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June 20, 2005

The Honorable Bean
United States House of Representatives
512 Cannon House Office Building
Washington, DC 20515

Regarding: H.J. Res. 10.

Dear Representative Bean:

Tomorrow, the U.S. House of Representatives is scheduled to consider H.J. Res. 10, a constitutional amendment to permit Congress to curtail the right to Free Speech with regards to the American flag. We would like to share with you an opinion piece, reprinted below, written by Robert Grey, President of the American Bar Association.

Honoring Our Flag

Robert J. Grey
President, American Bar Association

On June 14, 1777, our nation's flag was officially adopted. Now, 228 years later, Congress is considering a bill that would undermine much of what The Stars and Stripes represents: our nation's most cherished ideals and principles.

Amending the Constitution to allow Congress to prohibit desecration of the American flag would do far more harm to our nation than would any person who might burn a flag. In proposing such an amendment, legislators are seeking to score political points at the expense of our constitutionally protected right to free speech and expression. Consider this: if passed, this proposal would be the first amendment ever to limit the individual rights and freedoms enshrined in our Constitution, and the first change to the Bill of Rights in its 213 year history.

At best, this proposal is simply a diversion from the real issues facing our country. At worst, it marks a profound and unwelcome change in our society and culture by conveying the message that we fear rather than cherish our freedom of speech.

Of course, I understand the desire to protect the flag. I too cringe on those rare occasions when we hear of people destroying it in protest. But the best way to honor our flag is to preserve and protect the fundamental freedoms it represents, not to change the Constitution to limit them. Doing so would do more to desecrate the flag than any protestor with a match could ever do.

Flames can destroy only the fabric of the individual flag in a person's hand. They cannot change what that flag represents, and they cannot change what generations of Americans have sacrificed for and celebrated since our nation's founding.

But attempting to limit the freedoms that are at the core of this nation's greatness does threaten the fabric of our society. As unpleasant as it sometimes may be, the right to free speech and expression permits many distasteful forms of protest. The beauty of this nation is that we protect all forms of speech, not just what we like.

This is not a subject I take lightly. While one should be wary of anyone who espouses his or her own patriotism in public debates, I take a backseat to no one when it comes to my love of this country. As the son of a 20-year Army veteran, I know what it means for people to sacrifice in the service of their country. It breaks my heart to see someone destroy the preeminent symbol of the nation for which my father so proudly served.

But make no mistake: he, like the thousands of brave men and women who fight, die and sacrifice across the globe to, did so not for the fabric of a flag, but for the Constitution and the freedoms that flag represents. Congress should honor that service and our flag by rejecting this proposal.

We urge you to oppose this attempt to limit the Bill of Rights by rejecting H.J. Res 10.

Sincerely,

A handwritten signature in cursive script that reads "Robert D. Evans". The signature is written in black ink and is positioned to the left of the typed name below it.

Robert D. Evans