about managing the health of our loved ones than managing the profits of the HMOs.

We need to ensure that treatment decisions are made by a patient's doctors, not by an HMO accounting clerk; that patients can enforce their rights by taking HMOs to court if the HMO wrongfully denies surgery, specialists, hospitalization or other medically necessary care that causes the death or injury to the patients.

Moderates on both sides of the aisle have endorsed the Democrats' Patients' Bill of Rights, but the Republican leadership here in the House of Representatives refuses to allow us to debate and vote on it.

I urge my Republican colleagues to persuade your Republican leadership here in the House to allow debate and a vote on the Democrats' Patients' Bill of Rights.

CONGRESSIONAL ACTION REQUIRED ON 50 CALIBER ARMOR-PIERCING AMMUNITION

(Mr. BLAGOJEVICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLAGOJEVICH. Mr. Speaker, the role of the United States military is to provide for the national security of our country. We are grateful for that. What is not the role of the military is to provide armor-piercing ammunition to the civilian market.

Mr. Speaker, 50-caliber sniper rifles are among the most powerful and destructive weapons available today. Armor-piercing ammunition that that weapon uses can destroy aircraft and armored personnel vehicles. The General Accounting Office reports that, unbelievably, our military provides surplus ammunition to a company in West Virginia that refurbishes the ammunition and then resells it to the civilian market.

Adding insult to injury, we, the taxpayers, pay the company to take the ammunition. This ammunition is easily accessible to the general public. One can buy it by mail order, one can buy it by the Internet, and one can buy it in gun stores.

Who would want to buy this ammunition, one might ask? If one is a hunter and a sportsman, one does not need this ammunition. But if one wants to take out a helicopter, take out a limousine, or commit some sort of heinous crime, one might want that ammunition.

CONSTITUTIONAL AMENDMENT AUTHORIZING CONGRESS TO PROHIBIT THE PHYSICAL DESECRATION OF THE FLAG OF THE UNITED STATES

The SPEAKER pro tempore (Mrs. EMERSON). The unfinished business is the further consideration of the joint resolution (H.J. Res 33) proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. When proceedings were postponed on Wednesday, June 23, 1999, pursuant to the previous order of the House, all time for debate on the joint resolution had expired.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. WATT OF NORTH CAROLINA

Mr. WATT of North Carolina. Mr. Speaker, pursuant to the rule, and as the designee of the ranking member, the gentleman from Michigan (Mr. CONYERS), I offer an amendment in the nature of a substitute, which has been made in order.

The SPEAKER pro tempore. The gentleman from North Carolina is the designee of the gentleman from Michigan (Mr. CONYERS).

The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. WATT of North Carolina:

Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

''ARTICLE—

''Not inconsistent with the first article of amendment to this Constitution, the Congress shall have power to prohibit the physical desecration of the flag of the United States.''.

The SPEAKER pro tempore. Pursuant to House Resolution 217, the gentleman from North Carolina (Mr. WATT) and a Member opposed each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Madam Speaker, I yield myself 1 minute.

Madam Speaker, we engaged in an exciting debate yesterday, and today is the culmination and continuation of that debate in which we have an opportunity to make it explicitly clear that whatever amendment we pass in this body will be subject to the first amendment to the United States Constitution.

My amendment in the nature of a substitute simply says, not inconsistent with the first article of amendment to this Constitution, the Congress shall have power to prohibit the physical desecration of the flag of the United States. That simply makes this proposed constitutional amendment subject to the provisions that have stood us in good stead for 200 years, and shapes and focuses the value of this debate.

Madam Speaker, I yield 6 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Madam Speaker, I urge support of the amendment that has just been offered. The gentleman from North Carolina has, in his service here, distinguished himself by the careful thought he brings to difficult issues, and this amendment today is an example of that.

I am one of those who questioned whether there was a need for any amendment at all. I thought there was not. We have had people say, well, but desecrating the flag is not simply an expression of opinion, as crude and as stupid an expression as it is, and, of course, the first amendment protects crudeness and stupidity in expression; but people have said there is something about the desecration which as a physical act could go beyond expression.

Well, the amendment of the gentleman from North Carolina is very carefully drawn so as to say, to the extent that one is simply engaging in an expression of opinion by desecrating the flag, one is protected, but if there are elements involved in that desecration that go beyond expression, we will leave that to the courts to decide in the specific circumstances. I think that is a reasonable compromise.

I want to address, therefore, the part of the amendment that says, to the extent this desecration is an expression of opinion, we should not make it illegal.

I understand, all of us do, the motivation of those who want to make it illegal. The flag is a very powerful symbol. The flag symbolizes the greatness of this country. Yes, there are veterans who saw their comrades lose their lives, who lost their health, who sacrificed years when they could have been with their families, and they did it under a flag which they understandably want to protect. But we have to look at the implications of what we do.

In the first place, passing the amendment as originally presented says that there are times when one can express oneself in ways that we find so offensive that we will make it illegal. That is a great breach in a wall that we have had between the rights of individuals and the government. And I am surprised that many of my friends who are conservative, who want to limit government, want to put this forward, because what this amendment says, without the refinement added by the gentleman from North Carolina, is there are things that one does to one's property, we are talking about now people who own a flag; remember, this applies to people who own a flag and who desecrate the flag they have bought, the physical flag; no one owns the symbol, but they have bought the physical material, they have desecrated it by writing outrageous words on it, by physically mistreating it. Remember, desecration covers things one would write on the flag that would be abusive and offensive, and we are saying we are so offended by what you have done to your property, on your property; you