

32. Adopt Resolution to reaffirm 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 oppose the display of the flag of the Socialist Republic of Vietnam on County-owned flag poles. (Lee/Chavez) (ID# 24-4247)

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, RECOMMENDING THAT THE COUNTY OF SANTA CLARA RECOGNIZE THE FLAG WHICH CONSISTS OF THREE RED HORIZONTAL STRIPES ON A FIELD OF GOLD AS THE OFFICIAL FLAG OF THE VIETNAMESE AMERICAN COMMUNITY.**

**WHEREAS, Vietnamese Americans** and the United States share a common bond in a valiant struggle against aggression from the Socialist Republic of Vietnam where the armed forces of the Republic of Vietnam suffered over 250,000 deaths and over 58,000 Americans lost their lives between 1961 and 1975; and

**WHEREAS, Vietnamese Americans** feel tremendous pride in the former flag of the Republic of Vietnam, consisting 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; and

**WHEREAS, Vietnamese Americans** embrace the former flag of Vietnam as the symbol of the Vietnamese American community representing their celebrated and honored culture and long history; and

**WHEREAS, Vietnamese Americans** also see the former flag of Vietnam as a symbol of hope, freedom and peace to their community and all free Vietnamese around the world; and

**WHEREAS, Vietnamese Americans** have become a well established and important community in Northern California with over 100,000 living in Santa Clara County, who are helping to build a vibrant Santa Clara County with their contributions to medicine, science, education, business, sports, labor, government, and the arts; and

**WHEREAS, Vietnamese Americans** annually commemorate Armed Forces Day of the Former Republic of Vietnam in June to honor their soldiers who died defending their country and to remind all County residents of the need to remain vigilant in protecting the principles of democracy, justice and tolerance upon which our nation was founded.

**NOW, THEREFORE, BE IT RESOLVED,** that the Santa Clara County Board of Supervisors does hereby recognize the flag of the former Republic of Vietnam, displaying the three red horizontal stripes on a gold background, as the official flag of the Vietnamese American community in Santa Clara County, and.

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**AND, FURTHERMORE, BE IT RESOLVED**, that the flag of the former Republic of Vietnam may be displayed on any County-owned property or at any County-controlled or sponsored Vietnamese American event or any public function organized by the Vietnamese American community at a County facility subject to event sponsorship by either the Board of Supervisors, a Board member, or the Administration, and also subject to any applicable laws governing the flying of flags and any permit requirements applicable to the event.


**PASSED AND ADOPTED**, by the Board of Supervisors of the County of Santa Clara, State of California on JUN 03 2003, 2003 by the following vote:

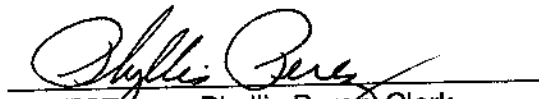
AYES: \_\_\_\_\_ Supervisors ~~ALVARADO, BEALL, GAGE, KNISS, MCHUGH~~

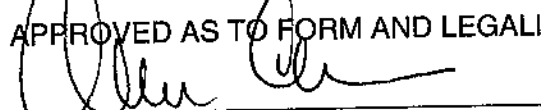
NOES: \_\_\_\_\_ Supervisors **None**

ABSENT: \_\_\_\_\_ Supervisors **None**

ABSTAIN: \_\_\_\_\_ Supervisors  
Alvarado and Gage

  
Blanca Alvarado, Chairperson  
Board of Supervisors

  
ATTEST: Phyllis Perez, Clerk  
Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:  
  
Debra L. Cauble  
Assistant County Counsel

Approved

**From:** [VIVO Board of Directors](#)  
**To:** [BoardOperations](#)  
**Cc:** [Supervisor.Lee](#); [Nguyen.The-vu](#); [Cao.Daniel](#); [Tam.Nguyen](#); [Bao.Trieu](#)  
**Subject:** [EXTERNAL] VIVO in Support of Agenda Item #32 (LF#24-4247) (Republic of Vietnam flag for SCC)  
**Date:** Friday, February 2, 2024 10:20:41 AM

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Dear Board of Supervisors,

I am learning that there will be item #32 being considered by the Board in the upcoming meeting of Feb 6th, 2024:

**Agenda Item #32 (LF#24-4247)**

**\* to reaffirm the flag of the former Republic of Vietnam as the official flag of the Vietnamese American community in Santa Clara County**

On behalf of the Vietnamese Voluntary Foundation (VIVO), its Board of Directors and its Staff, and myself, residing and working in San Jose and Santa Clara County,

\* I would like to express my wholeheartedly support for this Agenda item.

\* I would like to request your consideration in voting YES for this Agenda Item.

