

I further ask that consideration be for debate only until 2:15.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MCCONNELL. Mr. President, today the Senate began the debate on the flag resolution. Tomorrow we will be rotating half-hour blocks of time, starting at 11 with the majority side for 30 minutes and the minority side for 30 minutes, rotating back and forth in this fashion until 5 p.m. There will be no votes until after the policy luncheons tomorrow.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask that it stand in adjournment under the previous order following the remarks of the senior Senator from Connecticut for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Connecticut.

CONSTITUTIONAL AMENDMENT TO BAN FLAG DESECRATION

Mr. DODD. Mr. President, I rise to speak about the pending matter before us, S.J. Res. 12 which would amend the Constitution of the United States. There are only seventeen words in the amendment: The Congress shall have power to prohibit the physical desecration of the flag of the United States. These seventeen words have great significance.

I hold dear the great genius of our wonderful Constitution. I have carried this tattered copy with me every day for as long as I have been a Member of this body. It was given to me by my seatmate here, the senior Senator BRYD from West Virginia. I treasure this copy of that document for many reasons, not the least of which is because it was given to me by Senator BYRD, but also because I find myself referring to it almost on a daily basis.

This copy includes not only the Constitution and the Bill of Rights, but also the Declaration of Independence. It is a part of my daily wardrobe, be it weekends or during the week here. It is a reminder of how fortunate we are to live in a country that has, as its founding document, a set of words, language, that not only speaks to the hopes and dreams of all Americans, but even beyond the borders of this country, because the Founders, the Framers of the Constitution, spoke of eternal truths in this document.

While the language applies to only those who live in this country, their words have, of course, inspired millions of other people all across the globe. It is not uncommon to read the constitutions of developing countries and find literally verbatim the language in our own U.S. Constitution. This is a great

tribute to not only the Framers but to those who came after them. Those that have upheld, supported, and defended—as millions of Americans have, some with the ultimate sacrifice—their lives, to protect and defend this country and the principles and ideals on which it was founded. The Constitution has sustained itself now for the more than 200 years. Giving us the power to be free and independent people.

So this great genius of our Constitution enshrines in it the words of the eternal aspirations of humanity. I believe that Alexander Hamilton laid out a framework for constitutional amendments and how we ought to think of this remarkable document that serves as the basis of all that we believe and hold dear when he said:

The sacred rights of mankind are not to be rummaged for, among old parchments, or musty records. They are written, as with a sunbeam in the whole volume of human nature, by the hand of the divinity itself; and can never be erased or obscured by mortal power.

It is a rather beautiful quotation that I think captures what many of us believe to be the case when we talk about our Constitution, talking about the hand of divinity itself helping scribe these words, that it is “not to be rummaged for, among old parchments, or musty records” but rather “written, as with a sunbeam in the whole volume of human nature.”

So it is important, when we consider this document and particularly the Bill of Rights, which speak to our personal freedoms, that we consider all and any proposal to challenge the words included in those 10 amendments.

There have been over 11,000 attempts in the last 200 years to amend our Constitution. Throughout the years, there have been only a handful of those proposals that have actually been adopted, usually when there was a described constitutional crisis before us. We did so to extend the right to vote to women and we did so to abolish slavery.

These are just two examples throughout our history when we have found it appropriate and proper to amend the Constitution, but always when we felt there was an underlying principle dealing with basic fundamental rights.

Now, we all know that the horrible act of flag burning does occur. We have all seen the visions on television describing some group in some country or another that decides it is going to burn the American flag. We all know how we feel when we see that. But, of course, all my colleagues know—and I am sure the overwhelming majority of American citizens know—we can not change their behavior by altering the Constitution. As annoying as it is, as troubling as it is, and how I know we all react to it, we can not affect those particular acts of desecration.

Today we are talking about these acts that occur in this country. Let me quickly say I think it is worthy to try to come up with some language statu-

torily to deal with this issue. But my hope is my colleagues, regardless of political persuasion, would think long and hard about what we are about to do here; and that is, to change the Constitution.

A proposal similar to this one was offered in 1989, again in 1990, in 1995, and in the year 2000. In every single case, the proposals have been rejected. I do not question any of my colleagues over their dismay and horror in watching our flag be desecrated. Yet, in every single instance, we have found it appropriate to reject an amendment to the Constitution. I would hope that would be the case again today.

Mr. President, I fly the American flag every day at my home in Connecticut when I am there. I take great pride in doing so. In fact, my neighbors can always tell when I am home. I live in a house, an old schoolhouse built in 1853. It was the successor schoolhouse to where Nathan Hale taught in Connecticut. The Nathan Hale Schoolhouse is about 150 yards from where I live in Connecticut. When that one-room schoolhouse became too small in the 1850s, they built a two-room schoolhouse that served the neighborhood where I live in East Haddam, CT, for almost 100 years until the 1940s. I bought that schoolhouse about 25 years ago, and it has been my family's home for a quarter of a century.

My neighbors always know when I am home because I fly the American flag from that old schoolhouse. I take great pride in doing so. I don't just do it on Memorial Day or the Fourth of July or other national holidays, but every single day I am home. As a way of expressing my affection for what that flag means, what it stands for, and what it has meant to generation after generation of people in our great country.

I will not take a back seat to anyone in my reverence for the flag, how important it is and what it means. But I also believe it is important to be a patriot, a true patriot, where we not only defend our flag but we also defend the Constitution and the Bill of Rights. That is really what is at risk here today, when we talk about this resolution. It is not so much the flag that is at risk but our Bill of Rights, if we attack this document because the passions of some get aroused over the acts of those who would desecrate our flag. That really is the issue before us.

Let us have a statutory law but let us not attack this wonderful Bill of Rights of ours. The proposed amendment is made up of 17 words, 17 words that would dramatically alter the importance of the Bill of Rights and diminish the freedoms provided by that document. I don't doubt the patriotism of any Member of this Chamber. I strongly believe we all love our country. We love our Constitution. We love our flag. In my view, desecration of the flag, as a symbol of our freedom, the Constitution, and our democracy, is deplorable and should not be tolerated. It