

two men face potentially fines, jail time, and loss of their retirement benefits for exercising a right guaranteed under the Constitution.

Mr. Speaker, this is wrong. I stand with Principal Lay and Athletic Director Freeman to their right granted under our Constitution in Amendment 1 to freely exercise their religion and specifically to pray.

Mr. Speaker, I pray that we return to a time when our constitutional right to pray is honored, recognized, and, at the very least, not criminalized.

DANGEROUS WORDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

Mr. GOHMERT. Mr. Speaker, this body today has voted by a majority to disapprove of JOE WILSON's comment. It is important to always take things in context. And, in reviewing the context, we have to notice that we had a President of the United States for whom we pray as Christians. We're supposed to do that—and we do. And we respect the office. And he was not happy with the way things were going with regard to his health care proposal.

The American people seemed to have made pretty clear through August this was not something they wanted. So the President basically demanded to come into this House. Well, he can't come unless he's invited—an invited guest. So an invitation was issued because he wanted to come speak. And he did.

Now there are rules about proper decorum in here, whether you're an invited guest or whether you are a Member of Congress. But, as Members, this is where our voters voted to send us. So we're supposed to be here.

The President came in. And the truth is, I really had mixed emotions because I knew that on Monday the President had taken a shot and actually used the L word. He had said that—actually, his words were, “You’ve heard the lies. I’ve got a question for all those folks. What are you going to do? What’s your answer? What’s your solution? And, you know, what? They don’t have one.”

Well, it was not appropriate to say that we were lying about the proposal when we have taken the only proposal that we have, H.R. 3200, and read from it, and then we’re told we’re lying about the content and we have no solutions.

Well, I would never say the President was lying when he said no solutions because that would infer that he knew that what he said was not true. Whoever put that line in his teleprompter should know that it's not true, but I won't attach that to the President.

But you look at the speech. We heard the speech. He said, “Instead of honest debate, we’ve seen scare tactics.” We’re dishonest because we take the thousand-page bill and read from it, and that’s dishonest? That’s scare tactics?

We’re told by the President in our House that we’re trying to score short-

term political points, even if it robs the country. Now we’re robbing the country, trying to score short-term points.

He goes on. That’s not enough to come into somebody else’s house as an invited guest, and he talks about all the misinformation. So we’re spreading misinformation, he says.

He goes on, the very next paragraph, he’s talking about our bogus claims spread by those who want to kill. Now we’re robbers and killers. And then he laps at the prominent politicians for being cynical and irresponsible. And, yes, immediately before JOE WILSON spoke, he used the L word, said, It’s a lie, plain and simple.

Those are dangerous words to be saying things like that and to come in and be poisoning this well. He had poisoned the American people, talking about lies on Monday. He comes in here and talked about a lie here. He goes on to say we’re making wild claims. These were his words. And then talks about our demagoguery and our distortion, talks about our tail tales.

Then, a surprise. He says, When facts and reason are thrown overboard, we can no longer even engage in a civil conversation. He talks about acrimony. And that’s the context of JOE WILSON’s comments.

That’s no way to act, Mr. Speaker, when you’re invited into somebody else’s house and you come in and use all these words to slander them. That wasn’t being very nice.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. NEUGEBAUER) is recognized for 5 minutes.

(Mr. NEUGEBAUER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

SANTA ROSA COUNTY SCHOOL DISTRICT SCHOOL PRAYER CASE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. I want to add to the comments of my colleagues to briefly discuss a court case that may have ramifications for the constitutional rights of religious expression of all Americans.

On August 27, 2008, the ACLU filed a complaint against the Santa Rosa County School Board in Florida, seeking to enjoin the parties from endorsing and engaging in religious activities, including prayer.

The school district consented to an agreement prohibiting prayer at school-sponsored events. The school district then entered into a broader agreement prohibiting all employees from engaging in prayer or religious activities.

Michelle Winkler, a clerical assistant in the Santa Rosa County School District, attended a privately funded event

to honor non-instructional employees in the school district. She asked her husband, who’s not an employee of the district, to read a prayer that she had written, and was charged with civil contempt of court.

Pace High School Principal Frank Lay and Athletic Director Robert Freeman were charged with criminal contempt for a prayer offered at a luncheon to honor private contributors to the school’s athletic program. There were no students present at either of these two events.

In 2003, the Secretary of the Department of Education issued “Guidance on Constitutionally Protected Prayer in Public and Elementary and Secondary Schools.” These guidelines state that public school officials must be neutral in their treatment of religion, showing neither favoritism nor hostility.

The Supreme Court held that “there is a crucial difference between government speech endorsing religion, which the establishment clause forbids, and private speech endorsing religion, which the free speech and free exercise clauses protect.”

The court also held that “private religious speech, far from being a First Amendment orphan, is as fully protected under the free speech clause as secular private expression.”

In its Santa Fe ruling, the court explained that not all religious speech that occurs in public schools or at school-sponsored events is speech attributable to the government. Additionally, the court held that “the proposition that schools do not endorse everything they fail to censor is not complicated.”

Although schools may not direct or endorse religious activities, students do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.”

Yes, teachers and administrators, while acting in their official capacity, may not encourage, discourage, or participate in prayer with students. However, teachers may take part in religious activities before or after school or during lunch, as the context makes clear they are not acting in an official capacity.

The circumstances involved in this case have unmasked the agenda of the ACLU. Students were not present in either event, yet contempt charges were brought against all parties. Mrs. Winkler was targeted for a prayer that her husband read, even though he was not an employee of the school district.

Mr. Lay and Mr. Freeman face penalties of 6 months in jail and loss of their retirement benefits for an innocent prayer said before a meal at which no students were present.

America was founded on the principle of religious liberty, and the constitutional protection of this right does not stop when they enter the doors of our public schools.

The ACLU is targeting small counties, towns, and school districts, not in an effort to protect against establishment clause violations, but to stifle religious expression.