traditional triangular method and placed in the casket cap above the left shoulder of the deceased.

On a half-open casket, the flag is arranged in three layers of 10-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 the flag should be folded in the traditional triangular method and placed next to the urn.

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?

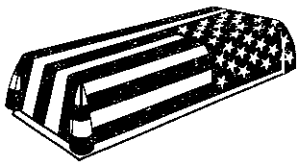
When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, the U.S. flag should hold the position of superior prominence, in advance of the audience and in the position of honor at the 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.

Is it permissible to wear an item of clothing that looks like a U.S. flag?

Unless an article of clothing is made from an actual U.S. 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.

(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.

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, 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.

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.

May a casket flag be used for any proper display purpose?

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.

During a funeral in which the casket is draped with a U.S. flag, what is proper conduct?

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. (AC)

May a person other than a veteran request his or her casket be draped with a U.S. flag?

Yes. Although this honor is usually reserved for veterans or highly regarded state and national figures, the Flag Code does not prohibit this use. (AC)

When should small flags displayed on graves on Memorial Day be removed?

All Legion posts should follow the practice of removing flags from veterans' graves as soon as possible after Memorial Day.

How shall Legionnaires in uniform conduct themselves at the graveside?

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.

Can members of the U.S. military and veterans who are present but not in uniform render the military right hand salute when the flag is hoisted, lowered or is passing?

The law does allow members of the U.S. Armed Forces and veterans not in uniform to render the right-hand salute, but does not mandate it. If you feel uncomfortable in any situation in which the flag is being raised, lowered or is passing in review, the traditional right hand over the heart – with the hat removed – is a viable and respectful alternative. (AC)

Does Section 9 change the manner in which Legionnaires are expected to conduct themselves in the recitation of the Pledge of Allegiance or at the opening of an American Legion meeting?

No.

Does the flag have to be destroyed if it touches the ground?

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 is required, the flag may continue to be displayed.

What is the correct way to wear a flag patch on an American Legion uniform?

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, firefighters, police officers or members of patriotic organizations. (NEC Resolution 38, May 1986)

How are unserviceable flags destroyed?

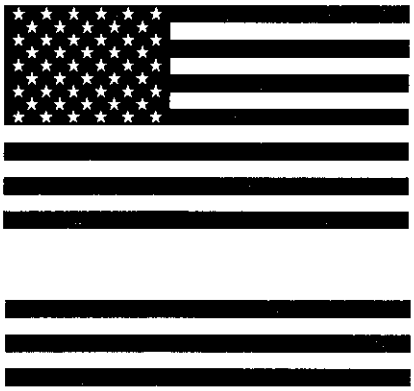
The code suggests that once a flag "has served its useful purpose, it should be destroyed, preferably by burning." For individual citizens, this should be done discreetly so that the act of destruction is not perceived as a protest or desecration. Many Legion posts conduct disposal ceremonies on June 14 (Flag Day) each year. Such ceremonies create a particularly dignified and solemn occasion for the disposal of unserviceable flags.

Can the flag be washed or dry-cleaned?

Yes. There are no provisions of the Flag Code prohibiting such care. The decision to wash or dry-clean would depend on the material. (AC)

Folding the U.S. flag

(a) Straighten out the flag to full length and fold lengthwise once.



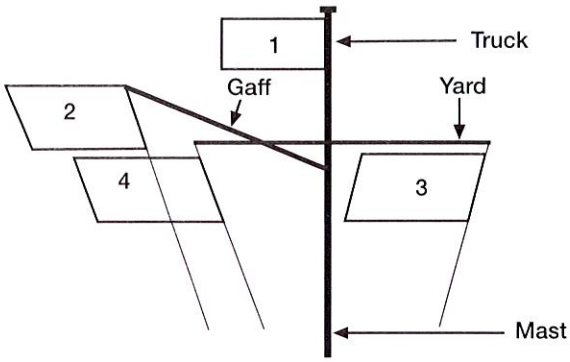
(b) Fold the flag lengthwise a second time to meet the open edge, making sure that the union of stars on the blue field remains outward in full view. (A large flag may have to be folded lengthwise a third time.)

(c) A triangular fold is then started by bringing the striped corner of the folded edge to the open edge.

(d) The outer point is then turned inward parallel with the open edge to form a second triangle.

(e) 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.

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 & Small Boat Handling," American Book-Stratford Press, Inc., New York, NY).

1. Single mast (no yard or gaff):
   - U.S. ensign is flown at the truck (**1**).
   - All other flags or pennants are flown below U.S. ensign.
2. Mast with yard:
   - U.S. ensign 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 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.

