

Flag burning comes under fire in House

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WASHINGTON — A constitutional amendment that would allow Congress to outlaw the desecration of the U.S. flag won the support of five of Colorado's seven House members Wednesday, including Rep. Marilyn Musgrave.

The House voted 286-130 in favor of the amendment. It now goes to the Senate, where supporters are hoping for a better chance than in the past to get the 67 votes needed to pass it there.

This is the sixth time the House has approved the amendment. In past years, it either died in the Senate

See BURNING/Page A2



Associated Press file photo

The U.S. House of Representatives voted in favor of creating an amendment to ban flag burning on Wednesday.

Burning

Continued from Page A1

or failed to win the two-thirds vote needed to pass a constitutional amendment. But Republicans gained four Senate seats in last year's election, and the vote, expected later this summer, could be close.

A constitutional amendment also must be approved by 38 states.

Voting for the amendment were Colorado Republicans Musgrave, Joel Hefley, Tom Tancredo and Bob Beauprez and Democrat Rep. John Salazar. Reps. Diana DeGette and Mark Udall, both Democrats, voted against it.

"Americans instinctively know what our flag represents and that it should always be treated with respect," Musgrave said in a statement released after the vote.

"Today, when I walked over to the Capitol to vote on the amendment there were veterans standing quietly on the

sidewalk. They know what our flag represents and they have made great sacrifices for our freedom. I agree with them and I wholeheartedly support (the amendment)."

Colorado's new senator, Democrat Ken Salazar, acknowledged that veterans' groups have been urging him to support the ban.

"I'm going to study it hard," he told USA Today on Tuesday.

Supporters have been trying since 1991 to pass the amendment after the Supreme Court in 1989 and 1990 struck down state and federal laws that banned the physical desecration of the flag. The court ruled that burning a flag as part of a public demonstration is free speech protected by the Constitution.

Supporters argue that the flag deserves to be protected because it is a unique symbol of the country's pride and spirit. Since 1994, 119 incidents of flag

desecration have been reported, and the flag remains vulnerable to attack without a law to protect it, said Rep. James Sensenbrenner Jr., R-Wis.

"All 50 states passed resolutions calling on Congress to pass a flag protection amendment and polls demonstrate an overwhelming majority of Americans support it," Sensenbrenner said.

Opponents, mostly Democrats, complained that the amendment violates the very ideals and freedoms the flag represents and would set a dangerous precedent.

"If we open the door to criminalizing constitutionally protected expression related to the flag, which this is, it will be difficult to limit further efforts to censor such speech," said Rep. John Conyers Jr., D-Mich.

"Once we decide to limit freedom of speech, limits on freedom of the press and freedom of religion may not be far behind."