## Federal Flag Code - Public Law 94-344

## JOINT RESOLUTION

To amend the joint resolution entitled "Joint resolution to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America".

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint resolution to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America", as amended (36 U.S.C. 171-178), is amended:

## Section 1.

That the following codification of existing rules and customs pertaining to the display and use of the flag of the United States of America be, and is hereby, established for the use of such civilians or civilian groups or organizations as may not be required to conform with regulations promulgated by one or more executive departments of the Government of the United States. The flag of the United States for the purpose of this chapter shall be defined according to title 4, United States Code, Chapter I, section I and section 2 and Executive Order 10834 issued pursuant thereto.

## Section 2.

(a) It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaffs in the open. However, when a patriotic effect is desired, the flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness.
(b) The flag should be hoisted briskly and lowered 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; Lincoln's Birthday, February- 12; Washington's Birthday, third Monday in February; Easter Sunday (variable); Mother's Day, second Sunday in May; Armed Forces Day, third Saturday in May; Memorial Day (half-staff until noon), the last Monday in May; Flag Day, June 14; Independence Day, July 4; Labor Day, first Monday in September; Constitution Day, September 17; Columbus Day, second Monday in October; Navy Day, October 27; Veterans Day, November 11; Thanksgiving Day, fourth Thursday in November; Christmas Day, December 25; and such other days as may be proclaimed by the President of the United States; The birthdays of States (date of admission); and on State holidays.
(e) The flag should be displayed daily on or near the main administration building of every public institution.
(f) The flag should be displayed in or near every polling place on election days.
(g) The flag should be displayed during school days in or near every schoolhouse.

## Section 3.

That 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 (j).
(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 motor car, the staff should 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. (See Public Law 107, page 4)
(d) The flag of the United States of America, when it is displayed with another flag against a wall from crossed staffs, should be on the right, the flag's own right, and its staff should be in front of the staff of the other flag.
(e) The flag of the United States of America should be at the center and at the highest point of the group when a number of flags of States or localities or pennants of societies are grouped and displayed from staffs.
(f) When flags of states, cities, or localities, or pennants of societies are flown on the same halyard with the flag of the United States, the latter should always be at the peak. When the flags are flown from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No such flag or pennant may be placed above the flag of the United States or to the United States Flag's right.
(g) When flags of two or more nations are displayed, they are to be flown from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace.
(h) When the flag of the United States is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half staff. When the flag is suspended over a sidewalk from a rope extending from a house to a pole at the edge of the sidewalk, the flag should be hoisted out, union first, from the building.
(i) When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.
(j) When the flag is displayed over the middle of the street, it should be suspended vertically with the union to the north in an east and west street or to the east in a north and south street.
(k) When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, the flag of the United States of America should hold the position of superior prominence, in advance of the audience, and in the position of honor at the clergyman's or speaker's right as he faces the audience. Any other flag so displayed should be placed on the left of the clergyman or speaker or to the right of the audience.
(I) 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 halfstaff 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 halfstaff thirty days from the death of the President or a former President; ten 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. As used in this subsection -
(1) the term 'half-staff' means the position of the flag when it is one-half the distance between the top and bottom of the staff;
(2) the term 'executive or military department' means any agency listed under sections 101 and 102 of title 5, United States Code; and
(3) the term Member of Congress' means a Senator, a Representative, a Delegate, or the Resident Commissioner from Puerto Rico.
(n) When the flag is used to cover a casket, it should be so placed that the union is at the ${ }^{\circ}$ 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 4.

That no disrespect should be shown to the flag 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,
(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 5.

During the ceremony of hoisting or lowering the flag or when the flag is passing in a parade or in review, all persons present except those in uniform should face the flag and stand at attention with the right hand over the heart. Those present in uniform should render the military salute. When not in uniform, men should remove 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 6.

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.

## Section 7.

The Pledge of Allegiance to the Flag, "I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all", should be rendered by standing at attention
facing the flag with the right hand over the heart. When not in uniform men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag and render the military salute.

## Section 8.

Any rule or custom pertaining to the display of the flag of the United States of America, set forth herein, may be altered, modified, or repealed, or additional rules with respect thereto may be prescribed, by the Commander-in-Chief of the Armed Forces of the United States, whenever he deems it to be appropriate or desirable; and any such alteration or additional rule shall be set forth in proclamation.

## About Flag Day

Flag Day is a day when all Americans celebrate the flag by showing respect for the flag and its makers and its designers. One of the main symbols of the United States of America is the flag.

The original U.S. flag was authorized by Congress on Saturday, June 14, 1777. It had 13 stripes -7 red and 6 white - that represent the original 13 colonies. There were 13 white stars in a blue field representing a new constellation.