Display **3** causes the most confusion. This puts the club burgee in a higher position, but not above that of the U.S. ensign. By 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 U.S. flag.

Where a yard is involved, rules provide that when a foreign ensign is displayed, the U.S. ensign 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 makes the placement of the U.S. ensign in regard to the foreign ensign conform to Flag Code provisions.

How are changes in the Flag Code made?

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.

What do the colors of the flag mean?

According to custom and tradition, white signifies purity and innocence; red, hardiness and valor; and blue, vigilance, perseverance and justice.

What are the exact shades of the colors blue and red?

The exact shades of blue and red are Nos. 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.

What size flag is appropriate to be displayed from a flagpole?

The Flag Code is silent on the size of flag that is appropriate for different sizes of flagpoles. Tradition and custom suggest that the fly of the flag should be approximately one-fourth the height of the pole.

Are there any specifications regarding the flagpole or flagpole tops?

The Flag Code is silent on the makeup, size and structure of a flagpole. Flagstaff topping ornaments are also not subject to any restrictions under the code. As with many of the traditions and customs associated with flag display, 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). The most commonly used is the eagle.

What is the significance of the gold fringe we see on some U.S. flags?

Records indicate that fringe was 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.

The courts have deemed without merit and frivolous all lawsuits contending that the gold fringe adorning the flag conferred admiralty/maritime jurisdiction.

Color guards and the Flag Code

How many people make up a color guard?

A basic color guard is composed of four people carrying and guarding one U.S. flag 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 U.S. flag, guard.

Is it proper to use more than two guards in a color guard?

Yes. Many color guards drill in threes. This formation uses two guards to the U.S. flag and two guards for the organization flag or banner.

How many guards may a color guard use?

For purposes of competition, The American Legion restricts a color guard to a minimum of four and a maximum of 17. For most purposes, four or five should be sufficient.

In advancing the colors, how should the U.S. flag and other flags be crossed at the front of the room?

At no time should any other flag or banner pass in front of the U.S. flag. "Front" means nearest or next to the presiding officer.

Is it proper, when desirable, for the color guard to be led by the sergeant-at-arms?

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

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?

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 U.S. flag 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 is followed by its guard.

In civilian use of color guards – including rituals, ceremonial occasions, etc. – what authority should govern color guard formations and procedures?

Military regulations governing color guards in force at the time or such other regulations as have been established authoritatively by custom.

How should a color guard (the U.S. flag, organization flag or post color, and two guards) maneuver or conduct itself during any marching formation?

The color guard is formed and marched in one rank at close interval, with 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.

Is it proper for a color guard to execute TO THE REAR MARCH?

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 U.S. flag must be kept to the right throughout the maneuver. This cannot be done in TO THE REAR MARCH or ABOUT FACE.

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?

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.

Is there a specific version of the national anthem that must be played?

No. The American Legion recommends, however, that the service version written in the key of A-flat be utilized for general mass singing by adults, and for band or other instrumental performances.

Are rock versions of the national anthem appropriate?

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

Is it necessary for a person to stand and salute when the national anthem is sung?

The Flag Code states that during a rendition of the national anthem, those present should stand and render the proper salute. This includes singing.

"The Star-Spangled Banner"

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 footstep's 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, Subtitle I, Part A
Section 301, U.S. 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.

The Freedom to Display the American Flag Act of 2005

On July 24, 2006, President George W. Bush signed the Freedom to Display the American Flag Act of 2005 (H.R. 42) into law. The law ensures the right of an individual to display the U.S. flag at his or her home.

The law states, "A condominium association, cooperative association, or residential real estate management association may not adopt or enforce any policy, or enter into any agreement, that would restrict or prevent a member of the association from displaying the flag of the United States on residential property within the association with respect to which such member has a separate ownership interest or a right to exclusive possession or use." The bill specifically permits "any reasonable restriction pertaining to the time, place, or manner of displaying the flag of the United States necessary to protect a substantial interest of the condominium association, cooperative association, or residential real estate management association."

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

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

Is it appropriate to sing the national anthem while saluting the flag?

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. (AC)

What is the order when playing the national anthems of other countries with "The Star-Spangled Banner"?

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.

What is the acceptable practice after the playing or singing of the national anthem?

The Flag Code 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.

Can members of the U.S. Armed Forces and veterans who are present but not in uniform render the military salute in the manner provided for individuals in uniform when the national anthem is played?

