

**CITIZENS FLAG ALLIANCE**

**2014-2015**

**MESSAGE POINTS**

## Issue: FLAG PROTECTION AMENDMENT

Full language of the amendment: ***“The Congress shall have power to prohibit the physical desecration of the flag of the United States.”***

### Message Points:

- By judicial decree in 1989, the U.S. Supreme Court amended the United States Constitution by “inserting” flag burning into the Bill of Rights. That decision took from the American people a fundamental right that had been exercised from our beginnings as a Nation – the right to protect our flag.
- The American flag is a national treasure. It's our one unifying symbol of national unity. Traditionally and legally it had been protected from desecration, and most Americans think that protection should be restored. In fact, all fifty states have asked Congress to pass the amendment and send it to the states to be ratified.
- Protection of our flag from physical desecration impairs no one's free speech. It does not prevent a single idea from being expressed. It involves no censorship of an idea. The amendment would prohibit conduct with respect to one unique object, the Flag of the United States.
- Opponents often ask, “What's a flag?” Congress, for the purpose of a law, agreed in 1989 that the term "flag of the United States" means any flag of the US, or any part of one, of any substance, of any size in a form commonly displayed. That should make it clear that we aren't talking about ties, or bikinis, or birthday cakes with representations of the flag on them. No one would place a tie, or bikini or birthday cake on the coffin of a veteran.
- The Constitution is too important to be left to the Courts and so is the flag. They both belong to the people and it is time to let the people decide, through the process of ratification, if their flag is worthy of protection.
- Opponents of the amendment have led many to believe that the amendment, alone, will ban flag desecration. It will not. It would only allow Congress to write a law that, like any law, would be subject to debate, required to be voted on by both houses of Congress, and subject to veto by the President.