
















Flag Timeline

States and their dates of admission are shown in **bold red**. Starting in 1819, the updated flag becomes legal on the Fourth of July following the date of admission.

1776		January 1 — The Grand Union flag is displayed on Prospect Hill. It has 13 alternate red and white stripes and the British Union Jack in the upper left-hand corner (the canton).
1776		May — Betsy Ross reports that she sewed the first American flag
1777		June 14 — Continental Congress adopts the following: <i>Resolved: that the flag of the United States be thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field, representing a new constellation.</i> Stars represent Delaware (December 7, 1787), Pennsylvania (December 12, 1787), New Jersey (December 18, 1787), Georgia (January 2, 1788), Connecticut (January 9, 1788), Massachusetts (February 6, 1788), Maryland (April 28, 1788), South Carolina (May 23, 1788), New Hampshire (June 21, 1788), Virginia (June 25, 1788), New York (July 26, 1788), North Carolina (November 21, 1789), and Rhode Island (May 29, 1790)
1787		Captain Robert Gray carries the flag around the world on his sailing vessel (around the tip of South America, to China, and beyond). He discovered a great river and named it after his boat <i>The Columbia</i> . His discovery was the basis of America's claim to the Oregon Territory.
1795		Flag with 15 stars and 15 stripes Vermont (March 4, 1791), Kentucky (June 1, 1792)
1814		September 14 — Francis Scott Key writes "The Star-Spangled Banner." It officially becomes the national anthem in 1931.
1818		Flag with 20 stars and 13 stripes (it remains at 13 hereafter) Tennessee (June 1, 1796), Ohio (March 1, 1803), Louisiana (April 30, 1812), Indiana (December 11, 1816), Mississippi (December 10, 1817)
1819		Flag with 21 stars Illinois (December 3, 1818)
1820		Flag with 23 stars Alabama (December 14, 1819), Maine (March 15, 1820) first flag on Pikes Peak

1822	 Flag with 24 stars Missouri (August 10, 1821)
1836	 Flag with 25 stars Arkansas (June 15, 1836)
1837	 Flag with 26 stars Michigan (Jan 26, 1837)
1845	 Flag with 27 stars Florida (March 3, 1845)
1846	 Flag with 28 stars Texas (December 29, 1845)
1847	 Flag with 29 stars Iowa (December 28, 1846)
1848	 Flag with 30 stars Wisconsin (May 29, 1848)
1851	 Flag with 31 stars California (September 9, 1850)
1858	 Flag with 32 stars Minnesota (May 11, 1858)

1859



Flag with 33 stars **Oregon (February 14, 1859)**

1861



Flag with 34 stars; **Kansas (January 29, 1861)**

Note: Even after the South seceded from the Union, President Lincoln would not allow any stars to be removed from the flag.

- first Confederate Flag (Stars and Bars) adopted in Montgomery, Alabama

1863



Flag with 35 stars **West Virginia (June 20, 1863)**

1865



Flag with 36 stars **Nevada (October 31, 1864)**

1867



Flag with 37 stars **Nebraska (March 1, 1867)**

1869



First flag on a postage stamp






1877





Flag with 38 stars **Colorado (August 1, 1876)**

1889

Flag with 39 stars that never was! Flag manufacturers believed that the two Dakotas would be admitted as one state and so manufactured this flag, some of which still exist. It was never an official flag.

1890	 <p>Flag with 43 stars North Dakota (November 2, 1889), South Dakota (November 2, 1889), Montana (November 8, 1889), Washington (November 11, 1889), Idaho (July 3, 1890)</p>
1891	 <p>Flag with 44 stars Wyoming (July 10, 1890)</p>
1892	<p>"Pledge of Allegiance" first published in a magazine called "The Youth's Companion," written by Francis Bellamy.</p>
1896	 <p>Flag with 45 stars Utah (January 4, 1896)</p>
1897	<p>Adoption of State Flag Desecration Statutes — By the late 1800's an organized flag protection movement was born in reaction to perceived commercial and political misuse of the flag. After supporters failed to obtain federal legislation, Illinois, Pennsylvania, and South Dakota became the first States to adopt flag desecration statutes. By 1932, all of the States had adopted flag desecration laws.</p> <p>In general, these State laws outlawed: (i) placing any kind of marking on the flag, whether for commercial, political, or other purposes; (ii) using the flag in any form of advertising; and (iii) publicly mutilating, trampling, defacing, defiling, defying or casting contempt, either by words or by act, upon the flag. Under the model flag desecration law, the term "flag" was defined to include any flag, standard, ensign, or color, or any representation of such made of any substance whatsoever and of any size that evidently purported to be said flag or a picture or representation thereof, upon which shall be shown the colors, the stars and stripes in any number, or by which the person seeing the same without deliberation may believe the same to represent the flag of the U.S.</p>
1907	<p>Halter v. Nebraska (205 U.S. 34) — The Supreme Court holds that although the flag was a federal creation, the States' had the authority to promulgate flag desecration laws under their general police power to safeguard public safety and welfare.</p> <p>Halter involved a conviction of two businessmen selling "Stars and Stripes" brand beer with representations of the U.S. flag affixed to the labels. The defendants did not raise any First Amendment claim.</p>
1908	 <p>Flag with 46 stars Oklahoma (November 16, 1907)</p>
1909	<p>Robert Peary places the flag his wife sewed atop the North Pole. He left fragments of it as he traveled north. Ref</p>
1912	<p>June 24, President Taft signs Executive Order which establishes proportions of the flag and specifies arrangement and orientation of the stars.</p>
1912	 <p>Flag with 48 stars New Mexico (January 6, 1912), Arizona (February 14, 1912)</p>

