

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. J. RES. 5

Proposing an amendment to the Constitution of the United States authorizing the Congress and the States to prohibit the act of desecration of the flag of the United States and to set criminal penalties for that act.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2005

Mrs. EMERSON introduced the following joint resolution; which was referred to the Committee on the Judiciary

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## JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States authorizing the Congress and the States to prohibit the act of desecration of the flag of the United States and to set criminal penalties for that act.

1       *Resolved by the Senate and House of Representatives*  
 2       *of the United States of America in Congress assembled*  
 3       *(two-thirds of each House concurring therein),* That the fol-  
 4       lowing article is proposed as an amendment to the Con-  
 5       stitution of the United States, which shall be valid to all  
 6       intents and purposes as part of the Constitution when  
 7       ratified by the legislatures of three-fourths of the several

1 States within seven years after the date of its submission  
2 for ratification:

3 “ARTICLE —

4 “The Congress and the States shall have power to  
5 prohibit the act of desecration of the flag of the United  
6 States and to set criminal penalties for that act.”.

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