



Congress of the United States
House of Representatives
September XX, 2017

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Trump:

Federal law about the American flag and national anthem is clear. 4 U.S.C. § 8 states, “the flag represents a living country and is itself considered a living thing” and adds that “no disrespect should be shown to the flag.” Further, 36 U.S.C. § 301 states, “During rendition of the national anthem when the flag is displayed, all persons present should face the flag and stand at attention with their right hand over the heart.”

The United States flag and our national anthem are emblems of a nation that has arguably been the most free, wealthiest, most militarily powerful, and greatest nation in world history. As such, Ronald Reagan stated:

As we think back over the history of our nation's flag, we remember that the story of its early years was often one of hardship and trials, sometimes a fight for simple survival. As the American Republic grew and prospered and new stars were added to the flag, the ideal of freedom grew and prospered. From the rolling hills of Kentucky to the shores of California to the Sea of Tranquility on the Moon, our pioneers carried our flag before them, a symbol of the indomitable spirit of a free people. And let us never forget that in honoring our flag, we honor the American men and women who have courageously fought and died for it over the last 200 years, patriots who set an ideal above any consideration of self. Our flag flies free today because of their sacrifice.

The National Football League (NFL) is disrespecting America’s flag and national anthem. The NFL’s conduct is not only unpatriotic and deplorable, it also conflicts with federal law.

In FY2017, the Department of Defense (DOD) is estimated to spend \$574 million on military service component advertising programs.¹ Total federal spending on advertising and public relations is roughly \$1 billion per year.²

We see no reason why federal taxpayers should spend any money, directly or indirectly, supporting professional sports teams or leagues that disrespect America’s flag or anthem.

¹ <http://www.gao.gov/assets/680/677062.pdf>

² <http://www.gao.gov/assets/690/680183.pdf>

The foregoing considered, we respectfully ask that you withhold all federal taxpayer dollars that directly or indirectly support (via advertisements, marketing contracts, or any other direct or indirect financial patronage) any professional sports team or league that refuses to display proper decorum for America's flag or national anthem.

More specifically, we ask that the federal government cease advertising (television, radio or otherwise) on any network or in any media during that network or media's broadcast of any sporting event by a professional sports league or team that engages in the above disrespectful conduct that insults America and those who have fought or given their lives for our country.

The NFL and its players and teams assert they have a First Amendment Freedom of Speech right to disrespect America's flag and national anthem contrary to federal law. Perhaps. But American taxpayers certainly have the right to stop their hard-earned tax dollars being used to support disrespect for America's flag and national anthem.

We join in asking you to stand and honor the American flag and anthem by stopping all DOD and federal government support for professional sporting leagues or teams that display disrespect for our flag and national anthem.

Sincerely,



Congressman Mo Brooks (AL-05)