

# Calendar No. 256

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SENATE

{ REPORT  
{ No. 258

## PROHIBITING DISPLAY OF OTHER FLAGS EQUAL, ABOVE, OR IN PLACE OF THE FLAG OF THE UNITED STATES, AND FOR OTHER PURPOSES

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MAY 12, 1953.—Ordered to be printed

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Mr. LANGER, from the Committee on the Judiciary, submitted the following

### REPORT

[To accompany S. 604]

The Committee on the Judiciary, to which was referred the bill (S. 694) to prohibit the display of flags of international organizations or other nations in equal or superior prominence or honor to the flag of the United States except under specified circumstances, and for other purposes, having considered the same, reports favorably thereon, with amendments, and recommends that the bill, as amended, do pass.

#### AMENDMENTS

1. On page 1, line 9, following the words "United States", insert a period.
2. On page 2, line 9, strike the word "of", and insert in lieu thereof the word "or".

#### PURPOSE

The purpose of the bill, as amended, is to make it an offense against the United States to display the flag of the United Nations or any other national or international flag equal to, above, or in a position of superior prominence or honor to, or in place of, the flag of the United States at any place within the United States or any Territory or possession thereof, but not to interfere with the continuance of the practice heretofore followed of displaying the flag of the United Nations in a position of superior prominence or honor, and other national flags in positions of equal prominence or honor, with that of the flag of the United States at the headquarters of the United Nations

or at any place at which any official meeting or proceeding of the United Nations is in progress.

#### STATEMENT

An identical bill, S. 2039, was reported favorably by the committee and passed the Senate in the 82d Congress.

From the earliest periods in the history of the human race, banners, standards, and ensigns have been adopted as symbols of the power and history of the peoples who bore them. It is not then remarkable that the American people, acting through the legislative branch of the Government, early in their history, prescribed a flag as a symbol of the existence and sovereignty of the Nation. It would have been even extraordinary if the Government had started this Nation upon its marvelous career without giving it a flag to be recognized as the emblem of the American Republic. For that flag every true American has not simply an appreciation but a deep affection. No American, nor any foreign-born person who enjoys the privileges of American citizenship, should ever look upon it without taking pride in the fact that he lives under this free Government. Hence, it has often occurred that insults to a flag have been the cause of war; and indignities cast upon it, in the presence of those who revere it, have often been resented and sometimes punished on the spot. It may be said, then, that the very heart of an individual American is no greater than the United States flag for many hearts have been sacrificed in order to preserve the freedom which that flag represents.

It would appear, therefore, that Federal laws would or should have been enacted long since making it an offense against the United States for anyone to show disrespect, or to fail to show proper respect, toward the United States flag anywhere within the jurisdiction of this Government, but that has not been done. It now has become a sad necessity to take positive action to protect and uphold the dignity and honor of our flag.

It is the opinion of many that there are some so-called internationalists in this country who are overzealous in their efforts to completely subordinate the sovereignty of our Nation to an organization composed of many nations, some of which are notoriously subservient to another nation. Every individual American owes, and most, at one time or another, have sworn, allegiance to the United States flag. It can safely be said that not one of those individuals intended to owe, or swear allegiance to any other flag or group of flags. Anyone, especially one endowed with certain authority conferred upon him by the people of this Nation, who attempts to transfer, by proxy, the allegiance of those individuals, has betrayed his public trust and is no longer worthy of the confidence that should go with an official position in our Government.

Each of our 48 States, Alaska, Hawaii, and Puerto Rico have enacted varying laws prohibiting the misuse or desecration of the State or Territory and United States flag. However, no State has enacted any law approaching the results intended by this proposed legislation, nor has the Congress. But, no one should hasten to criticize the States for their inaction in this regard—the loyalty and devotion of their citizens has probably maintained such action unwarranted in the past. When, by its legislation, the State encourages

a feeling of patriotism toward the Nation, it necessarily encourages a like feeling toward the State. One who loves the Union will love the State in which he resides, and love of both the Nation and the State will diminish in proportion as respect for the flag is weakened.

To every true American the United States flag is the symbol of the Nation's power, the emblem of freedom in its truest, best sense. It is not extravagant to say that to all lovers of the country it signifies government resting on the consent of the governed; liberty regulated by law; the protection of the weak against the strong; security against the exercise of arbitrary power; and absolute safety for free institutions against foreign aggression.

The committee is supported beyond question in its opinion that the Congress has power under the Constitution to act in this regard.

In view of the nationwide expressions of great interest based upon pure patriotism, and the sincere feelings of this committee in that same regard, with respect to passage of this bill, the committee recommends favorable consideration.

