



We the People

Article I

Let the
PEOPLE
decide



The Citizens Flag Alliance, Inc.

*“The immortal immutable truths
embedded in our Constitution
are embodied by our flag.*

*When you burn the flag,
you burn the Constitution.”*

Maj. Gen. Patrick H. Brady, USA (Ret.)
Medal of Honor Recipient

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The Citizens Flag Alliance, Inc.

The Citizens Flag Alliance, Inc., is a coalition of organizations that have come together for one purpose: the passage of a constitutional amendment that will return to the people the right to protect their flag.

More than 140 organizations make up the CFA, with its collective membership around 20 million. Drawing its strength from grassroots activism, the CFA is organized in every state.

Membership is open to and includes fraternal, ethnic, civic and veterans organizations, corporations, and businesses by application. Everyone who donates to the CFA, or signs a petition supporting passage of the amendment, becomes an individual member. Although it is hoped that member organizations would donate to the CFA as funds are available, there is no fee to belong, but it is expected that:

- member organizations will have the endorsement of their governing body;
- will promote the campaign to return to the people the right to protect the flag among their members and the general public;
- will allow the publication of their name as a member organization of the CFA; and
- will participate in legislative activities and grassroots lobbying of The Citizens Flag Alliance, Inc.

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What We Believe

*A Message from CFA Consultant
Maj. Gen. Patrick H. Brady, USA (Ret.)*

In 1989 the Supreme Court, in response to a flag burning by a communist, amended the Constitution by inserting flag burning into the Bill of Rights. Their decision took away a fundamental right of the American people, a right we had possessed since our birth as a nation, the right to protect our flag. We believe that decision was an egregious error and distorted our Constitution. We do not believe the freedom to burn the American flag is a legacy of the freedoms bestowed on us by Madison and Jefferson and Washington and the other architects of our Constitution. To distort the work of these great men unable to defend themselves, to put flag burning side by side with pornography as protected speech, is outrageous.

We believe that some elements in our society seek to amend the Constitution through the courts out of the bright light of the public square where they would surely fail. The ACLU has said they are the guardians of the Constitution and that their hope for their agenda is through the courts. We believe that our hope is in the Constitution as defined by our Founding Fathers and that we the people are the guardians of the Constitution. One judge said the Constitution is what the courts say it is! We believe the Constitution is what the Founding Fathers said it was and it cannot be amended without the will of the people.

President Lincoln warned, "If the policy of the government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court ... the people will have ceased to be their own rulers." He also warned, "Don't interfere with anything in the Constitution. That must be maintained, for it is the only safeguard of our liberties."

The courts are interfering with the Constitution; they are systematically amending it in violation of the Constitution itself. A few of many examples: They have declared the Pledge and the display of the Decalogue unconstitutional, overthrowing our right to acknowledge God as defined in the Declaration and protected by the First Amendment; they are protecting child pornography and imposing racial quotas. Whatever one may think of the issues involved, these actions are not sanctioned for the courts to decide by the Constitution – they belong to the people to decide.

“Our Constitution was not written in the sands to be washed away by each successive wave of new judges blown in by each successive political wind.”

Associate Justice Hugo Black

Many Americans have raised their right hand and sworn an oath to protect and defend the Constitution from all enemies, both foreign and domestic. We believe that all Americans who put their right hand over their heart and recite the Pledge take that same oath. Both the oath and the Pledge are taken in the presence of Old Glory to emphasize that our flag is the symbol of our Constitution. We believe that we the people must exercise our right to rule by ensuring that the court’s decision on flag burning is not irrevocably fixed.

We believe that legalizing flag burning, in addition to disfiguring the Constitution, also raises issues and questions about the kind of people we have been and want to be. We believe that our laws should reflect our values. Flag burning is not a value of the American people.

We believe the highest form of patriotism is service to our children, and a premier worth of respect for the flag is the values it teaches our children, the values embedded in our Constitution as embodied by Old Glory. We agree

with Pearl Buck, who describes how precious a symbol the flag is to the treasure that is our children and how important it is to their development. She said, “Children are our national treasure. With what measure we mete to them in their childhood, they will mete to our nation in their lifetime.” We believe our children should be raised as patriots full of respect for the flag and the constitutional

“I believe the states and the federal government do have power to protect the flag from acts of desecration and disgrace.”

Chief Justice of the United States Earl Warren
Street v. New York, 1969

values it represents. How can they respect something they are free to burn?

We believe symbols are indispensable in a democracy. They

have been called the natural speech of the soul. Our gratitude for the great bounty that is America is expressed through symbols: grave stones, obelisks, walls and the greatest of all symbols, Old Glory. The word “symbol” is from the Greek meaning a half token, which when united with its other half identified the owner. It is meant to recognize something far more elaborate than itself. That something, the other half token of the flag, is the Constitution and we the people are the owners. Sept. 11 reminded all Americans of what veterans have always known: the unifying, comforting and inspirational magic of Old Glory, its unique and indispensable value to our society.

Thomas Jefferson said, “Democracy is cumbersome, slow and inefficient, but in time the voice of the people will be heard and their latent wisdom will prevail.” We believe that all Americans, once they realize that our Constitution was never intended to include flag burning, will be outraged, energized and mobilized against those who deliberately or inadvertently despoil that cherished

document. We believe that if we persevere, eventually the voice of the people will be heard and our Constitution will be restored. The courts are forcing us to accept flag burning. We are not trying to force the people to love Old Glory. We are trying to force the courts to restore the truth to our Constitution.

We believe our battle for our flag is a battle for our Constitution. Our concern is not those who desecrate the flag; our concern is those who desecrate our Constitution by calling flag burning “speech.” If we did not act on our belief and correct the errors of the court, we would violate our oath and our pledge. We would be cowards not worthy of the sweat and blood and tears of those who gave us our Constitution and all we have. We could not face the greatest generation, or the silent generations; we could not face our children; we could not face ourselves. This is a sacred debt to our Founders, to America’s nobility – our veterans – to our patriots and to America’s future.

Maj. Gen. Patrick H. Brady, USA (Ret.)
Consultant to
The Citizens Flag Alliance, Inc.

History of the Fight to Return to the People the Right to Protect Old Glory

Organizations of The Citizens Flag Alliance, Inc., have since 1989 stood side-by-side in the battle to secure a flag amendment. Below are highlights of the campaign.

Forty-eight states and the federal government had flag-protection laws on the books during the summer of 1984 when Gregory Johnson (a leader of the Revolutionary Communist Youth Brigade) participated in an anti-America demonstration in Dallas. As the demonstrators marched from the site of the Republican National Convention to the steps of Dallas City Hall, they defaced buildings with spray paint, turned over potted plants, stole an American flag from a Dallas bank and generally made nuisances of themselves.

Then, as Texans watched in outrage and anger, Johnson torched the flag. While engaging in this offensive conduct, he chanted, "America, the red, white and blue . . . we spit on you." The Dallas police arrested Johnson. He was not arrested for anything he said about our government, our leaders or our flag. He was arrested, charged, tried and convicted of desecration of a venerated object in violation of a Texas statute.

Five years later the U.S. Supreme Court heard the case. On June 21, 1989, in a 5-4 decision, the court ruled that Johnson had been denied his rights under the free speech provisions of the First Amendment. *Texas v. Johnson*, by one vote, took away the right of the people to protect the flag of our nation from intentional, public, physical desecration, a right we had enjoyed since our birth as a nation.

JUNE 21, 1989 – By a 5-4 vote, the Supreme Court rules in *Texas v. Johnson* that burning the American flag is free speech protected under the First Amendment. This invalidates flag protection statutes in 48 states and Washington, D.C.



JULY-AUGUST 1989 – The American Legion and American Legion Auxiliary launch a petition drive to collect 1 million signatures of Americans demanding a flag amendment that will return to the people the right to protect the flag. The goal is reached within 60 days and the petitions are presented to Congress.



SEPT. 5, 1989 – Delegates to The American Legion National Convention in Baltimore unanimously approve a resolution seeking adoption and ratification of a constitutional amendment that would return to the people the right to protect the flag. In the months that ensue, The Knights of Columbus, The Benevolent and Protective Order of Elks, the Scottish Rite of Freemasonry, Veterans of Foreign Wars and many other organizations pass similar resolutions at their national meetings.



OCT. 12, 1989 – The House and Senate adopt House Resolution 2978, the “Flag Protection Act of 1989,” a federal statute, to protect the flag.



OCT. 28, 1989 – HR 2978 becomes Public Law 101-131 and U.S. flags are burned on the steps of the U.S. Capitol to protest enactment of the law.



FEBRUARY - MARCH 1990 – Federal judges in Seattle and Washington, D.C., rule the Flag Protection Act of 1989 unconstitutional.

