

and extraordinary occasions in the minds of the Republican leadership of the Senate. Madison warned of the "danger of disturbing the public tranquility by interesting too strongly the public passions" through frequent constitutional amendments. Over 11,000 proposed constitutional amendments have been introduced in Congress, including 66 during the current 109th Congress.

Over the past three decades, the number of proposed constitutional amendments considered on the Senate floor has increased dramatically. When in doubt here, amend the Constitution: from two amendments between 1973 and 1983, to five amendments between 1983 and 1993, nine amendments between 1993 and 2003, to four already in this 3-year cycle since 2003.

There appears to be a trend toward considering constitutional amendments on the Senate floor during even-numbered years which, coincidentally, happen to be election years.

Constitutional amendments should be considered by Congress without politicization. We should consider these for the serious suggestions that they are, instead of electioneering, and that is what has happened too often on the floor of the Senate.

Americans' reverence for the flag does not have to be coerced or policed. It is something we feel in our bones. When it comes to the Bill of Rights, I trust Thomas Jefferson a lot more than Karl Rove. I believe the words of Thomas Jefferson have endured. I believe the political tactics of Mr. Rove and the Republican Party will not endure when it comes to using the Constitution for political purposes.

Remember what happened after September 11? Remember all the American flags that suddenly appeared? Stores sold out of flags. In a time of national trauma and grief, these flags were our comfort and our strength. They were a visible symbol of our unity and our faith that America would endure. Our Nation had suffered a terrible loss, but the American flag waved proudly.

Sadly, in the 5 years since then, with our Nation at war, there are those who seek to pit us one against the other for political reasons. Now they want to use our flag as a wedge issue in this election.

This political effort to "brand" the flag as belonging to one party causes some to feel sad and disillusioned. Bill Moyers, the journalist, thinker, and former Presidential adviser, was among many who felt troubled by the effort to redefine respect for the flag as a partisan issue.

Last year, Bill Moyers made a speech about freedom in America in which he talked about the flag. He offered some profound words of wisdom that are worth reflecting upon today. He said the following:

I wore my flag tonight. First time. Until now I haven't thought it necessary to display a little metallic icon of patriotism for everyone to see. It was enough to vote, pay my

taxes, perform my civic duties, speak my mind, and do my best to raise our kids to be good Americans.

Sometimes I would offer a small prayer of gratitude that I had been born in a country whose institutions sustained me, whose armed forces protected me, and whose ideals inspired me; I offered my heart's affections in return. It no more occurred to me to flaunt the flag on my chest than it did to pin my mother's picture on my lapel to prove her son's love. Mother knew where I stood; so does my country. I even tuck a valentine in my tax returns on April 15.

So what's this doing here? Well, I put it on to take it back. The flag's been hijacked and turned into a logo—the trademark of a monopoly on patriotism. On those Sunday morning talk shows, official chests appear adorned with the flag as if it is the good housekeeping seal of approval. During the State of the Union, did you notice Bush and Cheney wearing the flag? How come? No administration's patriotism is ever in doubt, only its policies. And the flag bestows no immunity from error. When I see flags sprouting on official lapels, I think of the time in China when I saw Mao's little red book on every official's desk, omnipresent and unread.

I think Bill Moyers had it right. The flag amendment should not be used as a proxy for patriotism.

I respect our flag as the symbol of the freedom granted to us by the Bill of Rights, and it is painful for me to see it burned or otherwise defiled. I strongly believe that flag burning is an insensitive and shameful act, but I believe that it would be destructive to amend the Bill of Rights for the first time in our nation's history and restrict the precious freedoms ensured by the first amendment, simply to address an act which occurs in America only a few times a year.

The real test of our belief in the Bill of Rights—the real test of our patriotism—is when we rise in defense of the rights of those whose views we disagree with or even despise. The right to free speech is a bedrock of our democracy. Amending our Constitution's Bill of Rights would be a strike against the very freedoms for which the flag stands and for which so many Americans have given their lives.

Mr. GRASSLEY. Mr. President, I rise today in support of S.J. Res. 12, the proposal to amend our Constitution to return to Congress the authority to legislate on the issue of flag desecration. Like my colleagues, I do not take lightly the concept of amending our Constitution, but in this area, a runaway judiciary has left us no choice.

No other emblem is as synonymous or representative of our Nation as the American flag. No other image depicts as readily the freedoms and ideals our men and women in uniform have battled for. Americans proudly fly our flag to demonstrate their love for our country and for their neighbors. Schoolchildren have been pledging allegiance to it every morning for decades. The American flag has been flown in times of battle, of victory, and of national tragedy. It is the most recognized symbol of freedom and democracy in the world.

Our flag should be protected from those who would desecrate it and demonstrate a basic lack of respect for our national heritage. At the very least, decisions about whether and how to protect our flag should be made by the legislative branch, not the unelected judiciary.

The proposal before us today would not immediately ban flag desecration, as its opponents would lead you to believe. Rather, it would return the power to legislate on the issue to Congress and the States, where it belongs. This constitutional amendment will restore the legislative authority to protect our flag to the legislative branch.

I will be voting in favor of this amendment, and I urge my colleagues to join me in doing the same.

I yield the floor.

The PRESIDING OFFICER (Mr. CORNYN). The assistant majority leader.

MORNING BUSINESS

Mr. McCONNELL. I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

JUNETEENTH INDEPENDENCE DAY

Mr. LEVIN. Mr. President, during the week of June 19 through June 25, nationwide we celebrate in observance of Juneteenth Independence Day. Although passage of the 13th amendment in January 1865, legally abolished slavery, many African-Americans remained in servitude due to the slow dissemination of this news across the country. It was not until June 19, 1865, that Union troops reached Galveston, TX, and emancipated the last of the slaves. Since that time, over 130 years ago, the descendants of slaves have observed this anniversary of emancipation as a remembrance of one of the most tragic periods of our Nation's history. The suffering, degradation and brutality of slavery cannot be repaired, but the memory can serve to ensure that no such inhumanity is ever perpetrated again on American soil.

It is appropriate and necessary that we, as a nation, recognize Juneteenth and use this day to reflect upon how far we have come and how far we still have to go. While it was on this historic day in 1865 that slaves were finally freed of the onerous yoke of slavery, the same cannot be said about the burden of pervasive racial oppression and second-class citizenship, which would not be eradicated in earnest until 100 years later through the civil rights movement of the 1960s. Although we have made tremendous progress in eliminating discrimination and creating equal opportunities over the years, the American dream continues to elude the grasp of many Americans.

I would like to reflect on the courageous and revolutionary leaders who