

FOR IMMEDIATE RELEASE  
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AFTER LISTENING TO THE DISTINGUISHED MAJORITY LEADER, SENATOR MITCHELL, AND THE DISTINGUISHED MAJORITY WHIP, SENATOR CRANSTON, I AM TEMPTED TO SAY THAT THE SENATE NEEDS A REFRESHER COURSE IN BASIC CIVICS.

THE PREAMBLE TO THE CONSTITUTION STARTS OFF WITH THESE THREE SIMPLE, BUT IMPORTANT, WORDS, "WE, THE PEOPLE."

THE CONSTITUTION DOES NOT BEGIN, "WE, THE CONGRESS."

ACCORDING TO A RECENT GALLUP POLL COMMISSIONED BY THE AMERICAN LEGION, 71% OF ALL AMERICANS SUPPORT THE FLAG AMENDMENT. AND ACCORDING TO A RECENT TIME MAGAZINE POLL, 68% OF THE AMERICAN PEOPLE BELIEVE THAT OLD GLORY DESERVES ONE TYPE OF PROTECTION ONLY -- AND THAT'S CONSTITUTIONAL PROTECTION.

THESE POLL NUMBERS MAY VARY A BIT, BUT THE LESSON FOR US IN CONGRESS IS CRYSTAL-CLEAR: AT LEAST TWO-THIRDS OF THE AMERICAN PEOPLE SUPPORT A CONSTITUTIONAL AMENDMENT TO PROHIBIT FLAG DESECRATION, AND AT LEAST TWO-THIRDS OF THE CONGRESS SHOULD GET BEHIND THE AMERICAN PEOPLE BY SUPPORTING THE AMENDMENT AS WELL.

THE DISTINGUISHED MAJORITY LEADER SAYS THAT "THE FLAG AMENDMENT WOULD CHANGE THE BILL OF RIGHTS FOR THE FIRST TIME IN HISTORY."

THIS STATEMENT MAKES FOR GOOD RHETORICAL FODDER, BUT -- AS SENATOR HEFLIN HAS POINTED OUT BEFORE -- IT IGNORES HISTORY, AND IT IS SIMPLY NOT TRUE.

THE 13TH, 14TH, AND 15TH AMENDMENTS TO THE CONSTITUTION AMENDED -- CHANGED -- THE BILL OF RIGHTS BY GIVING THE FREED SLAVES THE RIGHT TO VOTE, THE RIGHT TO ENGAGE IN POLITICAL ACTIVITY, THE RIGHT TO SPEAK FREELY.

THESE AMENDMENTS CERTAINLY "CHANGED" THE BILL OF RIGHTS.

I ALSO FIND IT IRONIC THAT SENATOR MITCHELL AND CRANSTON ARE NOW WRAPPING THEMSELVES AROUND THE FIRST AMENDMENT WHEN, IN FACT, THEY VOTED FOR THE SO-CALLED FLAG PROTECTION ACT LAST OCTOBER.

IN A DESPERATE EFFORT TO ACHIEVE SOMETHING-CALLED CONTENT NEUTRALITY, THIS STATUTE PROHIBITED MORE CONDUCT, MORE SPEECH, THAN THE PROPOSED CONSTITUTIONAL AMENDMENT.

BUT THERE WAS NOT A WHIMPER -- NOT ONE WORD -- ABOUT THE FIRST AMENDMENT LAST OCTOBER, OR ABOUT THE PRUDENCE OF AMENDING THE BILL OF RIGHTS THROUGH A STATUTE.

I FIND IT EVEN MORE IRONIC THAT BOTH SENATORS MITCHELL AND CRANSTON VOTED -- DURING THE 100TH CONGRESS -- TO INVOKE CLOTURE ON A CONSTITUTIONAL AMENDMENT ALLOWING CONGRESS AND THE STATES TO RESTRICT OUR MOST IMPORTANT FORM OF SPEECH -- POLITICAL SPEECH. THIS AMENDMENT -- S.J. RES. 282 -- WAS DESIGNED TO OVERTURN THE SUPREME COURT'S BUCKLEY VERSUS VALEO DECISION AND TO ALLOW CAMPAIGN SPENDING LIMITS.