1931	Stromberg v. California (283 U.S. 359) — The Supreme Court finds that a State statute prohibiting the display of a "red flag" as a sign of opposition to organized government unconstitutionally infringed on the defendant's First Amendment rights. Stromberg represents the Court's first declaration that "symbolic speech" is protected by the First Amendment.
1942	Federal Flag Code (36 U.S.C. 171 et seq.) — On June 22, 1942, President Roosevelt approves the Federal Flag Code, providing for uniform guidelines for the display and respect shown to the flag. The Flag Code does not prescribe any penalties for non-compliance nor does it include any enforcement provisions, rather it functions simply as a guide for voluntary civilian compliance.
1943	West Virginia Board of Education v. Barnette (319 U.S. 624) — The Supreme Court holds that public school children could not be compelled to salute the U.S. flag. In a now famous passage, Justice Jackson highlighted the importance of freedom of expression under the First Amendment: Freedom to differ is not limited to things that do not matter much. That would be a mere shadow of freedom. The test of its substance is the right to differ as to things that touch the heart of the existing order. If there is any fixed star in our constitutional constellation it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion or other matters of opinion.
1945	The flag that flew over Pearl Harbor on December 7, 1941, is flown over the White House on August 14, when the Japanese accepted surrender terms.
1949	August 3 — Truman signs bill requesting the President call for Flag Day (June 14) observance each year by proclamation.
1954	By act of Congress, the words "Under God" are inserted into the Pledge of Allegiance
1959	 Flag with 49 stars Alaska (January 3, 1959)
1960	 Flag with 50 stars Hawaii (August 21, 1959)
1963	Flag placed on top of Mount Everest by Barry Bishop.
1968	Adoption of Federal Flag Desecration Law (18 U.S.C. 700 et seq.) — Congress approves the first federal flag desecration law in the wake of a highly publicized Central Park flag burning incident in protest of the Vietnam War. The federal law made it illegal to "knowingly" cast "contempt" upon "any flag of the United States by publicly mutilating, defacing, defiling, burning or trampling upon it." The law defined flag in an expansive manner similar to most States.
1969	July 20 — The American flag is placed on the moon by Neil Armstrong.
1969	Street v. New York (394 U.S. 576) — The Supreme Court holds that New York could not convict a person based on his verbal remarks disparaging the flag. Street was arrested after he learned of the shooting of civil rights leader James Meredith and reacted by burning his own flag and exclaiming to a small crowd that if the government could allow Meredith to be killed, "we don't need no damn flag." The Court avoided deciding whether flag burning was protected by the First Amendment, and instead overturned the conviction based on Street's oral remarks. In Street, the Court found there was not a sufficient governmental interest to warrant regulating verbal criticism of the flag.
1972	Smith v. Goguen (415 U.S. 94) — The Supreme Court holds that Massachusetts could not prosecute a person for wearing a small cloth replica of the flag on the seat of his pants based on a State law making it a crime to publicly treat the flag of the United States with "contempt." The Massachusetts statute was held to be unconstitutionally "void for vagueness."
1974	Spence v. Washington (418 U.S. 405) — The Supreme Court holds that the State of Washington could not convict a person for attaching removable tape in the form of a peace sign to a flag. The defendant had attached the tape to his flag and draped it outside of his window in protest of the U.S. invasion of Cambodia and the Kent State killings. The Court again found under the First Amendment there was not a sufficient governmental interest to justify regulating this form of symbolic speech. Although not a flag burning case, this represented the first time the Court had clearly stated that protest involving the physical use of the flag should be seen as a form of protected expression under the First Amendment.

