say, does that star spangled banner yet wave, o'er the land of the free and the home of the brave?''

It does still wave, Mr. Speaker, despite House Resolution 36. Our flag will still be there. The constitutional amendment proposed here today is totally unnecessary. That is why I am going to vote against it.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. SAM JOHNSON).

(Mr. SAM JOHNSON of Texas asked and was given permission to revise and extend his remarks).

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is a tremendous honor for me to be here today to support the protection of our American heritage, a symbol and a reminder of our cherished freedom, the American flag. The flag is a symbol of the birth of this great Nation and the many wars fought to win our freedom.

I spent 7 long years as a POW in Vietnam, half of that in solitary confinement. I think you heard the gentleman from California (Mr. CUNNINGHAM) relate earlier the story of Mike Christian, who was beaten for making a flag. He sewed that flag to remind himself of home and the freedom that it stands for. It was a symbol and great comfort to all of us. As POWs, we would pledge allegiance and salute it each day. That tiny, tiny flag sewn together meant so much to us, far, far away from home, more than words can describe.

I stand here today to honor all our military men and women who have fought throughout the years for this great Nation.

How about the Marine memorial, the Iwo Jima Memorial? Does that not mean something to you? I think that flag meant something to those boys that put it up there.

The Middlekauff Ford dealership in Plano, Texas built a huge flagpole and put an oversized flag on it. Do you know what? Some of the people said, It makes too much noise when the wind blows. It keeps us awake at night.

Do you know what Rick Middlekauff said? He said, ladies and gentlemen, that is the sound of freedom. And he left it up there, and they quit griping about it.

It is something that I think that we must respect. We must treat it with respect and protect it from desecration.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I rise today as a proud and patriotic American to oppose this resolution. Here is what some of the veterans have said about this amendment.

Jack Heyman, Fort Myers Beach, Florida, a Korean War veteran, said, ''I know of no American veteran who put his or her life on the line to protect the sanctity of the flag. That is not why we fulfilled our patriotic duty. We did so and still do to protect our country and our way of life and to ensure that our children enjoy the same freedoms for which we fought.''

Mr. Heyman's great grandfather was a Pennsylvania Regular during the Civil War; his father served in the Navy during World War I; his brother fought in World War II; and one of his children served in the Army following the Vietnam War.

Bill McCloskey, a Vietnam War veteran from Bethesda, Maryland, said, ''Ultimately, Americans and our representatives on Capitol Hill must realize that when a flag goes up in flames, only a multi-colored cloth is destroyed. If our freedoms are lost, the true fabric of our Nation is frayed and weakened.''

Brad Bustany, West Hollywood, California, a Gulf War veteran, said, ''My military service was not about protecting the flag; it was about protecting the freedoms behind it. The flag amendment curtails free speech and expression in a way that should frighten us all.''

And how will Congress begin defining what the flag and desecration even mean? Our flag is ubiquitous. It is found in such places as commerce, art and memorials. Will Congress bar display of the flag on brand-name apparel, defining it as desecration? Will flag bathing suits be desecration, and thus prohibited? How will Congress enforce such an amendment? Where will this begin and where will it end?

Freedom of speech, even when it hurts, and it does hurt many of us, is the truest test of our dedication to the principles that our flag represents. Punishing desecration of the flag deludes the very freedom that makes this emblem so precious, so revered, and worth revering.

I urge my colleagues to vote no on this amendment and yes to upholding our Constitution and our democracy.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, I would like to thank the chairman of the Committee on the Judiciary for yielding me this time and for his leadership on this issue as we once again try to set the record straight.

This has been a great debate, but I have been appalled by some on the other side who have suggested that the flag amendment is going to change the Bill of Rights to our Constitution. It does nothing of the sort.

Our Founding Fathers wrote the Bill of Rights, including the first amendment, exactly right; and this amendment does not change that in any way. What did change the first amendment was a misinterpretation of that amendment by a 5 to 4 decision of the Supreme Court. One vote changed 200 years of American history. One vote changed 48 States' and the Federal Government's flag protection anti-desecration laws, and all we are trying to do is set the record straight. We have been asked to do that by 49 State legislatures; 80 percent of the American people in poll after poll show their support for this amendment, and this is a bipartisan effort.

The U.S. Supreme Court has historically shared our view. Such great champions of civil liberty and free expression as Hugo Black and Earl Warren when they served on the Supreme Court made clear their beliefs that flag desecration was not protected by the first amendment. As Justice Black stated, ''It passes my belief that anything in the Federal Constitution bars making the deliberate burning of the American flag an offense.''

So we are simply setting the record straight. As Chief Justice William Rehnquist said in his dissenting opinion, ''Surely one of the high purposes of a democratic society is to legislate against conduct that is regarded as evil and profoundly offensive to the majority of people, whether it be murder, embezzlement, pollution or flag burning.''

Burning the flag is not speech deserving protection. It is a despicable act. I urge my colleagues to support this constitutional amendment.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Speaker, I might say, the people of New York would be proud of you up there today.

Mr. Speaker, I thank the gentleman from Michigan (Mr. CONYERS) very much. The gentleman has served the State of Michigan in such an exemplary way for so many years. And I might say about him too, I used to live in the State of Michigan, even though it did not change my accent.

This bill is not about one's freedom of speech; it is about one's respect for our country and the rights provided by it.

As a veteran of the U.S. Army and serving 29 years in the Army National Guard, I do not have to be told about the need to respect our flag. But there are many out there who take this symbol for granted. It seems as though they fail to recognize what has been sacrificed over the past 225 years of our existence.

The flag not only serves as a sacred symbol of the principles upon which our Nation was founded, it also represents the many sacrifices our veterans have made throughout the history of our Nation to protect our precious freedoms and preserve our democracy.

I fully support one's right to express himself or herself freely, but when it comes to Old Glory and displaying such a gross disrespect for something as precious as our national symbol of freedom, I feel it is necessary for Congress to draw the line.

In this country, whatever idea a flag burner wants to communicate, can be expressed just as effectively in many other ways. Burning our flag communicates nothing but a lack of respect. We should not protect such horrendous behavior, when our forefathers, our