JUNE 11, 1990 – The U.S. Supreme Court, in *U.S. v. Eichman*, rules PL 101-131 unconstitutional.



JUNE 21, 1990 – By a vote of 254-177, the House fails to obtain the two-thirds majority required to pass a constitutional amendment that would return to the people the right to protect the flag.



JUNE 26, 1990 – By a vote of 58-42, the Senate fails to obtain two-thirds majority for the flag amendment.



THE REMAINDER OF 1990 – The American Legion focuses on memorializing resolution campaigns in the states. The non-binding resolutions urge Congress to adopt an amendment allowing “Congress and the states” to enact and enforce flag-protection laws.



AUG. 25, 1992 – Presidential candidate Bill Clinton tells The American Legion National Convention delegates in Chicago that he opposes flag burning and leaves the impression that he would support a flag-protection constitutional amendment that would return to the people the right to protect the flag. “In 1989, when the flag burning controversy arose, I joined with The American Legion in taking steps to react. I signed legislation outlawing flag burning or defacing the flag, but I also wanted to stop flag burning before it starts. So, together with The American Legion, we established one of the finest flag education programs in the country. Volunteers of The American Legion and other veterans groups launched an all-out assault on our grade schools, instilling in our young students the deep patriotism which gives us a lump in our throat and a stir in our hearts when we see Old Glory go up the flag pole. I am proud of my record in support of our veterans.”

THROUGHOUT 1992 AND 1993 – The memorializing resolution campaign gains steam. By the end of 1993, 35 state legislatures have approved resolutions. Gallup Organization polls show overwhelming public support for an amendment that would return to the people the right to protect the flag.



MAY 1994 –The American Legion approves a resolution authorizing the funding of The Citizens Flag Alliance, Inc. (CFA). The CFA is chartered in Virginia as a 501(c) 4 corporation. To promote the flag amendment and flag education, the CFA seeks membership of other civic, social, veterans and fraternal organizations. The CFA organizes in all 50 states and membership grows to 112 member organizations by December 1995.



AUG. 24-26, 1994 – CFA convenes a constitutional scholars’ forum at Williamsburg, Va., to determine the underlying merit and political viability of the many options available to prevent the public dishonoring of the American flag. Prof. Arthur Miller of the Harvard University School of Law moderates the forum, attended by scholars from the nation’s finest legal institutions, advocacy groups and public policy research organizations. To ensure an accurate breadth of ideological input, the forum is evenly divided between scholars supporting and opposing a flag amendment.



MARCH 21, 1995 – Sens. Orrin Hatch (R-Utah) and Howell Heflin (D-Ala.) introduce Senate Joint Resolution 31, calling for a constitutional amendment that reads “The Congress and the states shall have power to prohibit the physical desecration of the flag of the United States.” Reps. Gerald Solomon (R-N.Y.) and G. V. “Sonny” Montgomery (D-Miss.) introduce HJR 79, the same resolution, in the House of Representatives.

JUNE 6, 1995 – Assistant Attorney General for Legal Counsel Walter Dellinger testifies before the Senate Judiciary Committee and says President Clinton opposes the flag amendment that would return to the people the right to protect the flag.



JUNE 28, 1995 – HJR 79 clears House 312-120, 22 votes more than the 290 needed to pass the flag amendment.



JULY 20, 1995 – SJR 31 passes the Senate Judiciary Committee, 12-6.



AUGUST 1995 – Fifty-six senators are co-sponsors of SJR 31.



DEC. 12, 1995 – Senate rejects SJR 31 by a vote of 63-36; the amendment fails by 3 votes.



JANUARY 1996 – The CFA launches nationwide campaign to tell citizens how their lawmakers voted on the flag amendment.



MARCH - NOVEMBER 1996 – The CFA launches a massive “Get Out the Vote” and public information effort. The nationwide campaign includes press events, voter registration and voter education drives.



NOVEMBER 1996 – Flag amendment supporters capture 25 of the 34 Senate seats and 290-plus House seats. The Citizens Flag Alliance reaffirms its flag amendment commitment.



FEB. 13, 1997 – Reps. Gerald Solomon (R-N.Y.) and William O. Lipinski (D-Ill.) introduce into the 105th Congress House Joint Resolution 54, the flag amendment. CFA officials vigorously encourage member organizations

and individuals to persuade their representatives to become co-sponsors.



APRIL 30, 1997 – The U.S. House of Representatives Judiciary Subcommittee on the Constitution holds hearing on HJR 54. Those testifying in favor of the amendment include Maribeth Seely, an elementary teacher from New Jersey; Francis Sweeney, Steamfitters Union, Pittsburgh; Carol Van Kirk, member of the American Legion Auxiliary of Nebraska; Alan Lance, Idaho Attorney General; Harvard Law Professor Richard Parker; Maj. Gen. Patrick H. Brady, Medal of Honor Recipient; and the Hon. Robert Zukowski, Wisconsin State Legislature.



JUNE 12, 1997 – HJR 54 passes House 310-114, 20 votes more than needed.



AUGUST 1997 – The so-called Citizens for the Constitution is formed to, in their words, “call attention to the adverse effects of fast-paced constitutional tinkering.” They begin by creating eight “standards,” which they claim are intended to address when and how the Constitution should be amended. They lobby Congress to adopt these standards that will govern how the amendment process should, in their opinion, unfold.



FEB. 4, 1998 – Sens. Orrin Hatch (R-Utah) and Max Cleland (D-Ga.) introduce into the 105th Congress SJR 40, which reads “The Congress shall have power to prohibit the physical desecration of the flag of the United States.” The amendment has 61 co-sponsors.

JULY 8, 1998 – Senate Judiciary Committee holds hearings on SJR 40. Those testifying in favor of the amendment that would return to the people the right to protect the flag include Tommy Lasorda, John Schneider and Harvard Law Professor Richard Parker.



OCT. 7, 1998 – Senate Majority Leader Trent Lott brings SJR 40 to the floor of the U.S. Senate, asking unanimous consent to proceed to debate and vote. Sens. Robert Kerrey (D-Neb.) and Patrick Leahy (D-Vt.) object to consideration of the resolution, citing lack of time to sufficiently debate the amendment. With that, the measure is lost in the 105th Congress.



NOV. 4, 1998 – Election analysis indicates the CFA is a step closer to passage of the flag amendment in the U.S. Senate in the 106th Congress. Newly elected senators who support the flag amendment include Sens. Blanche Lambert Lincoln (D-Ark.), Peter Fitzgerald (R-Ill.) and George Voinovich (R-Ohio). All three replace incumbents who were on record as “no” votes, thus enhancing the amendment’s chance for passage in the Senate.



FEB. 24, 1999 - Reps. Randy “Duke” Cunningham (R-Calif.) and John Murtha (D-Pa.) introduce HJR 33, a constitutional amendment that reads “The Congress shall have power to prohibit the physical desecration of the flag of the United States.”



MARCH 17, 1999 – Sens. Orrin Hatch (R-Utah) and Max Cleland (D-Ga.) introduce SJR 14. The amendment has 54 co-sponsors. In all, 64 senators pledge their support of the flag amendment.

MARCH 23, 1999 - The House Judiciary Subcommittee holds hearings on HJR 33. Witnesses testifying in favor of the amendment that would return to the people the right to protect the flag include Stephen Presser, Professor of Law at Northwestern University School of Law; Maj. Gen. Patrick H. Brady, USA (Ret.), Medal of Honor Recipient and Chairman of the Board of The Citizens Flag Alliance, Inc.; Stephan Ross, a Holocaust survivor liberated from Dachau by the U.S. Army; former Miss America Shawntel Smith; and Bishop Carlton Pearson, presiding bishop for more than 500 churches and ministries throughout the Azusa Interdenominational Fellowship.



JUNE 24, 1999 - The U.S. House of Representatives passes HJR 33, 305-124, 15 votes more than needed for passage of a constitutional amendment.



MARCH 29, 2000 - SJR 14, the flag amendment, falls four short of the necessary 67 votes (63-37) in the U.S. Senate. The Citizens Flag Alliance notes deep disappointment in two senators [Robert Byrd (D-W.Va.) and Richard Bryan (D-Nev.)] whose support was withdrawn without notice at the last minute.



MARCH 13, 2001 - Reps. Randy Cunningham (R-Calif.) and John Murtha (D-Pa.) introduce HJR 36. Sens. Orrin Hatch (R-Utah) and Max Cleland (D-Ga.) introduce SJR 7.



JULY 17, 2001 - The flag amendment, HJR 36, passes the House, 298-125, for the fourth time in consecutive Congresses.