Since 1777, there have been different versions of the flag that have been adopted. The red and white stripes with blue constellation have remained the same. Each state in the union is represented by a 5 point star. The number of stars have changed as states joined the union. There are currently 50 states that belong to the United States of America.


| Year | Flag Day |
| :--- | :--- |
| 2005 | Tuesday, June 14 |
| 2006 | Wednesday, June 14 |
| 2007 | Thursday, June 14 |
| 2008 | Saturday, June 14 |
| 2009 | Sunday, June 14 |
| 2010 | Monday, June 14 |
| 2011 | Tuesday, June 14 |

On the 14th day of June, 1777, the Continental Congress passed the following resolution:
"RESOLVED, That the flag of the thirteen United States be thirteen stripes alternate red and white - that the Union be thirteen stars, white in a blue field, representing a new constellation."

We are told that previous to this, in 1776, a committee was appointed to look after the matter, and together with General Washington they called at the house of Betsy Ross, 239 Arch Street, Philadelphia.

Betsy Ross was a young widow of twenty-four heroically supporting herself by continuing the upholstery business of her late husband, young John Ross, a patriot who had died in the service of his country. Betsy was noted for her exquisite needlework, and was engaged in the flag-making business.

The committee asked her if she thought she could make a flag from a design, a rough drawing of which General Washington showed her. She replied, with diffidence, that she did not know whether she could or not, but would try. She noticed, however, that the star as drawn had six points, and informed the committee that the correct star had but five. They answered that as a great number of stars would be required, the more regular form with six points could be more easily made than one with five.

She responded in a practical way by deftly folding a scrap of paper - then with a single clip of her scissors she displayed a true, symmetrical, five-pointed star.

This decided the committee in her favor. A rough design was left for her use, but she was permitted to make a sample flag according to her own ideas of the arrangement of the stars and the proportions of the stripes and the general form of the whole.

Sometime after its completion it was presented to Congress, and the committee had the pleasure of informing Betsy Ross that her flag was accepted as the Nation's standard.

In 1814, while the War of 1812 was still going on, the people of Maryland were in great trouble, for a British fleet began to attack Baltimore. The enemy bombarded the forts, including Fort McHenry. For twenty-four hours the terrific bombardment went on.
"If Fort McHenry only stands, the city is safe," said Francis Scott Key to a friend, and they gazed anxiously through the smoke to see if the flag was still flying.

These two men were in the strangest place that could be imagined. They were in a little American vessel fast moored to the side of the British admiral's flagship. A Maryland doctor had been seized as a prisoner by the British, and the President had given permission for them to go out under a flag of truce, to ask for his release. The British commander finally decided that the prisoner might be set free - but he had no idea of allowing the two men to go back to the city and carry any information. "Until the attack on Baltimore is ended, you and your boat must remain here," he said.

The firing went on. As long as daylight lasted they could catch glimpses of the Stars and Stripes whenever the wind swayed the clouds of smoke. When night came they could still see the banner now and then by the blaze of the cannon. A little after midnight the firing stopped. The two men paced up and down the deck, straining their eyes to see if the flag was still flying. "Can the fort have surrendered?" they questioned. "Oh, if morning would only come!"

At last the faint gray of dawn appeared. They could see that some flag was flying, but it was too dark to tell which. More and more eagerly they gazed. It grew lighter, a sudden breath of wind caught the flag, and it floated out on the breeze. It was no English flag, it was their own Stars and Stripes. The fort had stood, the city was safe. Then it was that Key took from his pocket an old letter and on the back of it he wrote the poem, "The StarSpangled Banner."

The British departed, and the little American boat went back to the city. Mr. Key gave a copy of the poem to his uncle, who had been helping to defend the fort. The uncle sent it to the printer, and had it struck off on some handbills. Before the ink was dry the printer caught up one and hurried away to a restaurant, where many patriots were assembled. Waving the paper, he cried, "Listen to this!" and he read:
"O 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, through the perilous fight, O'er the ramparts we watch'd 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.
O say, does the star-spangled banner yet wave
O'er the land of the free and the home of the brave?"
"Sing it! sing it!" cried the whole company. Charles Durang mounted a chair and then for the first time "The Star-Spangled Banner" was sung. The tune was "To Anacreon in Heaven," an air which had long been a favorite. Halls, theaters, and private houses rang with its strains.

The fleet was out of sight even before the poem was printed. In the middle of the night the admiral had sent to the British soldiers this message, "I can do nothing more," and they hurried on board the vessels. It was not long before they left Chesapeake Bay altogether perhaps with the new song ringing in their ears as they went.

## A Salute to Flag Day!

Flag Day recognizes the June day in 1777 when the Continental Congress adopted the "Stars and Stripes" as the official flag of the United States. Following are classroom activities to recognize and celebrate Flag Day--June 14.

