

*Polish Legion of American Veterans, U.S.A.*



**Internal Operations**

**Section 11**

**The Flag Code**

**OBJECTIVES**

It is the Objective of the Polish Legion of American Veterans, U.S.A. National Department

- To inform our veterans on the proper and appropriate procedures when displaying the flag of the United States of America.
- To have all Post, State Departments and the National Department conduct their meeting using the proper Flag etiquette
- To follow the United States Library of Congress guidelines on Flag etiquette
- To comply with Resolution 98-006 “Change to manual of Rituals and Ceremonies” and 98-022 “Flag Etiquette” Passed at the 34<sup>th</sup> Biennial National Convention, August 23, 24, 25, 1998 in Lansing, Michigan

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# **THE FLAG 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 as P.L. 623, 77th Congress, Second Session, June 22, 1942; as Amended by P.L. 829, 77th Congress, Second Session, December 22, 1942; P.L. 107, 83rd Congress, 1st Session, July 9, 1953; P.L. 396, 83rd Congress, Second Session, June 14, 1954; P.L. 363, 90th congress, Second Session, June 28, 1968; and by P.L. 344, 94th Congress, Second Session, July 7, 1976.

## **How to Display the Flag of the United States of America**

Title 36, U.S.C., Chapter 10 As Amended by P.L. 344, 94th Congress Approved July 7, 1976

### **#170. National Anthem: Star-Spangled Banner**

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

### **#171. Conduct during playing**

During rendition of the national anthem when the flag is displayed, all present except those in uniform should stand at attention facing the flag with the right hand over the heart. Men not in uniform should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should render the military salute at the first note of the anthem and retain this position until the last note. When the flag is not displayed, those present should face toward the music and act in the same manner they would if the flag were displayed there.

### **#172. Pledge of Allegiance to the Flag; manner of delivery**

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

### **173. 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 to 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.

## **174. Time and occasions for display; hoisting and lowering**

(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 15; 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.

## **175. 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, of 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 of possession thereof; *Provided*, That nothing in this section shall make unlawful the continuance of the practice heretofore followed of displaying the flag of the United Nations in a position of superior prominence or honor, and other national flags in positions of equal prominence or honor, with that of the flag of the United States at the headquarters of the United Nations.

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

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

(f) When flags of States, cities, or localities, or pennants of societies are flown on the same halyard with the flag of the United States, the latter should always be at the peak. When the flags are

flown from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No such flag or pennant may be placed above the flag of the United States or to the United States flag's right.

(g) When flags of two or more nations are displayed, they are to be flown from separate staffs of the same heights. 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 from 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) 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 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 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, and then raised to the top of the staff. By order of the President, the flag shall be flown at half-staff upon the death of principal figures of the United States government and the Governor of a State, territory, or possession, as a mark of respect to their memory. In the event of the death of other officials or foreign dignitaries, the flag is to be displayed at half-staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law. In the event of the death of a present or former official of the government of any State, territory, or possession of the United States, the governor of that State, territory, or possession may proclaim that the National flag shall be flown at half-staff. The flag shall be flown at half-staff 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 of 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; and

(3) The term "Member of Congress: means a Senator, a Representative, a Delegate, or the resident Commissioner for Puerto Rico.

(n) When the flag is used to cover a casket, it should be so placed 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 flat 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.

## 176. **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 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.

## **PROPER USE OF BUNTING**

Bunting of the National colors should be used for covering a speaker's desk, draping over the front of a platform and for decoration in general. Bunting should be arranged with the blue above, the white in the middle, and the red below.

(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 purposed 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, preferable by burning.

#### **177. Conduct during hoisting, lowering or passing of flag.**

During the ceremony of hoisting or lowering the flag or when the flag is passing in a parade or in review, all 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.

#### **178. 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 in section 171-178 of this title, 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.

### **Title 4, United States Code Chapter I, Section 1, 2, 3 Executive Order No. 10834 Definition of the flag**

#### **1. Flag; stripes and stars on**

The flag of the United States shall be thirteen horizontal stripes, alternate red and white; and the union of the flag shall be fifty stars, white in a blue field.

#### **2. Same; additional stars**

On the admissions of a new State into the Union one star shall be added to the union of the flag' and such addition shall take effect of the fourth day of July then next succeeding such admission.

#### **3. Use of flag for advertising purposes; mutilation of flag**

Any person who, within the district of Columbia, in any manner, for exhibition of display, shall place or cause to be placed any word, figure, mark, picture, design, drawing, or any advertisement of any nature upon any flag, standard, colors, or ensign of the United States of America; or shall expose or cause to be exposed to public view any such flag, standard, colors or ensign upon which shall be been printed, painted, or otherwise placed, or to which shall be attached, appended, affixed, or annexed any word, figure, mark, picture, design, or drawing, or any advertisement of any nature; or, who, within the District of Columbia, shall manufacture, sell, expose for sale, or to public view, or give away or have in possession of sale, or to be given away or for use for any purpose, any article or substance being an article of merchandise, or a receptacle for merchandise or article or thing for carrying or transporting merchandise, upon which shall have been printed, painted, attached, or otherwise placed in representation of any such flag, standard, colors, or ensign, to advertise, call attention to, decorate, mark, or distinguish the article or substance on which so placed shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding \$100 or by imprisonment for not more than thirty days, or both, in the discretion of the court. The words "flag, standard, colors, or ensign", as used herein, shall include any flag, standard, colors, ensign, or any picture or representation of

