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Attachments:

Vitter presents flag amendment in Senate

Flag protection efforts begin anew

Washington, DC (May 8, 2009) -- Following a three year absence, a flag protection amendment has returned to the United States Senate. On May 6, U.S. Senator David Vitter [R-LA], along with 17 colleagues, introduced Senate Joint Resolution 15, a constitutional amendment to prohibit the physical desecration of the flag of the United States. The language of the amendment is concise: "The Congress shall have power to prohibit the physical desecration of the flag of the United States."

A flag amendment has moved successfully in the House of Representatives through six consecutive Congresses, only to fail by as little as one vote in the Senate.

The issue has been debated since a 1989 Supreme Court decision struck down flag protection laws in 48 states. A 5-4 vote of the high court declared that flag burning was permissible - a right under the free speech provision of the First Amendment. Groups like the Elks, AMVETS, Knights of Columbus, and The American Legion, all part of the 140-organization Citizens Flag Alliance, continue to work to reinstate the protection.

"The amendment offered by Senator Vitter is moderate. It restores the traditional meaning of the Bill of Rights. It simply returns to Congress the authority to make law, should majorities in both houses choose to do so," noted Harvard Law Professor Richard Parker, Chairman of the Board of Directors of the Citizens Flag Alliance.

"The kind of law it allows Congress to make is also limited. Other than physical desecration of an American flag, words and acts are entirely beyond its reach. The purpose of any such law would be to encourage a simple moderation of expressive behavior."

In similar action last week, Reps. Jo Ann Emerson [R-MO] and Jim Marshall [D-GA] introduced a companion measure, House Joint Resolution 47, which on introduction was referred to the House Judiciary Committee.

"Opponents have said that respect cannot be mandated or legislated, it comes from the heart. That is true - as far as it goes. But, while respect cannot be mandated by law, it can be undermined by law. That is exactly what the 5-4 Court majority did, defying a tradition of two centuries' standing. And that is what the proposed constitutional amendment would undo," said Parker.

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The Citizens Flag Alliance, Inc., is a broad based, national coalition seeking to return to the American people the right to protect the American flag from acts of physical desecration. Its membership consists of more than 140 civic, fraternal, veterans, minority and business organizations. For additional information, log on to www.legion.org/cfa <http://www.legion.org/cfa>.

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