## THE LESSON

Collect a variety of books and other resources on the subject of the U.S.
 flag. In the days leading up to June 14, invite students to use the Internet and the other resources you've collected to learn more about the U.S. flag. Ask students to record in their notebooks any facts they find that they didn't know before about the flag or Flag Day. Set aside a special time a day or two before Flag Day for students to share the facts they've collected. Those facts might include a few of the following:

- In 1814, Francis Scott Key wrote a poem, "Defense of Fort McHenry," when he saw the flag still flying the morning after an attack by the British. Today, that poem is known by another name: "The Star-Spangled Banner."
- The Flag Act of 1818 states that a star be added for any new state on the Fourth of July following that state's admission.
- Flag Day was observed for the first time in 1877, the 100th anniversary of the adoption of our country's red-white-and-blue banner.
- Students first said the Pledge of Allegiance in 1892, the 400th anniversary of Christopher Columbus's arrival in the Americas.
- In 1916, President Woodrow Wilson established Flag Day as an annual national celebration.
- Congress officially recognized Flag Day by passing the National Flag Day Bill in 1949, during President Harry

Truman's administration.

- In 1983, the world's largest flag was displayed in Washington, D.C. The flag, which measured 411 feet by 210 feet, weighed 7 tons! Each star measured 13 feet across!



## The Great Debate: Who Designed the U.S. Flag?

Who designed the U.S. flag? Ask that question of your students, and chances are they'll say Betsy Ross designed the U.S. flag. But did she?

No one knows for sure who designed the U.S. flag or who created the first one. Today, most experts agree that Francis Hopkinson, a delegate to the Continental Congress from New Jersey, designed the flag. But, in 1870, William J. Canby claimed that his grandmother, a seamstress from Philadelphia named Betsy Ross, made the first U.S. flag.

Challenge students to use the Internet and other resources to learn more about this debate and to come to their own conclusions about who designed the first U.S. flag.


## Related Resources

- The Federal Flag Code prescribes the proper display of and respect of the U.S. flag (Public Law 94-344).
- Find out how to purchasse a flag flown over the U.S. Capitol.
- Learn more flag words in the flag glossary.
- Join a nation-wide organization devoted to our U.S. flag, the National Flag Foundation.


## Wave the Flag! (3)

Students learn how to properly handle and display a U.S. flag through teacher demonstration, discussion, and hands-on practice. Experiences in folding, raising, and lowering the flag on a flagpole are included as part of the lesson.

Lynne Chason Carterville Elementary School Georgia Learning Connections

## Primary Learning Outcomes

Can the student describe the proper way in which the U.S. flag is handled and displayed? Can the student explain the proper method of flag disposal?

## Additional Learning Outcomes

Assessed QCC Standards:

Grade: 2
Social Studies
Civics

4

Topic: Citizenship
Standard: Describes proper flag etiquette including handling, display and disposal of flag and explains the significance of the stars, stripes, and colors.

Procedures/Activities

## Step: 1 Duration: 20 minutes

Teacher preparation prior to Step 1: Make transparency of Attachment 7. (Teacher note: Guest speakers will often visit schools to discuss flag etiquette with students. You may wish to check with the American Legion, Boy Scout Council, or other organizations for availability.) Teacher tells students they will continue the unit on the American flag by learning some of the ways to properly care for and treat the flag. Teacher shows overhead of Attachment 7, covering all but the section currently being discussed. Teacher explains each section to students. Teacher engages
students by asking questions from sections previously covered and answering student questions. [Teacher note: Students need to be familiar with The Pledge of Allegiance and The Star Spangled Banner to master this section. If needed, teacher can use Web sites below to retrieve an audio clip of The Star Spangled Banner (music only)].

## Web Resources for Step 1

Title: Stat Spangled Banner
URL: http://www.niehs.nih.gov/kids/lyrics/spangle.htm
Annotation: Link provides instrumental version of The Star Spangled Banner

Title:
URL: http://www.usflag.org/flag.etiquette.html
Annotation: Link provides information about flag etiquette.

Title: Flag Etiquette
URL: http://www.usflag.org/flag.etiquette.html
Annotation: Site provides information on correct display and handling of flag.

Title: Flag Etiquette
URL: http://www.ushistory.org/betsy/flagetiq.html
Annotation: Link to information about proper flag etiquette.