JANUARY 10, 2002 - The Vermont State Legislature becomes the 50th state to pass a memorial resolution that calls on Congress to pass the flag amendment.

MARCH 13, 2002 – Results of polling, done to determine support for the amendment and released at a Washington, D.C., press conference, reveal a “new” group of strong supporters of the flag amendment. With 75 percent favoring the amendment that would return to the people the right to protect the flag, 18- to 24-year-olds are the second-most supportive – and “new” – age group. Only those respondents 65 and older are more pro-flag, at 85 percent.



JANUARY-DECEMBER 2002 – Change in Senate leadership gives amendment opponents control over the destiny of the measure. It is held hostage through the Second Session of the 107th Congress and never allowed on the floor.



DECEMBER 2002 – Results of the November midterm elections reveal that more than 300 representatives and 64 senators who support the right of the people to protect the flag will take seats in the 108th Congress.



JAN. 7, 2003 – On opening day of the 108th Congress, flag amendment chief co-sponsors John Murtha (D-Pa.) and Randy “Duke” Cunningham (R-Calif.) introduce HJR 4, which states “The Congress shall have power to prohibit the physical desecration of the flag of the United States.” Twenty-four colleagues join them as co-sponsors. The following week, on Jan. 15, Sens. Orrin Hatch (R-Utah) and Dianne Feinstein (D-Calif.) introduce an identical measure in the Senate. In addition to the two chief co-sponsors, SJR 4 enjoys co-sponsorship from 41 other senators.



MAY 7, 2003 – The House Judiciary Subcommittee holds hearings on HJR 4. Witnesses testifying in favor of the flag amendment include Dr. Richard Parker, Professor of Law at Harvard Law School; Maj. Gen. Patrick H. Brady,

USA (Ret.), Medal of Honor Recipient and Chairman of the Board of The Citizens Flag Alliance, Inc.; and Lt. Antonio J. Scannella, New York/New Jersey Port Authority Police Department.



JUNE 3, 2003 – HJR 4, in a 300-125 vote, sails through the U.S. House of Representatives for the fifth time in eight years. SJ Res. 4 is pending action by the Senate with 64 supporters of record, 57 of which are co-sponsors.



MARCH 2004 – The Senate Judiciary Committee conducts hearings on SJR 4, the Senate version of the flag amendment. Individuals from CFA member organizations fill the hearing room. Senate leadership promises a vote between Memorial Day and July, but delays dog the procedure.



AUGUST 2004 – SJR 4 is favorably released by the Judiciary, headed to the Senate floor with a 5-4 vote. The Senate leadership promises a vote, but nothing occurs before Congress adjourns for the year.



JANUARY 2005 – Reps. Duke Cunningham (R-Calif.) and John Murtha (D-Pa.), with 46 co-sponsors introduce House Joint Resolution 10.



APRIL 2005 – Sens. Orrin Hatch (R-Utah) and Dianne Feinstein (D-Calif.) introduce Senate Joint Resolution 12 with 50 Senate co-sponsors.



JUNE 2005 – HJR 10 passes 286-130 in the House.



DECEMBER 2005 – The first session of the 109th Congress adjourns with the Senate having taken no action on the flag amendment.

JANUARY 2006 – Amendment opponent Sen. Jon Corzine leaves the Senate as former U.S. Rep. Robert Menendez, an amendment supporter, fills the vacancy, bumping support for the amendment to 66 votes.



MARCH 2006 – Visits with Senate Majority Leader Bill Frist result in his promise to bring the flag amendment to the floor for a vote the week of June 26, 2006.



APRIL 3, 2006 – The CFA launches “Countdown to Victory,” a plan designed and executed to secure the one vote needed to pass the flag amendment. Letter writing, emailing and personal visit campaigns are set in motion with efforts focused on the promised date of June 26.



APRIL - MAY 2006 – Media attention mounts as press conferences are conducted in Hartford, Conn.; Dover, Del.; Springfield, Ill.; Frankfort, Ky.; Albany, N.Y.; Bismarck, N.D.; Warwick, Rhode Island; Salt Lake City; Olympia, Wash.; and Charleston, W.Va., to announce polling results in those states. With that, the flag amendment becomes “front page” news.



JUNE 13-15, 2006 – With the vote approaching, a CFA-sponsored “Walk the Hill” event enjoys participation from more than 100 amendment supporters.



JUNE 25, 2006 – Supporters return to “Walk the Hill” again to nail down the single vote that is needed.



JUNE 26, 2006 – Tennessee’s U.S. Sen. Bill Frist hosts a press conference on Capitol Hill and is joined by supporters to include chief sponsors of the measure, Sens. Orrin Hatch and Dianne Feinstein. Media attention peaks when Major League Baseball great Rick Monday and former

Miss America Heather French Henry call for full Senate support of the flag amendment.



JUNE 26, 2006 – Later in the day the floor debate begins. S.J. Res. 12 is put to a vote, but is lost by one. In a 66-34 finish, the decision to protect the flag is again kept from the people by a handful of United States senators.



NOV. 7, 2006 – The midterm elections result in a change of leadership in both houses of Congress. With those changes come changes in committee structure and leadership. Those who strongly advocated for the amendment move out of their positions of authority while those who have advocated its defeat move in.



JAN. 11, 2007 – House Joint Resolution 12, the flag amendment, is introduced in the 110th Congress by Rep. John Murtha (D-Pa.). Discussions get underway with senators to effect similar actions on their side of the Hill, but at year's end a Senate amendment is nonexistent.



DECEMBER 2007 – At the close of the First Session of the 110th Congress, little has been seen or heard of H. J. Res. 12 beyond its introduction at the start of the session. The CFA is unable to secure a Senate champion who is willing to make introduction there. Former supporters suggest, since Congress is predominantly Democrat, that the chief Senate co-sponsor ought to be a Democrat. None come forward; none can be persuaded to make the introduction.



SEPTEMBER - NOVEMBER 2008 – With congressional action lacking on a flag amendment during the Second Session of the 110th Congress the media is virtually silent, leaving scant opportunity for CFA to draw public attention to the amendment. Focus now turns to the 2008 elections,

where early results indicate fair support for a flag amendment among members of the House, but far less support in the Senate.



DECEMBER 2008 – The close of the 110th Congress marks the first in six consecutive congresses that a proposed flag amendment did not get to the floor of either chamber for a vote. Consequently, there is little opportunity for activation of grassroots efforts so critical to securing a flag amendment.



JANUARY 2009 – With significant changes in leadership on Capitol Hill, opportunity for hearings and other flag amendment action early on appears slight as the 111th Congress convenes. The first hurdle is to get a proposed amendment introduced in the House of Representatives and the Senate.



JAN. 6, 2009 – Sen. David Vitter (R-La.) introduces Senate Joint Resolution 2, “proposing an amendment to the Constitution of the United States authorizing the Congress and the States to prohibit the act of desecration of the flag of the United States and to set criminal penalties for that act.” The following day Rep. Jo Ann Emerson (R-Mo.) introduces House Joint Resolution 8, a companion measure. The language of these resolutions is problematic, since they give power to the Congress “and the States” to prohibit flag desecration and place “criminal penalties” on the act. Both issues concern the CFA.



MARCH 2009 – To determine the latest measure of support, Legionnaires attending the annual Washington Conference of The American Legion raise discussion with members of Congress in their Capitol Hill offices. Discussions with both Sen. Vitter and Rep. Emerson lead to

expectations for the introduction, by each, of a proposed constitutional amendment to prohibit the physical desecration of the flag in their respective chambers. Reports from Legionnaires and surveys completed previously by the CFA show that among the 435 members of the House, more than 225 are amendment supporters.



APRIL 30, 2009 - Reps. Jo Ann Emerson (R-Mo.) and Jim Marshall (D-Ga.) introduce House Joint Resolution 47, proposing an amendment to the Constitution of the United States giving Congress power to prohibit the physical desecration of the flag of the United States.



MAY 6, 2009 - Senate Joint Resolution 15 is introduced by Sen. David Vitter (R-La.). The legislative strategy to be employed includes letters of support and appreciation to all co-sponsors from Citizens Flag Alliance Board Chairman Richard Parker.



JUNE 1, 2009 - Reaffirmed as chairman of the Board of Directors of the Citizens Flag Alliance, Inc., Richard Parker, Williams Professor of Law, Harvard Law School, continues his work of many years with The American Legion and the Citizens Flag Alliance in support of a proposed constitutional amendment to protect the flag.



OCT. 1, 2009 - With only 72 co-sponsors for H.J. Res. 47 and only 26 for S.J. Res. 15, the road to enactment in the 111th Congress looks to be a long one. The House resolution is in the Subcommittee on the Constitution, Civil Rights and Civil Liberties and the Senate resolution is in the Committee on the Judiciary. A simple majority of co-sponsors in both chambers is lacking and expectations for hearings are low.