WITHOUT QUESTION, S.J. RES. 282 IS AS MUCH OF AN AMENDMENT TO THE BILL OF RIGHTS AS THE FLAG AMENDMENT, S.J. RES. 332

BUT APPARENTLY, THE MAJORITY LEADER AND SENATOR CRANSTON BELIEVE THAT CAMPAIGN SPENDING LIMITS ARE SOMEHOW MORE IMPORTANT THAN PROTECTING OLD GLORY.

THE MAJORITY LEADER ALSO SUGGESTS THAT -- BY PROTECTING THE FLAG -- WE WILL SOMEHOW OPEN A PANDORA'S BOX -- THAT THERE ARE OTHER NATIONAL SYMBOLS -- NO DIFFERENT FROM THE FLAG -- THAT WOULD ALSO CLAMOR FOR CONSTITUTIONAL PROTECTION.

I ALSO WENT TO LAW SCHOOL, AND I KNOW ALL ABOUT "SLEIGHT-OF-HAND" SLIPPERY-SLOPE ARGUMENTS LIKE THIS ONE. I NEVER BOUGHT THOSE ARGUMENTS IN LAW SCHOOL. AND I DON'T BUY THE ONE MADE BY THE MAJORITY LEADER TODAY.

(MORE)



DO WE PLEDGE ALLEGIANCE TO THE CONSTITUTION, OR TO THE PRESIDENTIAL SEAL, OR TO ANY OTHER NATIONAL SYMBOL? OF COURSE NOT.

JUNE 14 -- FLAG DAY -- IS A NATIONAL HOLIDAY -- BUT DO WE HAVE A NATIONAL HOLIDAY HONORING THE CONSTITUTION, OR THE PRESIDENTIAL SEAL, OR ANY OTHER NATIONAL SYMBOL?

NO, WE DO NOT.

THE "STAR SPANGLED BANNER" -- OUR NATIONAL ANTHEM -- HONORS THE RESILIENCY OF OLD GLORY. BUT DOES OUR NATIONAL ANTHEM HONOR THE CONSTITUTION, OR THE PRESIDENTIAL SEAL, OR ANY OTHER NATIONAL SYMBOL?

NO, IT DOES NOT.

THE FORTY-EIGHT STATES AND THE UNITED STATES HAVE ENACTED STATUTES PROHIBITING THE DESECRATION OF THE FLAG. HAVE THE STATES AND CONGRESS PASSED LAWS PROHIBITING THE DESECRATION OF THE CONSTITUTION, OR THE PRESIDENTIAL SEAL, OR ANY OTHER NATIONAL SYMBOL.

NO, THEY HAVEN'T.

SO -- AS YOU CAN SEE -- THE FLAG STANDS ALONE. IT STANDS ALONE AS THE UNIQUE SYMBOL OF OUR IDEALS, OUR HOPES, OUR ASPIRATIONS AS A UNITED PEOPLE.

NO DOUBT ABOUT IT, AMENDING THE CONSTITUTION IS SERIOUS BUSINESS. THAT'S WHY THE FRAMERS INTENTIONALLY MADE THE PROCESS A LONG AND DIFFICULT ONE -- TWO-THIRDS OF CONGRESS AND 38 STATES.

BUT AMENDING THE CONSTITUTION IS ALSO SQUARELY IN THE AMERICAN TRADITION. AND, IN FACT, ONE-FOURTH OF ALL THE AMENDMENTS ADOPTED SINCE THE BILL OF RIGHTS WERE DRAFTED TO OVERTURN SPECIFIC SUPREME COURT DECISIONS THAT THE AMERICAN PEOPLE SIMPLY DID NOT LIKE.

IN CASE YOU HAVEN'T NOTICED, THE AMERICAN PEOPLE DON'T LIKE THE TEXAS VERSUS JOHNSON DECISION. THEY DON'T LIKE THE UNITED STATES VERSUS EICHMAN DECISION EITHER.

THE AMERICAN PEOPLE WANT TO SAY "NO" TO THE FRAGILE FIVE-JUSTICE MAJORITY ON THE SUPREME COURT.

AND THEY WANT TO SAY "NO" -- AND HONOR OLD GLORY -- WITH A CONSTITUTIONAL AMENDMENT.

CONGRESS SHOULD NOT DENY THE AMERICAN PEOPLE THIS PRECIOUS OPPORTUNITY.

IT'S TIME FOR US IN CONGRESS TO GET THE WAX OUT OF OUR EARS AND LISTEN TO THE AMERICAN PEOPLE FOR A CHANGE.

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