1970-1980	Revision of State Flag Desecration Statutes — During this period legislatures in some 20 States narrow the scope of their flag desecration laws in an effort to conform to perceived Constitutional restrictions under the Street, Smith, and Spence cases and to more generally parallel the federal law (i.e., focusing more specifically on mutilation and other forms of physical desecration, rather than verbal abuse or commercial or political misuse).
1989	<p>Texas v. Johnson (491 U.S. 397) — The Supreme Court upholds the Texas Court of Criminal appeals finding that Texas law — making it a crime to "desecrate" or otherwise "mistreat" the flag in a way the "actor knows will seriously offend one or more persons" — was unconstitutional as applied. This was the first time the Supreme Court had directly considered the applicability of the First Amendment to flag burning.</p> <p>Gregory Johnson, a member of the Revolutionary Communist Party, was arrested during a demonstration outside of the 1984 Republican National Convention in Dallas after he set fire to a flag while protestors chanted "America, the red, white, and blue, we spit on you." In a 5-4 decision authored by Justice Brennan, the Court first found that burning the flag was a form of symbolic speech subject to protection under the First Amendment. The Court also determined that under United States v. O'Brien, 391 U.S. 367 (1968), since the State law was related to the suppression of freedom of expression, the conviction could only be upheld if Texas could demonstrate a "compelling" interest in its law. The Court next found that Texas' asserted interest in "protecting the peace" was not implicated under the facts of the case. Finally, while the Court acknowledged that Texas had a legitimate interest in preserving the flag as a "symbol of national unity," this interest was not sufficiently compelling to justify a "content based" legal restriction (i.e., the law was not based on protecting the physical integrity of the flag in all circumstances, but was designed to protect it from symbolic protest likely to cause offense to others).</p>
1989	Revision of Federal Flag Desecration Statute — Pursuant to the Flag Protection Act of 1989, Congress amends the 1968 federal flag desecration statute in an effort to make it "content neutral" and conform to the Constitutional requirements of Johnson. As a result, the 1989 Act sought to prohibit flag desecration under all circumstances by deleting the statutory requirement that the conduct cast contempt upon the flag and narrowing the definition of the term "flag" so that its meaning was not based on the observation of third parties.
1990	United States v. Eichman (496 U.S. 310) — Passage of the Flag Protection Act results in a number of flag burning incidents protesting the new law. The Supreme Court overturned several flag burning convictions brought under the Flag Protection Act of 1989. The Court holds that notwithstanding Congress' effort to adopt a more content neutral law, the federal law continued to be principally aimed at limiting symbolic speech.
1990	Rejection of Constitutional Amendment — Following the Eichman decision, Congress considers and rejects a Constitutional Amendment specifying that "the Congress and the States have the power to prohibit the physical desecration of the flag of the United States." The amendment failed to muster the necessary two-thirds Congressional majorities, as it was supported by only a 254 — 177 margin in the House (290 votes were necessary) and a 58 — 42 margin in the Senate (67 votes were necessary).
1995	December 12 — The Flag Desecration Constitutional Amendment is narrowly defeated in the Senate. The Amendment to the Constitution would make burning the flag a punishable crime.
2001	 <p>September 11 — The Flag from the World Trade towers survives and becomes a symbol of sacrifice in service, loss, and determination.</p>
2002	June 26 — A 9th Circuit federal appeals court declares that reciting the Pledge of Allegiance in public schools is unconstitutional because "under God" (inserted into the Pledge in 1954) was a violation of the Establishment Clause, that expression not create the reasonable impression that the government is sponsoring, endorsing, or inhibiting religion generally, or favoring or disfavoring a particular religion. This ruling was reconfirmed in February 2003, and applies only to the 9th Circuit (the following districts: Alaska, Arizona, Central, Eastern, Northern, and Southern California, Hawaii, Idaho, Montana, Nevada, Oregon, Eastern and Western Washington, Guam, and Northern Mariana Islands).
2004	June 14 — The Supreme Court declines to hear a case challenging "One country under God" in the Pledge of Allegiance. "While the court did not address the merits of the case, it is clear that the Pledge of Allegiance and the words 'under God' can continue to be recited by students across America," said Jay Sekulow, chief counsel for the American Center for Law and Justice.

2005	<p>January 25 — Constitutional amendment, sponsored by Rep. Duke Cunningham, introduced. It reads simply, "The Congress shall have power to prohibit the physical desecration of the flag of the United States."</p> <p>June 22 — The Constitutional amendment (see above) is approved by the House (vote of 286-130). It requires Senate approval. Then it must receive approval from 38 states within seven years.</p>
2006	<p>June 28 — The Senate is one vote short of passing the Constitutional amendment (see above).</p>
2006	<p>July 19 — H.R.42 is passed, preventing condominiums or residential real estate management associations from forbidding the flying of the US flag. Read full law</p>
2007	<p>June — proposed:</p> <p>To amend title 4, United States Code, to authorize the Governor of a State, territory, or possession of the United States to order that the National flag be flown at half-staff in that State, territory, or possession in the event of the death of a member of the Armed Forces from that State, territory, or possession who dies while serving on active duty. Read full Bill S 720</p>
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