DEC. 1, 2010 - With the 111th Congress nearing its end, hopes for amendment action are bleak, marking only the second Congress in more than 16 years in which there was no floor vote on a flag protection amendment. There is no expectation for action on Capitol Hill before Congress adjourns. Anticipating return of the amendment in the next Congress, efforts get underway to assess flag amendment support among members of both the House and the Senate in the 112th Congress.



JAN. 7, 2011 - Rep. Jo Ann Emerson (R-Mo.) reintroduces legislation for the 112th Congress proposing a constitutional amendment which would restore to Congress the power to prohibit the physical desecration of the flag. House Joint Resolution (H.J. Res.) 13, simply reads “The Congress shall have power to prohibit the physical desecration of the flag of the United States.”



JUNE 14, 2011 - Sens. Max Baucus (D-Mont.) and Orrin Hatch (R-Utah) introduce Senate Joint Resolution (S.J. Res.) 19, a constitutional amendment that would allow Congress to protect the American flag from acts of physical desecration.



JAN. 23, 2013 - Rep. Jo Ann Emerson (R-Mo.) introduces House Joint Resolution 19, a bill proposing an amendment to the Constitution of the United States giving Congress power to prohibit the physical desecration of the flag of the United States.



MAY 25, 2013 - An amendment giving Congress power to prohibit the physical desecration of the flag of the United States., H.J. Res 47, is reintroduced in the House of Representatives this week by Reps. Spencer Bachus (R-Ala.) and

Dan Lipinski (D-Ill.). The resolution reads simply “The Congress shall have power to prohibit the physical desecration of the flag of the United States.”



JUNE 13, 2013 - For the ninth time in his career, Sen. Orrin Hatch (R-Utah) proposes a flag-protection amendment in the Senate. Hatch introduces Senate Joint Resolution 17, proposing an amendment to the U.S. Constitution that would give Congress the authority to protect the U.S. flag from physical desecration.



JAN. 9, 2015 - Rep. Steve Womack (R-Ark.) introduces House Joint Resolution 9 to the U.S. Congress, which aims at restoring Congress’ constitutional authority over desecration of our national colors. Womack is a veteran who believes specific protections of the flag should not simply be law. They should be enshrined in the Constitution. The Constitution was last amended in 1992 with the ratification of the 27th Amendment, which limited laws regarding the raising or lowering of congressional salaries.



JULY 30, 2015 – Sen. David Vitter (R-La.) introduces Senate Joint Resolution 21, companion bill to Womack’s. The bill states simply “The Congress shall have power to prohibit the physical desecration of the flag of the United States.”



JULY 27, 2016 – The Citizens Flag Alliance, Inc., continues the tenure of Richard Parker, Professor of Law, Harvard Law School, through its reaffirmation of Parker as chairman of the Board of Directors of the CFA.



Nov. 29, 2016 – President-elect Donald Trump states in a public tweet, “Nobody should be allowed to burn the American flag – if they do, there must be consequences – perhaps loss of citizenship or year in jail!”



Dec. 1, 2016 - As the close of the 114th Congress approaches, Senate Joint Resolution 21 reflects 9 co-sponsors, and House Joint Resolution 9 reflects 43.

The Mike Christian Story

(As told by U.S. Sen. John McCain)

I spent 5½ years in the Hanoi Hilton. In the early years of our imprisonment, the North Vietnamese kept us in solitary confinement, or two or three to a cell.

In 1971, the North Vietnamese moved us from these conditions of isolation into large rooms with as many as 30 to 40 men to a room. This was, as you can imagine, a wonderful change. And it was a direct result of the efforts of millions of Americans on behalf of a few hundred POWs, 10,000 miles from home.

One of the men moved into my cell was Mike Christian. Mike came from a small town near Selma, Ala. He didn't wear a pair of shoes until he was 13 years old. At 17, he enlisted in the U.S. Navy. He later earned a commission. He became a Naval flying officer, and was shot down and captured in 1967. Mike had a keen and deep appreciation for the opportunities this country - and our military - provide for people who want to work and want to succeed.

The uniforms we wore in prison consisted of a blue short-sleeved shirt, trousers that looked like pajama trousers and rubber sandals that were made out of automobile tires.

As part of the change in treatment, the Vietnamese allowed some prisoners to receive packages from home. In some of these packages were handkerchiefs, scarves and other items of clothing. Mike got himself a piece of white cloth and a piece of red cloth and fashioned himself a bamboo needle. Over a period of a couple of months, he sewed the American flag on the inside of his shirt.

Every afternoon, before we had a bowl of soup, we would hang Mike's shirt on the wall of our cell, and say the Pledge of Allegiance. I know that saying the Pledge of

Allegiance may not seem the most important or meaningful part of our day now, but I can assure you that, for those men in that stark prison cell, it was indeed the most important and meaningful event of our day.

One day, the Vietnamese searched our cell and discovered Mike's shirt with the flag sewn inside, and removed it. That evening they returned, opened the door of the cell, called for Mike Christian to come out, closed the door of the cell, and for the benefit of all of us, beat Mike Christian severely for the next couple of hours.

Mike got himself a piece of white cloth and a piece of red cloth and fashioned himself a bamboo needle. Over a period of a couple of months, he sewed the American flag on the inside of his shirt.

Then they opened the door of the cell and threw him back inside. He was not in good shape. We tried to comfort and take care of him as well as we could. The cell in which we lived had a concrete slab in the middle on which we slept. Four naked light bulbs in each corner lighted the room.

After things quieted down, I went to lie down to sleep. As I did, I happened to look in the corner of the room. Sitting there beneath that dim light bulb, with a piece of white cloth, a piece of red cloth, another shirt and his bamboo needle, was my friend, Mike Christian. Sitting there, with his eyes almost shut from his beating, making another American flag. He was not making the flag because it made Mike Christian feel better. He was making that flag because he knew how important it was for us to be able to pledge our allegiance to our flag and country.



Another fellow POW was Medal of Honor Recipient Col. Bud Day. In an April 29, 1997, letter to CFA Board Chairman Pat Brady, Col. Day recalled his personal experience of the same event...

“When we were moved into joint living with about 40 other people, I was the commander. I ordered my troops to face to the East every afternoon to say the Pledge of Allegiance. This motivated one of my junior officers (Mike Christian) to craft a homemade flag from scraps. He sewed it inside of his shirt, and at pledge time, he would turn the shirt wrong side out, hang it on a line... and we would say the pledge and render a hand salute. It was the best time of every day.

“At one of the shakedown inspections, the commies found the flag. They brutally dragged Mike out and we could hear them beating him for hours. He came back that night with broken ribs...but not his spirit. A few days passed and Mike approached me. He said: ‘Major, they got the flag...but they didn’t get the needle I made it with. If you agree...I’m making another flag!’

“My answer was, ‘Do it!’

“It was several weeks before we had another home-made flag, but he finished it.

“There was never a day from that day forward that the Stars and Stripes did not fly in my room, with 40 American pilots proudly saluting. What we guaranteed to 40 American prisoners should be the minimum guarantee for the entire United States.”

Fact and Fiction on The Right of the People to Protect Old Glory

FICTION: *Burning the American flag is protected “speech” as defined by the First Amendment to the Constitution.*

FACT: Flag burning is not speech as defined by our Founding Fathers in the First Amendment, which reads: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

James Madison, who wrote the First Amendment, condemned flag burning as a crime. Thomas Jefferson agreed with Madison and made clear in his writings that “speech” in the First Amendment meant the spoken word, not expressive conduct. To say otherwise made freedom “of the press” a redundancy. In fact, the words “expression” and “expressive conduct” are not in the Bill of Rights, and for good reason. Activist judges have added them to the Constitution in order to promote their own political agenda.

Since our birth as a nation, we the people have exercised our right to protect our flag. This right has been confirmed by every Chief Justice of the United States and Justices on five courts in the last century who denied that flag burning was “speech.” This fact is also confirmed by current constitutional experts, 70 percent of the Congress, the legislatures of all 50 states and more than three out of four Americans.



FICTION: *The flag amendment would amend the Bill of Rights for the first time.*

FACT: The Supreme Court amended the Bill of Rights in 1989 when they erroneously called flag burning protected speech and took away our freedom to protect our flag. And they did so without the consent of we the people, an act forbidden by the Constitution. The flag amendment is an exercise of the true ownership of we the people over our Constitution. The flag amendment restores the Bill of Rights to the meaning intended by the Founders. The flag amendment takes ownership of our flag back from the court and returns it to the people where it belongs and where it resided since our birth as a nation. Our question to those who spout this fiction: If the Supreme Court in 1989 had voted to protect the flag, would they then have amended the Bill of Rights?



