

Senate panel unanimously passes bill on flying flag

State Senate committee approves bill giving homeowners right to fly U.S. flag

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RICHMOND

--With no opposition, a Virginia Senate committee yesterday approved Sen. Richard Stuart's bill to allow homeowners to fly the U.S. flag.

The bill was prompted by a case in Henrico County last year, in which a homeowners association barred a 90-year-old Medal of Honor recipient from flying the flag on an upright flagpole in his yard.

The association told retired Col. Van T. Barfoot that he could fly the flag from an angled pole attached to his house, but that the upright pole was an "aesthetic" problem.

Stuart, R-Westmoreland, said that made him angry. His bill would allow homeowners to "properly display" the flag according to federal rules. A homeowners association that wants to ban the flying of a flag would have to prove that it would create "substantial harm" to the community.

"What I've tried to do with this bill is strike a balance between the interests of the individual and his or her right to display a flag and the community itself," Stuart said. "It's my belief this should certainly be a fundamental right, to fly the flag of your country properly in accordance with the flag code."

The Senate General Laws Committee approved the bill unanimously, with no questions and no one stepping forward to speak against it. The bill now goes to the full Senate for debate, and then to the House of Delegates.

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Head east from Carthage on Mississippi 16 toward Philadelphia. After a few miles a sign says you're in Edinburg. It s a good thing the sign's there, because there's no other way to tell.

On June 15, 1919, Van T. Barfoot was born in Edinburg -- probably didn't make much news back then.



Twenty-five years later, on May 23, 1944, near Carano, Italy, Van T. Barfoot, who had enlisted in the Army in 1940, set out to flank German machine gun positions from which fire was coming down on his fellow soldiers. He advanced through a minefield, took out three enemy machine gun positions and returned with 17 prisoners of war.

If that wasn't enough for a day's work, he later took on and destroyed three German tanks sent to retake the machine gun positions.



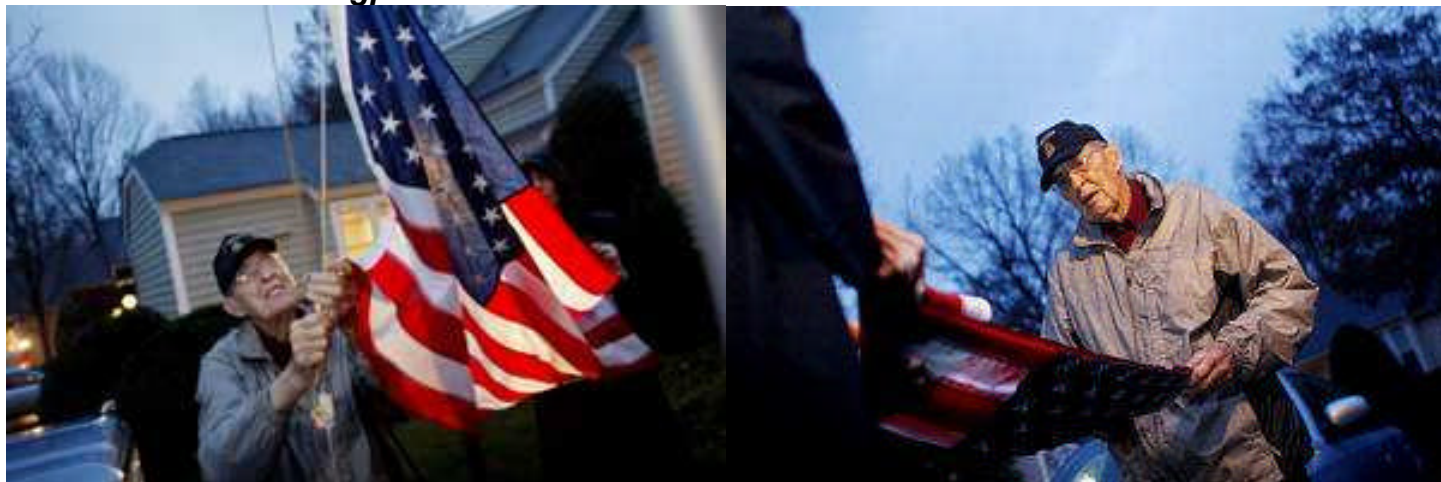
That probably didn't make much news either, given the scope of the war, but it did earn Van T. Barfoot, who retired as a colonel after also serving in Korea and Vietnam, a Congressional Medal of Honor.



Sergeant Van Barfoot, later promoted to second lieutenant, earned the Medal of Honor while serving with L Company, 157th Infantry Regiment. (Courtesy of 45th Infantry Division Archives)

(From "The Book of Amelio" with permission of Flint Whittlock)

What did make news last week was a neighborhood association's quibble with how the 90-year-old veteran chose to fly the American flag outside his suburban Virginia home. Seems the rules said a flag could be flown on a house-mounted bracket, but, for decorum, items such as Barfoot's 21-foot flagpole were unsuitable.



He had been denied a permit for the pole, erected it anyway and was facing court action if he didn't take it down. Since the story made national TV, the neighborhood association has rethought its position and agreed to indulge this old hero who dwells among them.



"In the time I have left I plan to continue to fly the American flag without interference," Barfoot told The Associated Press.

As well he should.

And if any of his neighbors still takes a notion to contest him, they might want to read his Medal of Honor citation. It indicates he's not real good at backing down.



Van T. Barfoot's Medal of Honor citation:

This 1944 Medal of Honor citation, listed with the National Medal of Honor Society, is for Second Lieutenant Van T. Barfoot, 157th Infantry, 45th Infantry:

"For conspicuous gallantry and intrepidity at the risk of life above and beyond the call of duty on 23 May 1944, near Carano, Italy. With his platoon heavily engaged during an assault against forces well entrenched on commanding ground, 2d Lt. Barfoot moved off alone upon the enemy left flank. He crawled to the proximity of 1 machinegun nest and made a direct hit on it with a hand grenade, killing 2 and wounding 3 Germans. He continued along the German defense line to another machinegun emplacement, and with his tommygun, killed 2 and captured 3 soldiers. Members of another enemy machinegun crew then abandoned their position and gave themselves up to Sgt. Barfoot. Leaving the prisoners for his support squad to pick up, he proceeded to mop up positions in the immediate area, capturing more prisoners and bringing his total count to 17. Later that day, after he had reorganized his men and consolidated the newly captured ground, the enemy launched a fierce armored counterattack directly at his platoon positions. Securing a bazooka, Sgt. Barfoot took up an exposed position directly in front of 3 advancing Mark VI tanks. From a distance of 75 yards his first shot destroyed the track of the leading tank, effectively disabling it, while the other 2 changed direction toward the flank. As the crew of the disabled tank dismounted, Sgt. Barfoot killed 3 of them with his tommygun. He continued onward into enemy terrain and destroyed a recently abandoned German fieldpiece with a demolition charge placed in the breach. While returning to his platoon position, Sgt. Barfoot, though greatly fatigued by his Herculean efforts, assisted 2 of his seriously wounded men 1,700 yards to a position of safety. Sgt. Barfoot's extraordinary heroism, demonstration of magnificent valor, and aggressive determination in the face of point blank fire are a perpetual inspiration to his fellow soldiers."

