to the Constitution authorizing the Congress to prohibit the physical desecration of the flag of the United States. I believe burning the flag is an offense that is not only against our Constitution, but also against our history. In some cases, it is an act that is already illegal under statute. However, I do not support amending the Constitution to make it a criminal offense to burn any flag under any circumstances.

I can state with confidence that my colleagues on both sides of the aisle can agree that the liberty and freedom guaranteed by our Constitution, and symbolized by our grand old flag, is our nation’s greatest strength. Every day, the freedoms that surround us in our homes, schools and places of work here in this chamber, are a constant reminder of what our flag means, and what has been sacrificed to ensure its lasting stability and continuity in our nation. Every day Congress is in session, we pledge allegiance to this flag, “to the republic for which it stands.”

The willful destruction of our nation’s flag is deeply offensive. The flag is a symbol of our national unity and a powerful source of national pride, and deserves to be treasured and treated with respect at all times.

Yet, despite my love for my nation and the flag, and my deep admiration for the men and women who fought and died defending our nation, I cannot support this well-intended resolution.

I believe it is important that we take heed to the constitutional parameters that will be reduced as a result of this amendment. One of our most cherished liberties, and one in which the Framers of the Constitution placed a heavy hand upon, is our freedom of expression. Every individual in America is truly free to express his or her opinions, without threat of hindrance or persecution. From time to time we undoubtedly may disagree with another’s opinion or action. Nonetheless, this does not mean that their views should be constrained by the Constitution. If any limits are placed on this freedom, we are opening the possibility that other freedoms on our freedom of expression at a later time. Unfortunately, I believe this amendment will indeed serve to reduce that freedom which we all love and hold dear to our hearts. If we start down this dark path, we are opening the door to a precedent of extreme consequences. We must not allow this to occur.

It is critical in this debate to remember that what provides for our freedom and our supreme rule of law is not the flag itself, for this is a mere symbol. What binds our nation, what our soldiers swore and died to protect and what all Americans cherish, is the fundamental beliefs held in our Constitution. The flag is the symbol of the Republic, the symbol of what the Constitution provides: the rights that all Americans enjoy. As the distinguished senior Senator and Constitutional Scholar from the state of West Virginia, Senator Robert Byrd, so eloquently stated, “That flag is the symbol of our Nation. In a way, we might say that flag is the spine of our Nation’s history. That flag is the symbol of our Nation’s values. We love that flag. But we must love the Constitution more. For the Constitution is not just a symbol, it is the thing itself!”

Mr. Speaker, I rise today in strong support of H. Res. 36, legislation which proposes an amendment to the Constitution of the United States allowing Congress to prohibit the physical desecration of the flag of the United States. I am a proud co-sponsor of this legislation.

Mr. Speaker, our flag is not just cloth; it is a potent symbol of our history and the march of freedom. Our flag has flown over the battlefields of the Revolutionary War, inspired our national anthem as it remained aloft over Fort McHenry, stood for national unity in the Civil War, served as a clarion call to freedom in two world wars, and even stands on the moon as a symbol of peaceful exploration on behalf of mankind.

For millions of people around the world, the American flag represents a commitment to democracy, the rule of law and respect for human rights. It is a living representation of mankind’s aspiration for freedom.

Millions of veterans have rallied to our flag in time of crisis. To many, we have fought and died under the Stars and Stripes to defend our nation and to liberate people overseas who have been caught in the web of tyranny. The blood of our veterans has been shed to protect our flag and all that it stands for. Many of our veterans have sacrificed their lives so that our flag could continue to fly.

To allow our flag, which represents all Americans—whether born to this country or born to the world, the promise of liberty—to be desecrated, would be an affront to the people of this country and others around the world who are stirred by this symbol of democracy. Freedom of speech is an important American right. But freedom of speech is not a license to desecrate the fabric of our freedom. It is proper, and it is time, to protect our cherished flag from abuse with a Constitutional amendment.

Mr. Speaker, the American flag stands not for one political party or one ideology. The flag represents all Americans, regardless of their race, color, or creed. Desecrating the flag is an affront to all Americans, and a slur upon all those who have sacrificed for the United States. It is with pride that I vote today to protect our flag from violence and to enshrine this protection in the Constitution.

The Lone Star State’s highest legal document has served Texans since 1876 and—to commemorate this important milestone in Texan history—the reception of the 77th Texas Legislature adopted House Concurrent Resolution No. 319, which the Governor signed on June 15, 2001. I would like to share with my colleagues the full text of the Legislature’s H.C.R. No. 319 as follows:

WHEREAS, The year 2001 marks the quasquicentennial of the Texas Constitution, and the 125th anniversary of this foundation document is indeed worthy of special recognition; and

WHEREAS, The more than 90 delegates to the 1875 Constitutional Convention were a diverse group—most were farmers and lawyers; some were merchants, editors, and physicians; some were legislators; some had fought in the Civil War armies of the South as well as the North; at least five were African-American; 75 were Democrats; 15 were Republicans; and 37 belonged to the Grange, a non-partisan and agrarian order of patrons of husbandry; one delegate had even served nearly four decades earlier as a delegate to the 1836 Constitutional Convention; and

WHEREAS, The Texas Constitution of 1876, a richly detailed instrument, reflects several historical influences; the Spanish and Mexican heritage of the state was evident in such provisions as those pertaining to land titles and land law, as well as to water and mineral law, and remains evident in judicial procedures, legislative authority, and governmental powers; and

WHEREAS, Sections aimed at monied corporate domination together with protection of some parts of the Constitution are mandating strong restrictions upon the mission of state government in general and upon the role of specific state officials grew out of the Texasonian agrarian and frontier philosophy that first infused the thinking of many Texans during the mid-1800’s; and

WHEREAS, Other sections, such as those providing for low taxation and decreased state spending, were aimed at creating a government quite different from the centralized and more expensive one that had existed under the Constitution of 1869, which was itself a product of the post-Civil War Reconstruction Era in Texas; and

WHEREAS, Notwithstanding its age, Texas voters have been reluctant to replace this charter, which is the sixth Texas constitution to have been adopted since independence from Mexico was gained in 1836; and

WHEREAS, The Constitution of 1876 has been the organic law of Texas for 125 years, and this document, which still bears the imprint of the region’s long and dramatic history, has had—and continues to have—a profound influence on the development of the Lone Star State; now, therefore, be it

Resolved, That the 77th Legislature of the State of Texas, Regular Session, 2001, hereby commemorate the quasquicentennial of the Texas constitution.