FICTION: *The flag can be protected by law without the amendment.*

FACT: The Supreme Court has made it clear that it will strike down any effort to protect the flag by statute, and did so in 1990. Most lawmakers know this and have also struck down efforts by their colleagues to hide behind flag protection statutes. The fact is that the only way to protect the flag is by statute, but it must come after the passage of the flag amendment. The flag amendment by itself changes nothing, but requires follow-on legislation to return to the people the right to protect the flag.



FICTION: *The Supreme Court is the final word on the Constitution.*

FACT: The people have the final word on the Constitution. The Supreme Court has boasted that it speaks before all others and has actually contended that it is important to accept their unconstitutional decisions rather than undermine their legitimacy.

The Founders in their wisdom put Article V in the Constitution to protect us from such arrogance. It protects us, too, from the constitutional and cultural pirates who seek to amend the Constitution in the dim light of the courts, away from the bright democratic light of the public square and without the consent of the people. Article V is designed to ensure that the people rule. It protects us from the tyranny of a minority on the courts, or anywhere else, who attack our Constitution. Those who would deny the right of the people to protect their flag tell us that the majority counts when it wears black robes but not when it wears working clothes. The Constitution itself is the result of the opinion of the majority and so is the Bill of Rights. The Founders feared minority rule, which is why they broke from the monarchy. The Constitution is the strongest historical statement against minority rule.



FICTION: *Flag burnings are rare and not important enough to justify changing the Constitution to punish a few miscreants.*

FACT: First, there have been hundreds of flag desecrations since the Supreme Court's 1989 decision. Second, the flag amendment does not change the Constitution, but restores it. In America the frequency of an evil has nothing to do with laws against that evil. Shouting "fire" in a crowded theater or speaking of weapons in an airport are rare occurrences, but we have laws against them and we should. It is important to understand that those who would restore the right of the people to protect the flag are not concerned with punishing miscreants who desecrate it. They are not the problem. The problem is from those miscreants who desecrate the Constitution by calling flag burning "speech." We are not amending the Constitution only to protect the flag. We are doing it primarily to protect the Constitution.

FICTION: *If the flag is my property, I can do with it as I wish, as with any of my property.*



FACT: There are so many governmental restrictions on private property that one can't even formulate a general rule about private property. For instance, you can own your automobile, but how you use it is strictly regulated. Most states even require that you have periodic safety inspections, pay property taxes on it, and wear a seatbelt when operating it. The same is true for privately owned firearms and controlled drugs.

You can own the lot that your home sets on, but you can't use the property for any purpose you want that doesn't comply with zoning ordinances. The same is true for U.S. currency, your own mailbox, and military uniforms and decorations. You can own a billboard, but what you can display on it is regulated. And the same is true with the flag. Justice Byron White said each flag is the property of all the people. Our society has always believed that a citizen could purchase a flag, but ownership remained with the people. And possession of a flag carried with it a responsibility or duty to treat it with dignity and respect.



FICTION: *It is impossible to enforce flag protection, as it is impossible to legally define "desecration" or "flag."*

FACT: For most of our history we have had laws defining flag desecration and our courts had no problem until the Supreme Court misdefined flag desecration as "speech." Any fifth-grade child knows the difference between an American flag and a flag-embroidered bikini or toilet paper with a printed flag replica.

For those who feign concern over prosecution for burning flag-marked bikinis or toilet paper, and can't discern the two from a flag, we ask: Would you put toilet

paper or a bikini on the coffin of a veteran or their own coffin, or raise them from a flag pole during retreat? This is not only a non-issue, it is nonsense.



FICTION: *The flag symbolizes my freedom to burn it.*

FACT: On the one hand they are saying the flag is a rag to be burned with impunity. And on the other hand they are saying it represents our freedoms. Can't have it both ways. The truth is our flag embodies the values embedded in our Constitution. The word "symbol" is from the Greek word meaning a half token, which when united with its other half identified the owner. It is meant to recognize something far more elaborate than itself. The other half of the token of the flag is the Constitution and it identifies its owners, the people. There is nothing in the Constitution that authorizes flag burning and the people are fighting to defeat this fiction.

More Medals of Honor, our nation's highest military award, have been awarded for flag protection than for any other act. Some actually died just to keep the flag from touching the ground. Are those who propose this fiction saying that our soldiers who died on America's battlefields to keep dictators and tyrants from defiling our flag did so in order that it could be burned on the streets of America? Who would say this to our warriors?

Supreme Court Justice Felix Frankfurter said, "We live by symbols." Symbols are vital in a democracy. How can one separate ideals from the symbols that house them? It is like separating a person from his soul. Symbols are precious in our lives and our country and all our precious symbols are protected, except our most precious symbol – Old Glory.

FICTION: *Dictators protect their flag; protecting our flag aligns us with dictators.*

FACT: What American could ever compare Old Glory, designed by the father of our country and protected according to the will of a free people, to the hammer and sickle, or swastika, protected according to the will of a despot?

Madison and Jefferson believed our flag should be protected. Does that align them with Stalin and Hitler? Someone said, “Under majority rule, heads are counted; under minority rule, heads are cracked.” It is vital that the will of the majority rule. In a democracy it is the wisdom of the majority that protects us from the tyranny of the minority, whether the minority be dictators or those who compare the will of the majority to the will of dictators. How would one say a pledge to a dictator’s flag: “I pledge allegiance to the flag of the Communist Party and to the totalitarian government for which it stands, one dictatorship, without a god, with oppression and injustice for all”?

The people who compare those who would protect Old Glory with dictators live in a values vacuum and are certainly lost to the ideals of the Founders. But worse, they are distorting the Constitution to achieve their political agenda.

Consider: The California Supreme Court, in breaking new ground on free speech, has ruled that courts may legally ban the use of racial slurs on the job, a ruling promoted and supported by the ACLU. The ACLU said the decision was appropriate and did not represent a threat to freedom of speech. They opined that it is not a novel idea to say that the courts are able to prohibit illegal activity, even when part of that illegal activity involves speech. Really? Burning the flag was illegal in Texas when the courts decided it was speech. The ACLU went on to say that “even though the First Amendment protects

speech, it does not protect the right to make terrorist threats, commit fraud, threaten someone, or commit extortion.” Nor does it protect flag burning. That statement mirrors the CFA’s argument for the flag amendment.

On flag burning, the ACLU remains hypocritical and has continually stressed that an essential aspect of freedom of expression is the right to choose precisely the manner in which one’s ideas are conveyed, even if - indeed, especially if - the manner chosen is deliberately provocative or offensive. What else are racial slurs? The ACLU is enthralled with Justice Harlan’s words: “It is often true that one man’s vulgarity is another’s lyric.” A racial slur is not a lyric and neither is flag burning. Neither should be protected by the First Amendment.



FICTION: *Patriotism should not be forced.*

FACT: The leftist elite in America are fond of finding good in conduct the majority finds evil or offensive. For example, the ACLU defends flag desecration and pedophilic solicitation of our children on the Internet as “free speech.” Not surprisingly, these elite typically find evil in good – patriotism for example.

Patriots are those who love, support and defend their country. “Support and defend” are the operative words. Love is difficult to pin down, but best known by its fruits. To understand the love of a patriot, it is important to understand that sacrifice is best defined as love in action. Those who willingly sacrifice – that is, support and defend – do so out of love. But the love of a patriot is not blind. Just as it is impossible to care for anyone and not correct them, one cannot care for America and not seek to correct its errors.

We must guarantee that dissent and debate are robust, but never damage or be directed against our Constitution,

the foundation of our freedoms. It is the wisdom of the people, ultimately the majority of an informed, active people, which is our protection from tyranny. The will of the majority should define patriotism, not the will of an elite minority.

“Country” is easily defined as the people, our neighbors, the land, and our leaders. One need not love his neighbors, but by law he may not harm them. One may not love the land, but he may not pollute it. Is protecting our people and our land forcing patriotism? Yes it is. Is it forcing patriotism to draft citizens to give their life in war to protect and defend their country? It certainly is. Is it forcing patriotism to force our citizens to ration in time of war to support the effort? You bet it is. We may not love our leaders, but we are obliged to obey their laws. Is it forcing patriotism to force obedience to the law? What are laws for if not to force the unpatriotic to act patriotic? Patriots, good citizens, don’t need laws. Any person who accepts the protection and prosperity of a nation ought to be obedient to the laws of that nation and willing to support and defend it in peace and at war.

