Mr. LINDER. Mr. Speaker, I ask unanimous consent that it be in order at any time on July 18, 2001, or any day thereafter, to consider in the House the joint resolution (H.J. Res. 50) disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to the People’s Republic of China;

That the joint resolution be considered as read for amendment;

That all points of order against the joint resolution and against any amendment thereto to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) an amendment as a substitute if offered by Representative Conyers of Michigan or his designee, which shall be considered as read and shall be separable, debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER). Mr. Speaker, for the second reason I yield the gentleman such time as he may consume.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for debate only, and I wholeheartedly support it.

Mr. LINDER. Mr. Speaker, the second reason is a more powerful one. Many Members believe it is the duty of Congress to protect the integrity of our heritage from individuals who disrespect this country.

Mr. Speaker, I rise in strong opposition to House Joint Resolution 36. I firmly believe that passing this constitutional amendment would abandon the very values and principles upon which this country was founded.

Make no mistake, I deplore the desecration of the flag. The flag is a symbol of our country and a reminder of our great heritage. I find it unfortunate and repugnant that a few individuals chose to desecrate that which we hold so dear. However, it is because of my love for the flag and the country for which it stands that, unfortunately, I have no choice but to oppose this well-intentioned yet misguided, in my view, legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. LINDER. Mr. Speaker, let me thank the gentleman for yielding me this time. It is a pleasure to serve on the Committee on Rules with the gentleman from Georgia (Mr. LINDER).

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Our country was founded on certain principles. Chief among these principles is freedom of speech and expression. These freedoms were included in the Bill of Rights because the Founding Fathers took deliberate steps to create a country in which individual’s civil liberties could be safeguarded by the Government. Yet that is exactly what this amendment would do. It begins a dangerous trend in which the Government can decide which ideas are legal and which must be suppressed.

Ultimately, we must remember that it is not simply the flag we honor but, rather, the principles it embodies. To restrict people’s means of expression would do nothing but abandon those principles, and to destroy these principles would be a far greater travesty than to destroy its symbol. Indeed, it would render the symbol meaningless.
Earlier this month, Mr. Speaker, I was with a group of 15 Members of Congress who were visiting the American cemetery at Normandy, France. There we saw the graves of more than 9,000 men and women who gave their lives not just for the liberation of Europe but in defense of an idea: democracy, and all that it stands for. What democracy stands for is forever enshrined in our Constitution. These men and women who died for an idea, and the patriots who came before and after them, understand that idea.

I brought back these two flags, this one especially, the American flag. The other is the flag of France. I hold it here to remind myself of what others gave so that I may be here today in this country which protects individual rights and liberties more than any other country in the world. I understand, though, this flag itself has little inherent value. It is cloth attached to a piece of wood. The value of this cloth is in the messages that it conveys and the country that it stands for and the people who have fought and died to keep this flag and others like it flying high and free. Those men who died storming Omaha and Utah Beaches did not fight for a flag; they fought for the idea that our flag represents. This amendment, in my view, would diminish that brave men and women fought and died for.

The last time Congress debated a similar bill, retired four-star general and current Secretary of State Colin Powell said that he would not support amending the Constitution to protect the flag. In fact, General Powell said, "I would not amend that great shield of democracy to hammer a few miscreants. The flag will be flying proudly long after they have slunk away."

We as a Nation risk our commitment to freedom by endeavoring to legislate patriotism. If we tamper with our Constitution because of the antics of a handful of thoughtless and obnoxious people, we will have reduced the flag as a symbol of freedom, not enhanced it.

Mr. Speaker, I reserve the balance of my time.

Mr. LINDER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Ohio (Mr. CHABOT). Understand, though, this flag itself has little inherent value. It is cloth attached to a piece of wood. The value of this cloth is in the messages that it conveys and the country that it stands for and the people who have fought and died to keep this flag and others like it flying high and free. Those men who died storming Omaha and Utah Beaches did not fight for a flag; they fought for the idea that our flag represents. This amendment, in my view, would diminish that brave men and women fought and died for.

Mr. LINDER. Mr. Speaker, I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in support of the rule. The American flag serves a unique role as the symbol of the ideals upon which America was founded. It is a national asset that helps to preserve our unity, our freedom, and our liberty as Americans. This symbol represents our country's many hard-won freedoms paid for with the lives of thousands and thousands of brave men and women who defend this Nation's history. For years, 48 States and the District of Columbia enforced laws prohibiting the physical desecration of the American flag. In the 1989 Texas v. Johnson ruling, the United States Supreme Court in a 5-4 vote overthrew what until then had been settled law and ruled that flag desecration as a means of public protest is an act of free expression protected by the first amendment to the U.S. Constitution. A year later, essentially reiterating its Johnson ruling, the court in U.S. v. Eichman, another 5-4 ruling, by the way, struck down a Federal statute prohibiting the physical desecration of the flag despite the court's own conclusion that the statute was content-neutral.

In the years since these two rulings were handed down, 49 States have passed resolutions calling upon this Congress to pass a flag protection amendment and send it back to the States for ratification. Although a constitutional amendment may be approached only after much reflection, the U.S. Supreme Court's conclusions in the Johnson and the Eichman cases have left the American people with no other alternative but to amend the Constitution to protect the physical desecration of the American flag. The amendment enjoys strong support throughout the Nation, indicating that it will likely be adopted by the States should this Congress approve the language.

I urge my colleagues to approve this rule and move to full debate and pass H.J. Res. 36.

Mr. Speaker, I yield back the balance of my time.

Mr. LINDER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to. Motion to reconsider was laid on the table.

COMMENDING MILITARY AND DEFENSE CONTRACTOR PERSONNEL RESPONSIBLE FOR SUCCESSFUL BALLISTIC MISSILE TEST

Mr. HUNTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 195) commending the United States military and defense contractor personnel responsible for a successful in-flight ballistic missile defense interceptor test on July 14, 2001, and for other purposes.

The Clerk read as follows:

Whereas at 11:09 p.m., eastern daylight time on July 14, 2001, the United States successfully tested an interceptor missile against a target Minuteman intercontinental ballistic missile in flight;

Whereas the target missile was launched from Vandenberg Air Force Base, California, and was traveling at approximately 140 miles above the Earth at a speed of greater than 11,000 feet per second, which is more than three times faster than a high-powered rifle bullet, when struck by the interceptor missile;

Whereas the interceptor missile was also traveling at a speed greater than 11,000 feet per second at the time of impact;

Whereas more than 35,000 Americans contributed to the successful test, including the Air Force team which launched the target;