

SUBJECT: Negotiating agreement with Mexico to exchange historic battle flags

COMMITTEE: State, Federal, and International Relations — favorable, without amendment

VOTE: 6 ayes — B. Hunter, Price, Elkins, Rhodes, Rusling, Serna
0 nays
3 absent — Dukes, Eiland, Reyna

SENATE VOTE: On final passage, March 7 — 29-0

WITNESSES: For — Mike Workman, Sesquicentennial of Statehood Committee
Against — None
On — William D. Gooch, State Library and Archives Commission

BACKGROUND: The battle flag of the New Orleans Greys was captured by the Mexican Army at the Battle of the Alamo on March 6, 1836. Texas became aware of the existence of this flag in the late 1960s and has tried unsuccessfully to procure the flag ever since.

During the Battle of San Jacinto, the flags of the Toluca Battalion, the Guerrero Battalion and the Matamoros Battalion were captured by the Army of the Republic of Texas. These flags are currently held by the Texas State Library and Archives Commission.

DIGEST: SB 627 would permit the Texas State Library and Archives Commission to negotiate with the appropriate authorities in the Mexican government to trade or lend the Alamo battle flag for the Mexican battle flags captured at San Jacinto. Such an agreement could not alter legal title to the flags, could provide that the flags can be restored before being exchanged and would not be valid unless approved by the governor and the appropriate authority for approval in Mexico.

SB 627 would authorize the State Library and Archives Commission to use gifts or grants, but not appropriated money, to restore the San Jacinto flags or the Alamo flag as provided by the agreement.

This bill would take immediate effect if approved by two-thirds of the membership of each house.

**SUPPORTERS
SAY:**

The Alamo Battle Flag of the New Orleans Greys is an important piece of Texas history and should be held in the state archive. SB 627 would not authorize Texas to make a treaty with Mexico — the exclusive prerogative of the federal government — because this agreement would not have the force of law; it would just be an agreement relying on the good will of the two countries to enforce. This legislation would not appropriate any money to this project but would rely entirely on gifts and grants to fund the restoration of the flags.

**OPPONENTS
SAY:**

No apparent opposition.