



## Legislation Details (With Text)

<b>File #:</b>	Res 1086-2005	<b>Version:</b>	*	<b>Name:</b>	Proposing an amendment to the Constitution of the United States to prohibit the physical desecration of the flag of the US.
<b>Type:</b>	Resolution	<b>Status:</b>		<b>In control:</b>	Filed Committee on State and Federal Legislation
<b>On agenda:</b>	7/27/2005				
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	Resolution praising the United States House of Representatives for passing H.J.RES.10, and urging the United States Senate to pass S.J.RES.12, a joint resolution proposing an amendment to the Constitution of the United States to prohibit the physical desecration of the flag of the United States.				
<b>Sponsors:</b>	James S. Oddo, Dennis P. Gallagher, Andrew J. Lanza, Peter F. Vallone, Jr., Tony Avella, Michael C. Nelson, Madeline T. Provenzano, Simcha Felder, Vincent J. Gentile, Michael E. McMahon, Domenic M. Recchia, Jr.				
<b>Indexes:</b>					
<b>Attachments:</b>					

Date	Ver.	Action By	Action	Result
7/27/2005	*	City Council	Introduced by Council	
7/27/2005	*	City Council	Referred to Comm by Council	
12/31/2005	*	City Council	Filed (End of Session)	

### Res. No. 1086

Resolution praising the United States House of Representatives for passing H.J.RES.10, and urging the United States Senate to pass S.J.RES.12, a joint resolution proposing an amendment to the Constitution of the United States to prohibit the physical desecration of the flag of the United States.

By Council Members Oddo, Gallagher, Lanza, Vallone Jr., Avella, Nelson, Provenzano, Felder, Gentile, McMahon and Recchia Jr.

Whereas, In a 5 - 4 decision, the United States Supreme Court ruled in 1989 that neither Federal or State legislative entities could protect the American flag by preventing flag desecration and burning without running afoul of the First Amendment; and

Whereas, For more than two hundred years, the American flag has occupied a unique position as the symbol of our Nation; and

Whereas, The flag of the United States represents not only our country, but the noble ideals it seeks to uphold, such as freedom, equality, justice, and opportunity, and therefore should be protected as vehemently as

those ideals it symbolizes; and

Whereas, Throughout our history, men and women have fought and died for the flag and the ideals that it represents; and

Whereas, At the present time, men and women continue the noble tradition of upholding and protecting the flag and its ideals as our Nation continues the fight against terrorism in Iraq and Afghanistan; and

Whereas, The American flag does not represent the views of any political party or political philosophy; and

Whereas, The House of Representatives of the United States Congress commendably passed H.J.RES.10 on June 22, 2005, proposing a constitutional amendment that would prohibit the destruction or debasement of the flag without violating free speech rights; and

Whereas, This Resolution, if passed in the Senate, would reinforce the patriotism and solidarity that permeates the United States, and would begin the process of amending the Constitution so that the flag, the ideals it represents, and the men and women who have fought and died for them, are treated with due respect; now, therefore, be it

Resolved, That the Council of the City of New York praises the United States House of Representatives for passing H.J.RES.10, and urging the United States Senate to pass S.J.RES.12, a joint resolution proposing an amendment to the Constitution of the United States to prohibit the physical desecration of the flag of the United States.

07/07/05  
LS#3187