No one has a right to control what anyone thinks, believes or loves, but we have every right, indeed an obligation, to control how citizens act.

It is insane to say that a free people cannot control conduct (i.e. flag burning), and that it is unpatriotic to do so. It should be obvious that demanding – indeed, forcing – patriotism is the bedrock of our freedom. It should also be clear that patriotism is the lifeblood of any nation. No nation can survive if its people refuse to support and defend it.



FICTION: *The flag amendment would start a slippery slope toward other amendments and restrictions on desecrating of other things, such as copies of the Constitution.*

FACT: Laws protecting the flag existed since our birth as a nation and prompted no other amendments. Each amendment must stand on its own merit. In fact, there have been over 11,000 attempts to amend the Constitution and the people have allowed it only 27 times. They take this responsibility very seriously.

It is important to remember the difference between a copy of the Constitution and our flag. While many would object to the burning of a copy of the Constitution, few would want a law against it. But no one would say it is OK to burn the **original** Constitution, which is heavily protected. The difference in burning a copy of the Constitution and a flag is that each flag is an **original**; there are no copies.

The slippery slope that the elite really fear is that the flag amendment will be the first step by the people to rescue their Constitution from the elite in the courtrooms, the classrooms, the cloakrooms and the newsrooms, and return it to the living rooms where it belongs.

Quotes in Support of the Flag Amendment

*“It is my principle that the will of the majority
should always prevail.”*

*“I readily suppose my opinion wrong,
when opposed by the majority.”*

Letters from Thomas Jefferson to James Madison, 1787-88

The minority who support flag burners
should heed Jefferson.



*“The fraudulent usurpation of our flag [is] an abuse
which brings so much embarrassment and loss
on the genuine citizen, and so much danger to the
nation of being involved in war, that no endeavor
should be spared to detect and suppress it.”*

President Thomas Jefferson, 1st Annual Message, 1801



*“It is universally admitted that a well-instructed
people alone can be permanently free.”*

President James Madison

Anyone who says burning the American flag is speech is
not properly instructing our children.



*“Don’t interfere with anything in the Constitution.
That must be maintained, for it is the only
safeguard of our liberties.”*

President Abraham Lincoln

“If the policy of the government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court ... the people will have ceased to be their own rulers.”

President Abraham Lincoln

Abraham Lincoln once asked, “How many legs would a dog have if you called his tail a leg? The answer is four.” The Supreme Court counted the tail when it said burning the flag was “speech.” They were wrong.



“The flag is the embodiment, not of sentiment, but of history. It represents the experiences made by men and women who live under that flag.”

President Woodrow Wilson, Flag Day, June 14, 1915



“We do honor to the Stars and Stripes as the emblem of our country and the symbol of all that our patriotism means. We identify the flag with almost everything we hold dear on earth. It represents our peace and security, our civil and political liberty, our freedom of religious worship, our family, our friends, our home. We see it in the great multitude of blessings, of rights and privileges that make up our country. But when we look at our flag and behold it emblazoned with all our rights, we must remember that it is equally a symbol of our duties. Every glory that we associate with it is the result of duty done. A yearly contemplation of our flag strengthens and purifies the national conscience (in that it symbolizes our Constitution).”

President Calvin Coolidge, June 12, 1930

“We know from our experience, that the surest way to preserve liberty is to protect the spirit that sustains it. And this flag sustains that spirit, and it’s one of our most powerful ideas. And like all powerful ideas, if it is not defended, it is defamed. To the touch, this flag is merely fabric. But to the heart, the flag represents and reflects the fabric of our nation – our dreams, our destiny, our very fiber as a people.”

President George H.W. Bush, June 30, 1989

*Remarks Announcing the Proposed
Constitutional Amendment on Desecration of the Flag*



“I don’t believe destroying the American flag should be protected as freedom of speech and I supported efforts to let states ban flag burning as we did in Arkansas.”

President Bill Clinton

NOTE: He changed his mind after becoming President.



“One of the most enduring symbols of your sacrifice and service is our nation’s flag. Brave Americans have fought and died to protect the ideals of democracy that it represents. That is why I strongly support a constitutional amendment protecting the flag from desecration – to honor our courageous veterans and to send the unmistakable message that Old Glory is a sacred symbol of freedom to all Americans.”

George W. Bush, Governor of Texas, March 24, 2000

“Surely one of the high purposes of a democratic society is to legislate against conduct that is regarded as evil and profoundly offensive to the majority of people – whether it be murder, embezzlement, pollution, or flag burning...”

Chief Justice William H. Rehnquist, *Texas v. Johnson*, 1989



“The American flag, then, throughout more than 200 years of our history, has come to be the visible symbol embodying our Nation. It does not represent the views of any particular political party, and it does not represent any particular political philosophy. The flag is not simply another ‘idea’ or ‘point of view’ competing for recognition in the marketplace of ideas. Millions and millions of Americans regard it with an almost mystical reverence regardless of what sort of social, political, or philosophical beliefs they may have.”

Chief Justice William H. Rehnquist, *Texas v. Johnson*, 1989



“It passes my belief that anything in the Federal Constitution bars . . . making the deliberate burning of the America flag an offense.”

Associate Justice Hugo Black, *Street v. New York*, 1969



“Our Constitution was not written in the sands to be washed away by each successive wave of new judges blown in by each successive political wind.”

Associate Justice Hugo Black, *Turner v. U.S.*, 1970

“This flag means more than association and reward. It is the symbol of our national unity, our national endeavor, our national aspiration. It tells you of the struggle for independence, of union preserved, of liberty and union one and inseparable, of the sacrifices of brave men and women to whom the ideals and honor of this nation have been dearer than life.”

Associate Justice Charles Evans Hughes, 1916



“I believe that the States and the Federal Government do have power to protect the flag from acts of desecration and disgrace.”

Chief Justice Earl Warren, Street v. New York, 1969



“The flag is a special kind of personality. Its use is traditionally and universally subject to special rules and regulations . . . The States and the Federal Government have the power to protect the flag from acts of desecration.”

Associate Justice Abe Fortas, Street v. New York, 1969



“[L]ove both of the common country and of the State will diminish in proportion as respect for the flag is weakened. Therefore, a State will be wanting in care for the well-being of its people if it ignores the fact that they regard the flag as a symbol of their country’s power and prestige, and will be impatient if any disrespect is shown toward it.”

Associate Justice John Harlan, Halter v. Nebraska, 1907

“In my considered judgment, sanctioning the public desecration of the flag will tarnish its value – both for those who cherish the ideals for which it waves and for those who desire to don the robes of martyrdom by burning it. That tarnish is not justified by the trivial burden on free expression occasioned by requiring that an available, alternative mode of expression — including uttering words critical of the flag... be employed.”

Associate Justice John Paul Stevens, *Texas v. Johnson*, 1989



*“The flag is a national property,
the property of all the people.”*

Associate Justice Byron White



“Burning and destruction of the flag is not speech. It is an act. An act that inflicts insult – insult that strikes at the very core of who we are as Americans and why so many of us fought, and many died, for this country. No, this is not a debate about free speech. Our flag stands for free speech and always will.”

U.S. Rep. John Murtha (D-Pa.)



“Flag burning is not free speech. It is an act of hatred and nihilism. It is not a call for reform. It is a disgrace. The right to dissent does not include the right to desecrate. To desecrate the flag crosses a line of ugliness.”

U.S. Rep. Chris Smith (R-N.J.)

“The Supreme Court made a mistake [on flag desecration], is not absolute and we should never kowtow to any other branch of government regardless of their decision.”

U.S. Rep. Bill Pascrell (D-N.J.)



“I regard legal protections for our flag as an absolute necessity and a matter of critical importance to our nation. The American flag, far from being a mere symbol or a piece of cloth, is an embodiment of our hopes, freedoms and unity. The flag is our national identity.”

Gen. Norman Schwarzkopf, USA (Ret.)

In a letter to Sen. John Edwards (D-N.C.), et al, April 1999



“I would not amend that great shield of democracy to hammer a few miscreants.”

Gen. Colin Powell

Letter to Sen. Patrick Leahy, 1999

The goal of those who support flag protection is not to hammer miscreants. The goal is to hammer the Supreme Court, which said flag burning is free speech. They are the miscreants in this case.



“The First Amendment protects freedom of speech, not expression, and, whereas all speech may be expression of a sort, not all expression is speech, and there is good reason why the framers of the First Amendment protected the one and not the other.”

Walter Berns, “Making Patriots,” p.139

Sen. Bob Dole, when asked how a member of Congress could defend a vote against the flag, replied:

“I think he could defend it at a Bar Association meeting, but not before real people.”



