

RESOLUTION NO. BOS-2024-16

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY  
OF SANTA CLARA REAFFIRMING ITS PRIOR RECOGNITION OF  
THE FLAG OF THE FORMER REPUBLIC OF VIETNAM AS THE  
OFFICIAL FLAG OF THE VIETNAMESE AMERICAN COMMUNITY IN  
SANTA CLARA COUNTY AND OPPOSING THE DISPLAY OF THE  
FLAG OF THE SOCIALIST REPUBLIC OF VIETNAM ON COUNTY-  
OWNED FLAG POLES**

**WHEREAS**, Vietnamese Americans and the United States share a common bond from having been united in a valiant struggle against aggression from the Socialist Republic of Vietnam during the Vietnam War, in which the armed forces of the Republic of Vietnam suffered over 250,000 deaths, alongside hundreds of thousands of deaths among civilians of the Republic of Vietnam; and over 58,000 Americans lost their lives between 1961 and 1975;

**WHEREAS**, Vietnamese Americans embrace the flag of the former Republic of Vietnam, also known as the Vietnamese Heritage and Freedom Flag, which consists of three red horizontal stripes upon a field of gold, under which thousands of Vietnamese fought bravely to defend their country and keep it free;

**WHEREAS**, the Vietnamese Heritage and Freedom Flag represents the long history and culture of Vietnam, and many Vietnamese Americans continue to remember and honor this flag as a symbol of a free Vietnam and the struggle for freedom, democracy, and human rights;

**WHEREAS**, Vietnamese Americans are a well-established and important community in Northern California with over 140,000 persons of Vietnamese ancestry living in Santa Clara County—the second largest Vietnamese community in the United States (after Orange County, California). These community members have continued to help build a vibrant county with contributions to medicine, science, government, education, business, sports, labor, the arts, and more;

**WHEREAS**, Vietnamese Americans annually commemorate the Black April Remembrance in April and the Armed Forces Day of the Former Republic of Vietnam in June to honor those who sacrificed their lives to defend democracy, freedom, and human rights and to remind all Santa Clara County residents of the need to remain vigilant in protecting the principles of democracy, justice, and tolerance upon which our nation was founded;

**WHEREAS**, the United States Constitution guarantees freedom of speech, expression, the press, and the right of the people to peaceably assemble and to petition the government for a redress of grievances. The County respects residents' rights to engage in free speech, to engage in political activity, to lawfully assemble, and to exercise all their constitutional rights;

**WHEREAS**, on June 3, 2003, the Board of Supervisors adopted a Resolution recognizing the Republic of Vietnam flag (Vietnamese Heritage and Freedom Flag) as the official flag of the Vietnamese American community in Santa Clara County;

**WHEREAS**, on August 5, 2006, former California Governor Arnold Schwarzenegger signed Executive Order S-14-06, which formally recognized the Vietnamese Heritage and Freedom Flag as the official symbol of the California Vietnamese American community, and ordered that it may be displayed on the premises of State buildings in connection with a state-sponsored Vietnamese American ceremonial event; and in 2011, then-Governor Jerry Brown reaffirmed the importance of the flag to California's Vietnamese American community;

**WHEREAS**, for the past 48 years, the communist government of the Socialist Republic of Vietnam has displayed a pattern of consistent violations of religious freedom and human rights by incarcerating many intellectuals, writers, bloggers, freedom advocates, and those who raised concerns relating to human rights in Vietnam;

**WHEREAS**, to the vast majority of Vietnamese Americans in Santa Clara County, the flag of the Socialist Republic of Vietnam is a symbol of dictatorship and tyranny. Although the flag of the Socialist Republic of Vietnam may be the flag of a sovereign nation, it does not represent the Vietnamese American community in Santa Clara County. The Vietnamese American community who fled Vietnam do not recognize or condone the Socialist Republic of Vietnam's communist regime;

**WHEREAS**, the County recognizes that the culture and history of the Vietnamese people in Santa Clara County should be celebrated and honored with the Vietnamese Heritage and Freedom Flag; and,

**WHEREAS**, the Board of Supervisors of the County of Santa Clara has a history of supporting and advancing freedom and democracy, and desires to express its opposition to the display of the Socialist Republic of Vietnam flag on any County-owned flagpole located on County property.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of Santa Clara, State of California, that the County hereby reaffirms its prior recognition of the Vietnamese Heritage and Freedom Flag as the official flag of the Vietnamese American community in Santa Clara County.

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**BE IT FURTHER RESOLVED** that the Board of Supervisors expresses opposition to the display of the flag of the Socialist Republic of Vietnam on any County-owned flagpole.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Clara, State of California, on FEB 06 2024 by the following vote:

AYES: ARENAS, CHAVEZ, ELLENBERG  
LEE, ~~SIMITIAN~~


NOES: NONE

ABSENT: SIMITIAN

ABSTAIN: NONE

  
SUSAN ELLENBERG, President  
Board of Supervisors

Signed and certified that a copy of this document has been delivered by electronic or other means to the President, Board of Supervisors.  
ATTEST:

  
CURTIS BOONE  
Acting Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:

  
KAVITA NARAYAN  
Chief Assistant County Counsel