

Asian/Pacific American Heritage Week, providing an opportunity for the people of the United States to recognize the history, concerns, contributions, and achievements of Asian and Pacific Americans;

“(4) in 1990, 1991 and 1992, Congress designated and the President proclaimed the month of May as Asian/Pacific American Heritage Month;

“(5) nearly 8,000,000 people in the United States can trace their roots to Asia and the islands of the Pacific; and

“(6) Asian and Pacific Americans have contributed significantly to the development of the arts, sciences, government, military, commerce, and education in the United States.”

§ 169l. National Pearl Harbor Remembrance Day

December 7 of each year is designated as “National Pearl Harbor Remembrance Day” and the President is authorized and requested—

(1) to issue annually a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities; and

(2) to urge all Federal agencies, and interested organizations, groups, and individuals, to fly the flag of the United States at halfstaff each December 7 in honor of the individuals who died as a result of their service at Pearl Harbor.

(Pub. L. 103–308, Aug. 23, 1994, 108 Stat. 1669.)

RECITAL CLAUSES

Pub. L. 103–308 upon which this section is based contained several “Whereas” clauses reading as follows:

“Whereas, on December 7, 1941, the Imperial Japanese Navy and Air Force attacked units of the armed forces of the United States stationed at Pearl Harbor, Hawaii;

“Whereas more than 2,000 citizens of the United States were killed and more than 1,000 citizens of the United States were wounded in the attack on Pearl Harbor;

“Whereas the attack on Pearl Harbor marked the entry of the United States into World War II;

“Whereas the veterans of World War II and all other people of the United States commemorate December 7 in remembrance of the attack on Pearl Harbor; and

“Whereas commemoration of the attack on Pearl Harbor will instill in all people of the United States a greater understanding and appreciation of the selfless sacrifice of the individuals who served in the armed forces of the United States during World War II * * *.”

§ 169m. National Korean War Veterans Armistice Day

July 27 of each year until the year 2003 is designated as “National Korean War Veterans Armistice Day”, and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day with appropriate ceremonies and activities, and to urge the departments and agencies of the United States and interested organizations, groups, and individuals to fly the American flag at half staff on July 27 of each year until the year 2003 in honor of the Americans who died as a result of their service in Korea.

(Pub. L. 104–19, title II, §2005, July 27, 1995, 109 Stat. 247.)

CHAPTER 10—PATRIOTIC CUSTOMS

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§ 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.

(Mar. 3, 1931, ch. 436, 46 Stat. 1508.)

CODIFICATION

Section was formerly classified to section 144 of this title.

§ 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.

(June 22, 1942, ch. 435, §6, 56 Stat. 380; Dec. 22, 1942, ch. 806, §6, 56 Stat. 1077; July 7, 1976, Pub. L. 94–344, §1(18), 90 Stat. 812.)

AMENDMENTS

1976—Pub. L. 94–344 inserted requirement that during the rendition of the national anthem when the flag is displayed, all persons present except those in uniform should stand at attention, face the flag, and place the right hand over the heart and men with headdress should remove the headdress and hold it at the left shoulder, the hand being over the heart and when the flag is not displayed, those present should face the music and act in the same manner they would if the flag were displayed.

1942—Act Dec. 22, 1942, substituted “all present should face the flag and salute” for “the salute to the flag should be given” in last sentence.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 178 of this title.

§ 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.

(June 22, 1942, ch. 435, § 7, 56 Stat. 380; Dec. 22, 1942, ch. 806, § 7, 56 Stat. 1077; Dec. 28, 1945, ch. 607, 59 Stat. 668; June 14, 1954, ch. 297, 68 Stat. 249; July 7, 1976, Pub. L. 94-344, §1(19), 90 Stat. 813.)

AMENDMENTS

1976—Pub. L. 94-344 inserted requirement that during rendition of the Pledge of Allegiance to the Flag, all persons should face the flag and men with headdress except those in uniform should remove their headdress and hold it at the left shoulder, the hand being over the heart.

1954—Act June 14, 1954, inserted “under God,” in the pledge.

1945—Act Dec. 28, 1945, inserted “The following is designated as”, inserted the period after “justice for all.”, and struck out “is rendered by standing with the right hand over the heart.” in first sentence, and inserted sentence “Such pledge should be rendered by standing with the right hand over the heart.”

1942—Act Dec. 22, 1942, struck out “extending the right hand, palm upward, toward the flag at the words ‘to the flag’ and holding this position until the end, when the hand drops to the side.” at end of first sentence.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 178 of this title.

§ 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 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.

(June 22, 1942, ch. 435, § 1, 56 Stat. 377; Dec. 22, 1942, ch. 806, § 1, 56 Stat. 1074; July 7, 1976, Pub. L. 94-344, §1(1), 90 Stat. 810.)

REFERENCES IN TEXT

This chapter, referred to in text, probably means chapter 435 of act June 22, 1942, 56 Stat. 380, which is classified to sections 171 to 178 of this title.

Executive Order 10834, referred to in text, is Ex. Ord. No. 10834, Aug. 21, 1959, 24 F.R. 79, which is set out as a note under section 1 of Title 4, Flag and Seal, Seat of Government, and the States.

AMENDMENTS

1976—Pub. L. 94-344 inserted provisions defining “flag of the United States” for purposes of this chapter according to sections 1 and 2 of title 4 and Executive Order 10834.

1942—Act Dec. 22, 1942, reenacted section without change.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 178 of this title.

§ 174. Time and occasions for display

(a) Display on buildings and stationary flagstuffs in open; night display

It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstuffs 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) Manner of hoisting

The flag should be hoisted briskly and lowered ceremoniously.

(c) Inclement weather

The flag should not be displayed on days when the weather is inclement, except when an all weather flag is displayed.

(d) Particular days of display

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) Display on or near administration building of public institutions

The flag should be displayed daily on or near the main administration building of every public institution.

(f) Display in or near polling places

The flag should be displayed in or near every polling place on election days.

(g) Display in or near schoolhouses

The flag should be displayed during school days in or near every schoolhouse.

(June 22, 1942, ch. 435, § 2, 56 Stat. 378; Dec. 22, 1942, ch. 806, § 2, 56 Stat. 1074; July 7, 1976, Pub. L. 94-344, §1(2)-(5), 90 Stat. 810.)

CODIFICATION

“Veterans Day” substituted for “Armistice Day” in subsec. (d) to conform to the provisions of act June 1,