“We are told that the freedom of speech includes the freedom to desecrate the flag. But setting a flag afire is no more speech than vandalizing a cemetery, or scrawling slogans on a church or synagogue, or spray-painting a national monument – all of which are acts properly forbidden by the laws of a civilized country. Not to mention simple public decency.” “Because the law is a great teacher, one thing it needs to teach in a less-and-less-civil society is a little respect.”

Paul Greenberg, Pulitzer Prize-winning journalist



“Speech is when you talk.”

Baseball great, Tommy Lasorda



Entertainer and recording artist Pat Boone, another supporter of a flag amendment, once suggested to those who say they love the flag, but do nothing to prevent its desecration,

“It’s like saying you love your mother, but it’s okay to slap her around.”



“The flag speaks. The only inanimate object that speaks. It says what it is and what it stands for. When draped on a coffin it says, ‘Herein is someone honorably dead.’ There are happy flags, e.g.,

Halloween. There are proud flags, example: organizations and corporations. All flags so far mentioned are colorful with symbolism. There is a flag without color. Awesomely powerful. It is white. It says we surrender – the saddest negative speech. By its power it stops the creation of death. I saw the white flag. Stopped our guns. Watched the retrieval of the wounded. Our flag is beautiful, proud, serene, untiring, always there. It speaks, our flag is the ultimate voice.”

Jim Burt, Medal of Honor Recipient



“Burning a flag is not speech and should not fall under First Amendment protection.”

Judge Robert Bork, Supreme Court nominee



“Why is flag burning protected speech and prayer is not? What is said when you burn a flag? If speech can be other than verbal, why isn't flying the flag speech? And burning the flag an assault on speech?”

Maj. Gen. Patrick H. Brady, USA (Ret.)

Medal of Honor Recipient

The American Legion Magazine, May 1999



“Nobody should be allowed to burn the American flag – if they do, there must be consequences – perhaps loss of citizenship or year in jail!”

President-Elect Donald Trump

Nov. 29, 2016

The William Carney Story

When the call went out for black soldiers to fight for the Union, this 23-year-old ex-slave put his preaching plans on hold and became a soldier. “I felt I could best serve my God,” Carney said, “by serving my country.”

William Carney’s unit was the 54th Massachusetts Colored Infantry. He saw his first action on July 18, 1863, at Fort Wagner, S.C. – a battle depicted in the movie “Glory.”

Early in the assault on the Confederate stronghold, a bullet struck the 54th’s color bearer. As the wounded soldier staggered and fell, Sgt. Carney dropped his own weapon and grabbed the flag before it touched the ground.

A rebel bullet tore through Carney’s right leg, but he charged onward, unarmed, with his country’s colors hoisted high.

A rebel bullet tore through Carney’s right leg, but he charged onward, unarmed, with his country’s colors hoisted high.

Finally, Carney planted the U.S. flag in the shadow of Fort Wagner, as his comrades rushed the stronghold. But the tide of battle turned. A half-hour later, the 54th was forced to withdraw with heavy losses, the rebels in hot pursuit.

Yet, before Carney retreated – at great personal risk to his own safety – he retrieved his flag. As he limped and struggled across a marsh in waist-high water, a bullet tore into his chest, and another ripped through his right arm.

Bleeding badly, he pressed on, refusing to fall. As he emerged from the ditch, Sgt. Carney took yet another bullet in the leg.

Still, mustering extraordinary strength and courage, he staggered on, clutching the flag to his chest. Then a

bullet creased his head, momentarily stunning him. A New York soldier offered to take the flag, but Carney waved him off. “No one,” he said, “no one but a member of the 54th will ever carry these colors.”

When Carney finally dragged himself into the Union camp – the flag still intact – his comrades cheered, but Carney was embarrassed. “Boys,” he said, “I only did my duty. Our flag never touched the ground.”

For heroism under fire, William Carney was one of 23 African-American soldiers awarded the Medal of Honor. And it is significant that our nation’s highest honor was awarded for protecting the United States flag – something the Supreme Court says we can no longer do.

Like Sgt. William Carney, we, too, have a mission to protect our country’s flag. Unlike Carney, our battlefield is the United States Congress, and our mission is to return to “We the people” the power to protect our flag by adding this 17-word sentence to the U.S. Constitution: “The Congress shall have power to prohibit the physical desecration of the Flag of the United States.”

Call To Action

It's Your Turn To Make A Difference!

If you agree with The Citizens Flag Alliance, Inc., and three of four Americans that it's time to pass a constitutional amendment to return to the people the right to protect the flag, we need your help NOW! You can literally make the difference in whether we win this fight or not.

That's right, just as our Founding Fathers, who were only ordinary citizens, answered the call to fight for freedom, it's your turn to stand up for Old Glory. As Edward Hale, a former chaplain of the United States Senate, said:

*"I am only one, but I am one.
I can't do everything, but I can do something.
And what I can do, by the grace of God, I ought to
do."*

Here's how you can get involved in the grassroots movement to protect the American flag.

EDUCATE YOURSELF. Learn where your federally elected officials and candidates for the United States Senate and House of Representatives stand on protecting the American flag. If you have a question, call (317) 630-1384 and we will provide you the names of those who have committed to voting for or against the flag amendment in Congress.



LEARN THE FACTS. Carefully review the information in this book so you will have the facts to expose the fiction of the elitist special interest groups.

REGISTER TO VOTE. If you aren't registered to vote, then you are giving someone else the right to speak for you. Make a commitment to register today and vote on Election Day!



REGISTER OTHERS. Organize a register-to-vote drive at your local house of worship, civic club or any other community-based organization. Don't assume someone is currently registered to vote just because of his or her age or past service.



HAVE YOUR FRIENDS VOLUNTEER. Get involved in door-to-door canvassing, telephoning voters, writing letters to the editor poll watching, and literature distribution.



LETTERS TO THE EDITOR. Take the initiative. Begin writing letters to the editor concerning the flag amendment and your candidate. Strategically timed letters can impact political races and votes.



MAKE CANDIDATES ACCOUNTABLE. Attend all town hall meetings sponsored by local candidates and ask them their position on the flag amendment.



GET OUT THE VOTE. Organize car pools to take voters to the polls on Election Day. It doesn't matter if 80 percent of Americans support protecting our flag if they don't bother to vote. Make every vote count for Old Glory!

You may not be able to get involved in all the ideas listed above, but "what you can do, you ought to do."

Appendix

Thoughts for speeches, letters and articles

Sample letter to senators and representatives

Writing a letter to the editor

Appendix

Thoughts for speeches, letters and articles

The American values we share are a legacy most of us want to pass on to our children and grandchildren. These American values have their basis in our Declaration of Independence and our Constitution. The flag of the United States symbolizes these values.



Throughout our history, that flag has inspired defenders of our freedoms to press on to the goal, to achieve great deeds when nothing less would suffice. The mere sight of Old Glory waving majestically reminded them of America, their home – a home and a flag worth defending.



Immigrants to Ellis Island and San Francisco knew its meaning. It was not the flag of their king or of their fathers. It was their flag...and it would be the flag of their children. It would be respected, as a symbol of hope, not despair; a symbol of freedom, not oppression.



Our patriots understand how precious free speech is and they would die for it. Many have. What they would not understand is how desecrating the flag is speech. And they know how precious the Constitution is. It was written in their blood.



What are children being taught about love of country? What are they being taught about the greatness of America? How many of them will start each school day pledging their allegiance to our flag, as most of us did? How many of them will learn the proper way to respect the flag, and what it means and why patriotism is important?

And what of those who grow up learning that the flag is just one symbol among many, just one point of view, not deserving of any special recognition, dignity or respect? How will they reconcile the idea that we prove our love for our nation's flag by allowing those who hate America to desecrate it without penalty?



The greatest tragedy in flag mutilation is the disrespect it teaches our children, disrespect for the values it embodies, and disrespect to those who have sacrificed for those values. Disrespect is the genesis of hate, it provokes the dissolution of our unity, a unity which has only one symbol – the flag.



You cannot separate the values issue from our children and what kind of world we want to leave them. Our values are formed, theirs are not. The flag is our greatest teaching aid for values and for patriotism.



In a culture that glorifies the repugnant, how can we expect the youth of America to share our sense of reverence for the flag? How can we expect our young people to feel true allegiance to something the Supreme Court says can be defiled, defaced and desecrated?



The flag represents the core of what we have been; burning the flag represents what we are becoming. Waving the flag has ignited the flame of patriotism in the hearts of countless Americans; burning the flag will put that fire out.



America is ruled today, not by what the Founders put in the Constitution, but what the courts are finding there. And much of what the courts are finding there is the agenda of a small minority of elitists, most of whom were raised on a different playing field than the rest of us, who

never served on a battlefield, and who are convinced they know what is best for America.