Yes.

What is meant by the term "breaking the colors"?

The term "breaking the colors" most likely evolved from General Instruction No. 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. (AC)

Can one display a 48-star flag?

Even though the 50-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.

In what order should the flags of the branches of the U.S. Armed Forces be displayed?

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 Coast Guard. The same applies to displaying the flags in one rank, such as a color guard, from left to right.

What is the custom of the 21-gun salute?

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 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 evolved from a meaningful gesture to a ritual salute, and 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 brought the number to 21.

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

The 21-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 a president, ex-president and/or president-elect of the United States. It is also fired at noon on the day of the funeral of a U.S. president, ex-president or president-elect.

Top ten flag myths

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

   On June 14, 1923 – Flag Day – The American Legion and representatives of 68 other patriotic, fraternal, civic and military organizations met in Washington to draft a code of flag etiquette. The 77th Congress adopted this codification of rules as public law June 22, 1942. It is Title 4, Chapter 1, U.S. Code.

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, including display from a staff or flagpole.

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

   According to the U.S. Army Institute of Heraldry, the U.S. flag never becomes obsolete. Any officially approved U.S. 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 provides 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.

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

   There are no provisions of the Flag Code that prohibit the washing or dry-cleaning of the flag. The decision would 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.**

   Placing the flag at half-staff means that the nation or state mourns the death of a highly regarded national or state figure. Thus, only the president 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 this authority and display the flag at half-staff on inappropriate occasions erode the honor and reverence accorded this solemn act.

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

   The Flag Code as revised and adopted by Congress 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, enhancing the public's understanding of the honor and respect due the U.S. 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 the use of fringe to be an honorable enrichment to the flag.

    Additionally, the courts have deemed without merit and frivolous all lawsuits contending that gold fringe adorning the flag conferred admiralty/maritime jurisdiction.

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

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.

Can the flag be repaired or mended?

There are no provisions of the Flag Code that 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.

Is it correct to say that certain stars in the blue field represent certain states?

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 the stars – from the upper left-hand corner, going from left to right, top to bottom row – would represent the various states in order of their admission into the Union.

Can the Pledge of Allegiance be recited without the flag being present?

The flag should be present; however, when situations dictate that it is not present, it would still be appropriate to recite the pledge. Simply stand and place the right hand over the heart and face toward the person leading in the recitation of the pledge or to where the flag would normally be placed.

The following flag education and etiquette publications are available from Emblem Sales by ordering toll-free at **1-888-453-4466** or online at **www.emblem.legion.org**. Consult the current Emblem Sales catalog for pricing information.

LET'S BE RIGHT ON FLAG ETIQUETTE (No. 755.200)

FLAG CODE (No. 755.201) Illustrates and describes the correct way to display the flag.

"LIGHT OF LIBERTY" COMIC BOOK (No. 755.301) A 20-page educational comic detailing our fight for freedom, how government works, and the rights and responsibilities of every citizen.

"OUR COUNTRY'S FLAG" COMIC BOOK (No. 755.300) A 20-page educational comic relating the history, significance and proper treatment of the U.S. flag.

PLEDGE OF ALLEGIANCE COMIC BOOK (No. 755.302) Teach young people all about the Pledge of Allegiance with this colorful and fun comic.

FLAG APPRECIATION CERTIFICATE (No. 733.120) Designed to honor those individuals, organizations and businesses that display the U.S. flag on a daily basis.

Flag reference books that may be available at your local libraries:

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 Adm. William Rea Furlong and Commodore Byron McCandless

Flag: An American Biography, by Marc Leepson

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"The American Legion, at all levels, encourages and supports efforts to display the flag of the United States in the nation's school classrooms."

School Room Flags

Dyed rayon U.S. flags on black staffs with gold spearheads.

Available in two sizes. Wall bracket sold separately.	
16" x 24" – 3' staff	(# 100.500)
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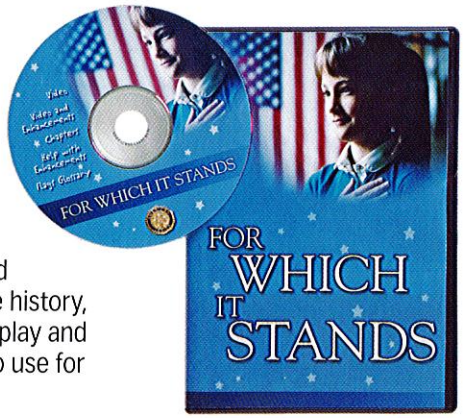

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