

grassroots. Eighty-five percent of the citizens, 49 States, and prior to the Supreme Court decision, by one vote, 48 States already had laws in which they did not feel that the first amendment was abridged.

In 1995, this House passed this 312-120. We lost it by three votes in the Senate. Since that time, we have had a change in the Senate to where now we can pass this bill in the Senate. This bill can go forward. In 1997, we passed it in the House but we got tied up with other judiciary legislation and it was not taken up in the Senate.

Mr. Speaker, this is the opportunity that we have been waiting for since 1989, not only in the House and in the Senate, the American people, but every State legislature in this country that disagree with the minority dissenting views on this particular issue. The Citizens Flag Alliance has put together a good coalition. Jerry Solomon, the original author of this, has put together a coalition.

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And for those that would chastise us saying this is a political issue, I would beg difference with them. For many of us, and including my friend the gentleman from Massachusetts (Mr. MOAKLEY), this is a deeply reserved and caring issue for us, important to the core, to the heart, and to the mind and the soul. If anything, this brings unity to people, it brings freedom and the idea of what the flag stands for, and for those reasons we go forth with this amendment with hope and prayer that this amendment will pass in the House and Senate, it will be ratified by three-quarters of the States, which we agree that it will be.

I thank the chairman of the committee, the gentleman from Illinois (Mr. HYDE), the gentleman from Florida (Mr. CANADY) of the subcommittee and my colleagues on both sides of the aisle for the support of this amendment.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. TRAFICANT).

(Mr. TRAFICANT asked and was given permission to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, I support the rule, I support the amendment. I want to commend former Member Mr. Solomon and the Duke-ster, the gentleman from California (Mr. CUNNINGHAM), and all those involved.

My colleagues, in some cities in America it is illegal to kiss in public. It is illegal to sing and yodel in public. It is illegal to ride a skate board. It is illegal to burn trash and to burn leaves, but someone can burn the flag. In America it is illegal to tear the labels off of pillows, it is illegal to touch or desecrate a mailbox, but someone could literally rip the stars and stripes off our flag.

Beam me up.

Mr. Chairman, I have been listening to all the scholars. They say the Con-

stitution allows for Americans to burn the flag, and the courts have ruled that Americans can burn the flag. That is why today we must change and move the process to change the Constitution.

Let me remind Members the first Constitution permitted and allowed slavery, slavery. The first Constitution allowed and in fact treated women and Native American Indians like cattle. That was wrong, and it was right to change the Constitution.

The bottom line is a people who do not honor and respect the flag do not respect their neighbors or their country, and a people that do not honor and respect the flag do not actually respect themselves, nor our great freedoms.

I say today if dissidents wish to express their first amendment rights and to proclaim their political statements: Burn their money, Burn their brassieres, Burn their pantyhose, Burn their BVDs, But leave the flag alone.

The flag is sacred, and it is time that we start protecting it and paying tribute and honor to our flag which represents our great republic.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. PAUL).

(Mr. PAUL asked and was given permission to revise and extend his remarks.)

Mr. PAUL. Mr. Speaker, I appreciate the comments of the gentleman from California earlier that said that those of us who oppose this amendment should not be challenged on our patriotism. That certainly should be true. But I do rise in support of the rule because obviously it is constitutional to amend the Constitution; that we cannot object to. But I do have questions about what we are doing to the spirit of America, the spirit of the Constitution in a desire to protect a symbol.

Not too long ago Hong Kong was taken over by Red China. The very first law that Red China passed on Hong Kong was to make it illegal to burn a flag. The first time Hong Kong ever had that law, the British do not have a law like this. Red China, as soon as they took over Hong Kong, they pass a law to make it illegal to burn a flag.

But it does not stop there. On an annual basis we, the Congress, require the State Department to report to us any human rights violations around the world. The human rights violations in Red China are used specifically to decide whether or not they will get Most Favored Nation status. Last year, in 1998, the report came to the Congress in April of this year, and it reported that indeed there were violations of human rights. What were the human rights violations that we are condemning by this report and we are going to use against the Red Chinese? Two individuals burned the Hong Kong or the Red Chinese flag.

I think it is just a little bit hypocritical if we want to claim the Red Chinese are violating human rights because somebody there burned the flag at the same time we intend to pass that law here.

The spirit of the Constitution did not require this. We have had 212 years of our history since the Constitution was passed. We have not had this pass. We have not required this. Where is the epidemic? I cannot remember ever seeing, and of course I am sure it has been on television where an American citizen burned the flag. It must happen; it will happen again. As a matter of fact, it will probably happen more often because there will be more attention given to it once this law is passed.

Where I see the burning of the American flag, where I get outraged is when the foreigners are doing it because they are so defiant about our policies around the world. But that is a lot different. We are not dealing with that hatred toward America that we are dealing with here.

We are dealing with a few deranged individuals that were willing to challenge the spirit of the Constitution. They say this is not free speech, but it is indeed expression, just as religion is, just as the study of philosophy is, just as our personal convictions. To say that this is not protected under the Constitution, the current Constitution, I think is quite wrong. I think we do protect that.

And, yes, one would say this is egregious, this is horrible, to burn this flag. But that is the purpose of the first amendment, to protect obnoxious and uncomfortable speech.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just say in response to what the gentleman from Texas (Mr. PAUL) has said about the Chinese's first act was to ban the burning of flags, I understand that was also the same act of Adolf Hitler.

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

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

I just simply wanted to make a couple of comments before I yield back. I think that the flag is obviously very much part of our life every day here. We start out with the pledge, many of our institutions. When we sing the national anthem, whatever occasion, before sports events, we speak of what so proudly we hailed before the twilight's last gleaming. When we have the tragedy of death in our military, we have the presentation of the flag at the ceremonial part of that process, and I think quite often the flag is so much part of our life that when somebody desecrates it in any way most Americans are outrageously offended.

I suppose for many overseas who still see the American flag as the last best hope for freedom and opportunity it must be puzzling if that flag is devalued in its homeland, in the United States of America. What would that mean if one sees Americans burning the American flag? It is a curious message to send.

I believe that there are limitations on the first amendment. I think they