In our hearts, we all know it's wrong to desecrate our flag. All of the opposition starts every speech by talking about how much they love our flag, and about how they would never burn it, but they can't quite see their way clear to protecting it. But have we considered this – to do nothing when the flag is desecrated is not simply to let violence bear it away – but it's to join the mob, to aid and abet by our silence, to give barbarism our permission. To allow the legal desecration of our flag is to condone the general disintegration of society – to participate in the devaluing of the world's foremost symbol of freedom.



The flag amendment is about holding the line on respect, on the values that you and I risked our lives to preserve. We live in a society that respects little and honors less. The great majority of us can trace most of today's ills to a breakdown in respect ... for laws, for traditions, for people, for the things held dear.



Thomas Jefferson rejected the notion that the right to write a letter was an exercise of free speech. It was, rather, a right of free correspondence, “not claimed under the Constitution” but a natural right. Jefferson and James Madison clearly intended speech in the First Amendment to mean the spoken word. If it meant expression then the clause on the press was a redundancy.



The flag burners are not the enemies to our Constitution. It is those who call flag burning “speech,” who seek to control our Constitution, who are the real enemies.

According to Webster's Dictionary, "speech" is "the act of expressing thoughts, feelings, or perceptions by articulation of words; something spoken; vocal communication, conversation."



Our courts wrongly tell us that prayer is not protected speech, but pornography is; they will not allow the Bible or the 10 Commandments in our schools. The Supreme Court prohibits any demonstration on its steps, but allows Old Glory to be burned on our streets.



Abraham Lincoln once asked how many legs would a dog have if you called his tail a leg. The answer is four. The Supreme Court counted the tail when it said burning the flag was "speech." They were wrong. Desecration of the flag is clearly conduct. However, what concerns us most is not those who defile our flag, but those who defile our Constitution by calling flag burning speech.



Entertainer and recording artist Pat Boone, another supporter of a flag amendment, once suggested to those who say they love the flag, but do nothing to prevent its desecration, is like saying you love your mother, but it's okay to slap her around.



It is not about free speech. It is not about tinkering with the Constitution. It is not about toleration of those with different views. It is about the kind of people we are. It is about different kinds of people wrestling for the soul of America. It is about a minority who fear the democratic process and show disdain for the Founding Fathers who wanted the majority of the people to control the Constitution – through their representatives, if possible; through the amendment process, if necessary.

The issue is not about the court. The issue no longer centers on the wisdom of protecting the flag, but on whether or not the people should have the freedom to protect their flag. The amendment itself does not provide protection; it merely provides an avenue for protection, if that is the will of “We the People.”



To argue against flag protection as a reason not to pass the amendment is to argue against the American people having the right to decide the issue for themselves. And if not the people, who would we have decide the issue? Is not our government based on trusting the collective wisdom of the people? Did not Thomas Jefferson say: “It is my principle that the will of the majority should always prevail”?



The fight to protect the flag is not on the battlefield, but at the ballot box. When Americans go to the polls they’ll help decide the fate of the flag by choosing members of Congress and state legislators who will vote for a constitutional amendment that will return to the people the right to protect the flag.



Failure to protect our flag by law is not a celebration of liberty; it is the celebration of evil. A great nation cannot preserve its greatness by turning a blind eye and a deaf ear to that which is wrong, to that which is destructive, to that which is immoral and evil.



We are the caretakers of Old Glory, our national treasure. And when our days have seen their number, and that flag drapes our own casket, I pray that each of us will be able to say, “I was a good steward; I did my duty; my flag never touched the ground.”



If the flag is good enough to cover a coffin, it is good enough to protect.

Sample Letter To Senators and Representatives

Date _____

The Honorable _____
(*name of your Senator*)

United States Senate
Washington, DC 20510

OR

The Honorable _____
(*name of your U.S. Representative*)

US House of Representatives
Washington, DC 20515

Dear Senator (*or Dear Representative*):

As a registered voter in the state of (*name of your state*), I am proud to say I exercise my right to vote. As an American, I do not take my responsibility at the ballot box lightly.

There are many issues that determine for whom I will cast my vote. Perhaps the most prominent among them, however, is: does this candidate share my values and will this candidate represent my values once elected? It is my expectation that he or she will do so.

It is with this belief that I write to you asking for your support for a constitutional amendment that will return to the American people the right to protect their flag. The (*name of your state*) State Legislature has already petitioned Congress asking our federally elected officials to pass a flag amendment and send it back to the states for ratification. Every U.S. senator and representative should favor this amendment because it is the will of the American people and it is the right thing to do.

I have evaluated the legal arguments surrounding this

issue and, quite frankly, they are clouded in half truths and deceit. Laws in our society are not based on frequency of occurrence, so the argument that flag desecration “just isn’t happening” is irrelevant. Secondly, the amendment is enabling – it is not designed to outlaw flag burning or put people in jail, but instead allows Congress to pass laws to protect the flag. Those organizations committed to defeating the American people on this issue would have you believe otherwise.

For too long the courts have handed down decisions that have taken our country on a course most Americans believe is wrong. The legislature – those elected by the people – should run the country and set the course for America; not the courts.

I ask that you take the opportunity to listen to the arguments surrounding the debate, and I would welcome the opportunity to meet with you in person. There are great and gifted Americans on both sides of this issue, but there is only one crystal-clear fact: your constituents want returned to them the right to protect their flag.

With kind regards,

Writing a Letter to the Editor

A letter to the editor is the media coverage known as “people speak.” It is an opportunity for a reader to correct and/or comment on an article or statement that recently appeared in the publication. “Letters to the editor” is one of the most widely read sections in any publication. However, competition for the limited space available is very stiff. But a well-written, thoughtful letter to the editor greatly increases its chances of being selected for publication.

A letter to the editor is a very effective communication tool. To substantially increase your chances of being published, there are a few basic rules to follow:



YOUR RESPONSE MUST BE TIMELY. Write about something you recently read in the publication. These letters are a response and they must be relevant. No matter how well written your letter, if it doesn’t pertain to an earlier letter, story or editorial item, it has no relevance and may be rejected on that basis.



MAKE IT SHORT AND NEAT. Keep the length to under 300 words, and always type it and use double spaces. Handwritten letters do not get read. Be sure to include your address and phone number because you will likely be called to verify that the letter came from you.



KNOW THE CLASSIC “LETTER” FORMAT. The first paragraph refers to the article and states your reaction to it. The second paragraph expounds on the article and why you agree or disagree. This is where you can inject anecdotes, quotes, statistics and any other information that supports your point. The third paragraph is for wrap-up and to restate your major point.

FINALLY, MAKE SURE YOU KNOW THE CORRECT NAME AND SPELLING OF THE EDITOR TO WHOM YOUR LETTER SHOULD BE SENT. Editors like to be recognized, and accurately. A misspelled word or typographical error can sometimes cut your chances of being read and published. When you write to the newspaper, always copy both your U.S. senators and your U.S. representative.



Maj. Gen. Patrick H. Brady, USA (Ret.)

*Medal of Honor Recipient
CFA Board Consultant*

For more than a decade, Gen. Brady served as the Chairman of the Board of The Citizens Flag Alliance, Inc., a coalition of more than 140 civic, social, veteran, religious and fraternal organizations representing some 20 million Americans determined to return to the people the right to protect Old Glory. Gen. Brady is a former president of the Congressional Medal of Honor Society and holds a bachelor's degree in psychology from Seattle University and an MBA from Notre Dame.

Gen. Brady spent more than 34 years in the service of his country, with duty stations all over the world. He was a pioneer in battlefield patient evacuation, developing rescue techniques that allowed the evacuation of the wounded in all weather conditions and resulted in him being identified in "The Encyclopedia of the Vietnam War" and other books as the top helicopter pilot in Vietnam.

Using these techniques, Brady earned the Medal of Honor for a series of missions that began before sunrise and ended after dark in which he utilized three helicopters that were hit more than 400 times by enemy fire and mines to rescue some 60 patients. In two tours in Viet-

nam, Brady flew over 2,500 combat missions and evacuated over 5,000 friendly, as well as enemy, wounded.

Gen. Brady is one of two Army veterans of Vietnam to hold both the Medal of Honor and the Distinguished

Service Cross, our nation's second-highest award. His awards include two Distinguished Service Medals; the Defense Superior Service

Medal; the Legion of Merit; six Purple Heart and 53 Air Medals, one for valor. He has also been awarded the Distinguished Service Medal of The American Legion, its highest award; and the DAR Medal of Honor from the Daughters of the American Revolution.

Brady evacuated a total of 51 severely injured patients, many of whom would have died without expeditious medical evacuation.



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