either, or of any part or parts of either, made of any substance or represented on any substance, of any size evidently purporting to either of said flag, standard, colors, or ensign of the United States of America or a picture or a representation of either upon which shall be shown the colors, the stars and the stripes, in any number of either thereof, or of any part or parts of either, by which the average person seeing the same without deliberation may believe the same to represent the flag, standard, colors, or ensign of the United States of America.

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

**Proportions and sizes of flags and position of stars**

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 positions 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

Hoist (width) of the 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

**Title 18, United States Code**  
**Chapter 33, Section 700**  
**Desecration of the flag of the United States**

- (a) Whoever knowingly cast contempt upon any flag of the United States by publicly mutilating, defacing, defiling, burning, or trampling upon it shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.
- (b) The term "flag of the United States" as used in this section, shall include any flag, standard, colors, ensign, or any picture or representation of either, or of any part or parts of either,

made of any substance or represented on any substance, of any size evidently purporting to be either of said flag, standard, colors, the stars and the stripes, in any number of either thereof, or of any part or parts of either, by which the average person seeing the same without deliberation may believe the same to represent the flag, standard, colors, or ensign of the United States of America.

- (c) Nothing in this section shall be construed as indicating intent on the part of Congress to deprive any State, territory, possession, or the Commonwealth of Puerto Rico of jurisdiction over any offense over which it would have jurisdiction in the absence of this section.

### **Honoring Those Who Served**

Occasionally, the family does not choose to have a military presence at the funeral, but does request presentation of the American flag by the funeral director. The following is a quick reference for such occasions.

The United States flag drapes the casket of deceased veterans to honor the memory of their service to the country. The ceremonial folding and presentation of that flag is a moving tribute of lasting import to the veteran's family.

The flag is placed so the union blue field is at the head and over the left shoulder of the deceased.

After Taps has been played, the flag is carefully folded into the symbolic tri-cornered shape.

It is then presented as a keepsake to the next of kin or an appropriate family member.

## How to fold the American Flag

*“On behalf of a grateful nation...”*

To properly fold the flag follow these directions:



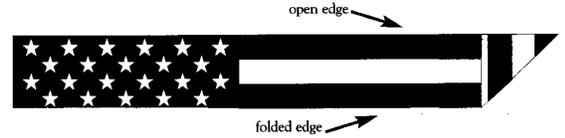
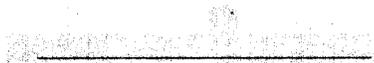
- 1 To begin, with one person at either end, hold the flag waist high so that its surface is parallel to the ground.



- 2 Fold the lower half of the stripe section lengthwise over the field of stars, holding the bottom and top edges securely.



- 3 Fold the flag again lengthwise, now with the blue field on the outside.



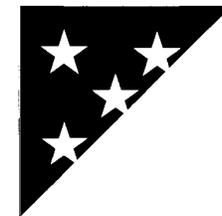
- 4 Make a triangular fold by bringing the striped corner of the folded edge to meet the open (top) edge of the flag.



- 5 Turn the outer (end) point inward, parallel to the open edge, to form a second triangle.



- 6 Continue the triangular folding until the entire length of the flag is folded in this manner.



- 7 When the flag is completely folded, only a triangular blue field of stars should be visible. If a hem protrudes beyond the blue field, it should be neatly tucked inside the folds of the flag so it does not show.

The folded flag is then presented to the next of kin.

## **Flag Presentation Protocol**

Generally, the flag is presented to the appropriate family member after Taps is played

Stand facing the flag recipient and fold the folded flag waist high with the straight edge facing the recipient .

Lean toward the flag recipient and solemnly present the flag to the recipient.

Each Service uses slightly different wording for the presentation:

### **Army**

This flag is presented on behalf of a grateful nation and the United States Army as a token of appreciation for your loved one's honorable and faithful service

### **Navy**

On behalf of the President of the United States and the Chief of Naval Operations, please accept this flag as a symbol of our appreciation for your loved one's service to this Country and a grateful Navy.

### **Marine Corps**

On behalf of the President of the United States, commandant of the Marine Corps, and a grateful nation, please accept this flag as a symbol of our appreciation for your loved one's service to his Country and Corps.

### **Air Force**

On behalf of the President of the United States, the Department of the Air Force, and a grateful nation, we offer this flag for the faithful and dedicated service of (Service member's rank and name).

### **Coast Guard**

On behalf of the President of the United States, the Commandant of the Coast Guard, and a grateful nation, please accept this flag as a symbol of our appreciation for your loved one's service to Country and the Coast Guard.

### **Religious or belief preference**

If the next of kin has expressed a religious preference or belief, add: God bless you and this family, and God bless the United States of America