Thank you and Regards,

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**Bao Trieu**  
**VIVO, President & CEO**

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

County of Santa Clara  
Supervisory District Three



24-4247

**DATE:** February 6, 2024  
**TO:** Board of Supervisors  
**FROM:** Otto Lee, Supervisor

Cindy Chavez, Supervisor

**SUBJECT:** Reaffirmation for the Vietnamese Heritage and Freedom Flag

**RECOMMENDED ACTION**

Adopt Resolution to reaffirm 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 oppose the display of the flag of the Socialist Republic of Vietnam on County-owned flag poles. (Lee/Chavez)

**REASONS FOR RECOMMENDATION**

Vietnamese Americans have become a well-established and important community in Northern California with over 140,000 living in Santa Clara County. The Vietnamese community helped build a vibrant county with contributions to medicine, science, education, business, sports, labor, government, the arts, and more.

The Vietnamese community outside of Vietnam embraces the Vietnamese Heritage and Freedom flag, also known as the flag of the former Republic of Vietnam, consisting 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. To the Vietnamese community in the United States, this flag represents the displacement of hundreds of thousands of refugees who were forced to flee the Vietnamese Communist regime, dictatorship, and tyranny to search for freedom. This flag is also a symbol of freedom, not only in the United States but around the world. Although the flag of the Socialist Republic of Vietnam may be the flag of a sovereign nation, it does not represent the Vietnamese community in Santa Clara County. The Vietnamese community who fled Vietnam do not recognize or condone the Vietnam Communist regime.

For these reasons, we request a Resolution to reaffirm the County's commitment to recognizing the former Republic of Vietnam flag to include additional language to strengthen it and to be aligned with other local jurisdictions. The City of San Jose adopted its first

Adopted: 02/06/2024



resolution in 2005 and reaffirmed the resolution language in 2017. Congress has also introduced H.Res.560 to recognize the flag of the former Republic of Vietnam as the official symbol of the Vietnamese American community in the United States. In addition, 20 states, 15 counties, and 85 cities have also embraced the Former Republic of Vietnam flag.

### **BACKGROUND**

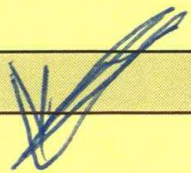
On June 3, 2003, the Santa Clara County Board of Supervisors approved a Resolution recognizing the Republic of Vietnam flag (Vietnamese Heritage and Freedom Flag) as the official flag to represent the Vietnamese community at a County facility. As a County, we have a history of standing together as a community to advance the cause of freedom and democracy. We also intend to express opposition to the display of the Socialist Republic of Vietnam flag on any County-owned flagpole located on County property.

### **ATTACHMENTS:**

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## REQUEST TO SPEAK FORM

This document is a public record, subject to disclosure under the California Public Records Act.  
This document may also be added to the meeting materials posted on the County website.



If you wish to address the Board, Committee, or Commission, please fill out this form and place it in the container provided.

DATE: 2/6/2024

AGENDA ITEM NO. 32

For Issue ☒ Against Issue ☐ Neutral ☐ \* Written comments for the record only ☐

NAME (OPTIONAL): LONG NGUYEN Decline to State ☐  
PLEASE PRINT CLEARLY

ORGANIZATION (OPTIONAL): VIVO (VIETNAMESE VOLUNTARY FOUNDATION)  
PLEASE PRINT CLEARLY

ADDRESS (OPTIONAL): SAN JOSE, CA  
PLEASE PRINT

\*If you want to provide written comments for the record only, and you do NOT wish to address the Board, Committee, or Commission orally, please write comments below:

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DATE: 2/6/24

AGENDA ITEM NO. 32

For Issue ☐

Against Issue ☐

Neutral ☐

\* Written comments for the record only ☐

NAME (OPTIONAL): Nguyen Thi Cuc Decline to State ☐

PLEASE PRINT CLEARLY

ORGANIZATION (OPTIONAL): Hoi Dong Huong Marong Ninh Thuan

PLEASE PRINT CLEARLY

ADDRESS (OPTIONAL): 570 Keyes St # 421 SS CA 95712

PLEASE PRINT

\*If you want to provide written comments for the record only, and you do NOT wish to address the Board, Committee, or Commission orally, please write comments below:

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DATE: 2/6/2024

AGENDA ITEM NO. 32

For Issue ☒

Against Issue ☐

Neutral ☐

\* Written comments for the record only ☐

NAME (OPTIONAL): VAN UE Decline to State ☐

PLEASE PRINT CLEARLY

ORGANIZATION (OPTIONAL): Trustee of East Side

PLEASE PRINT CLEARLY

ADDRESS (OPTIONAL): San Jose

PLEASE PRINT

\*If you want to provide written comments for the record only, and you do NOT wish to address the Board, Committee, or Commission orally, please write comments below:

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DATE: 2/6/24

AGENDA ITEM NO. 32

For Issue ☒ Against Issue ☐ Neutral ☐ \* Written comments for the record only ☐

NAME (OPTIONAL): HATREVE Decline to State ☐  
PLEASE PRINT CLEARLY

ORGANIZATION (OPTIONAL): \_\_\_\_\_  
PLEASE PRINT CLEARLY

ADDRESS (OPTIONAL): \_\_\_\_\_  
PLEASE PRINT

\*If you want to provide written comments for the record only, and you do NOT wish to address the Board, Committee, or Commission orally, please write comments below:

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