## Attachments for Step 1

## Title: FileName: Attachment 7.doc

## Description:

## Step: 2 Duration: 20 minutes

Teacher preparation prior to Step 2: Run copy of Attachment 8 or refer to one of the linked Web sites to learn flag folding procedure. Have a classroom size flag available that has been removed from pole. Teacher tells students that when a flag is taken down from a flagpole, it is folded for storage. Students are told that there is a certain way that the flag needs to be folded and that people who are responsible for the care of flags are trained in this method. Teacher asks a student to help her hold the flag as she demonstrates the proper method of folding it, using the classroom flag as an example. Teacher explains each fold as she makes it. Teacher repeats demonstration. Once the flag has been folded and shown to students, teacher selects two students to move to the front of the room to practice the folding technique with teacher's assistance. The remainder of the students are then paired into groups of two. Students take turns, practicing the correct method of folding the flag. Teacher assists as needed. (Teacher note: Having more than one flag available and allowing students who have learned the proper folding technique to help others will make this part of the lesson shorter.)

## Web Resources for Step 2

## Title:

URL: http://www.usflag.org/fold.flag.html
Annotation: Site provides information on how to fold the U.S. flag.

Title: American Flag Index
URL: http://www.ushistory.org/betsyl
Annotation: Site provides instructions on how to fold the American flag.

Title:
URL: http://www.ushistory.org/betsy/flagetiq.html
Annotation: Site provides animated guide to folding the American flag.

## Attachments for Step 2

Title: FileName: Attachment 8.doc
Description:

Step: 3 Duration: 30 minutes

Teacher preparations prior to Step 3: This step involves taking students outside to school flagpole and practicing the proper method to raise and lower the flag. Teacher will need to make arrangements with person/persons responsible for this daily duty to instruct class on proper procedures. Teacher tells students they will have the opportunity to practice raising and lowering of the flag located on the flagpole in front of the school. Teacher takes students to flagpole at prearranged time to meet individuals who do daily flag duty. This person provides demonstration and description of the proper way to raise (mornings) and lower (afternoon) the flag. After the demonstration, groups of students practice the procedure. Demonstrators and teacher lend assistance, as needed.

## Step: 4 Duration: 10 minutes

Teacher preparation prior to Step 4: Run copy of Attachment 9 for each student. Teacher provides review of flag etiquette through question/answer activity. As summary, students are given Attachment 9 which serves as homework. Students are instructed to look for U.S. flags everywhere they go during the following three days. Students write down places flags were observed. On the fourth day, homework papers are collected by teacher, reviewed, and kept for flag booklet.

## Attachments for Step 4

Title: FileName: Attachment 9 Flag Homework.doc
Description:

## Materials and Equipment

## 1.Attachments 7, 8, 9; 2.classroom flag (minimum of one); 3.Transparency sheets; 4.Flag and flagpole

## Standards (Local and/or National)

Total Duration

80 minutes

Technology Connection
1.Overhead projector; 2.Computer with Internet connection

Assessment

Students are assessed on this lesson by participation in activities and completion of homework assignment. Checklist (Attachment 4) is used.

Extension
Students who have mastered the skill of flag folding and/or raising and lowering flag may be partnered with students needing assistance.

Remediation
Individual teacher help or student partnering is suggested for students requiring extra assistance.
Accommodation
For students with exceptional needs, what changes can be made in instruction and teaching delivery to enhance student participation and learning? Each area below is a direct link to general classroom accommodations.

## Wave the Flag!

## Things You Should Know About the United States Flag

The Star Spangled Banner is the U.S. National Anthem. When it is played or sung, you should put your right hand over your heart and face the flag.

When saying The Pledge of Allegiance, put your right hand over your heart and face the flag.

Time and occasions for the flag to be displayed:

- From sunrise to sunset. The flag can be flown at night if it is properly lighted.
- Should not be displayed during bad weather unless it is made from an all-weather fabric.
- Should be displayed especially on certain holidays.
- Should be displayed on court houses and city halls.
- Should be displayed at voting places on election days.
- Should be displayed at schools and flown on school days.

Display of the flag:

- Should not be draped over cars, boats, or trains. If displayed on a car, the flag should be on a short post mounted on the right, front fender.
- Nothing should be placed on the flagpole above the U.S. flag.
- If the flag is ordered to be lowered to half-mast, it is always raised to the top of the pole and then lower to half-staff. It is raised to top of pole before lowering it.
- The President of the US can order the flag to be lowered to half-staff. This is usually done to honor someone's memory that has died. There are set numbers of days for the flag to be at half-staff should certain people holding offices die ( 30 days is the president dies, 10 days if the vicepresident dies)

Respect for the flag:

- Should never be displayed upside down unless there is extreme danger.
- Should not touch anything beneath it. Flag is carefully lowered into someone's arms when it is taken down from pole.
- Should never be used as clothing or bedding (like sheets or pillowcase).
- Should not be used to cover a ceiling.
- Should never have drawing or marks placed on it.
- Should not be part of a costume or athletic uniform.

Disposal of flag:

- Flags that are worn, faded, or torn.
- American Legion has ceremony usually on Flag Day (June 14).
- Flag is burned.


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