

military, scientific and commercial uses, GPS is making important contributions to the national security, foreign policy, economic growth, and trade goals of the United States.

The Committee of Conference further finds that, by seeking to establish GPS as an international standard, the United States can advance national security interests, strengthen cooperative security relations with our allies, and support the competitive leadership of American industry in providing GPS products and services to the global marketplace. The broad use of GPS spurs global economic growth as it contributes to improving infrastructures of both developing and industrial countries.

The Committee of Conference is pleased that the U.S. Department of State is undertaking an important leadership role in coordinating efforts within the executive branch in pursuit of regional agreements with U.S. allies, starting with Japan, that seek to achieve three critical goals: (1) ensure the operation of the GPS on a continuous worldwide basis free of direct user fees; (2) establish GPS and its augmentations as an acceptable international standard; (3) eliminate any foreign barriers to, and other restrictions of foreign governments on, peaceful applications of GPS.

The Committee of Conference therefore directs that, not later than 60 days after the enactment of this legislation, and annually thereafter, the Secretary of State shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives that provides the status, prospects and results of cooperative activities undertaken by the United States with the governments of other countries to achieve regional agreements that establish GPS and its augmentations as an acceptable international standard.

For consideration of the House bill and the Senate amendment, and modifications committed to conference:

BENJAMIN A. GILMAN,  
HENRY HYDE,  
CHRISTOPHER H. SMITH,

For consideration of the House bill (except title XXI) and the Senate amendment, and modifications committed to conference:

WILLIAM GOODLING,  
DAN BURTON,  
DOUG BEREUTER,

*Managers on the part of the House.*

JESSE HELMS,  
PAUL COVERDELL,  
CHUCK HAGEL,  
ROD GRAMS,

*Managers on the part of the Senate.*

#### RELIGIOUS FREEDOM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Oklahoma (Mr. ISTOOK) is recognized for 60 minutes as the designee of the majority leader.

Mr. ISTOOK. Mr. Speaker, I wanted to take the time this evening to talk about one of the most significant problems that has plagued America because of a multitude of Supreme Court decisions, which the American people have never accepted. You see, there is a problem with lack of respect for our Constitution and for the history and the heritage which brought our Constitution to us.

In fact, what brought so many people to America originally was their desire

for religious freedom. We look at the stories of the Pilgrims and Puritans, and we recognize that they were motivated by a desire to be in a land where they could be free to worship as they pleased to worship. And that has been so much of the bedrock of American values, but it has been under attack by the United States Supreme Court.

In 1962, the Supreme Court said it did not matter if it was voluntary; students could not come together and pray at school the way that they had since the founding of the republic. In 1998, the U.S. Supreme Court said the Ten Commandments could not be on the wall of the public school because, and this is what the U.S. Supreme Court said, the students might read and obey the Ten Commandments. So, thanks to the court, of course, our students do not read the Ten Commandments and certainly there is a problem in getting people to obey them.

In 1985, the U.S. Supreme Court said even a moment of silence was wrong. A law to permit a moment of silence, they declared, was unconstitutional because it said that this was okay for students to use that time to pray silently.

In 1992, the Supreme Court said that a rabbi broke the law by offering prayer at a public school graduation. And in 1995, the same Supreme Court, which has ruled that a Nazi swastika is protected on public policy, ruled that a cross could not be included in a group of symbols on a city seal to show the heritage of that community.

In fact, I know that case very well, Mr. Speaker, because it happened in my congressional district in Edmond, Oklahoma. The city seal had five emblems on it: A pair of hands clasped in friendship; an oil derrick, symbolizing the importance of oil to Oklahoma's economy; a covered wagon, indicating the heritage of the Oklahoma land run; a tower that is at the university, the University of Central Oklahoma, in Edmond; and a cross depicting a portion of the religious heritage of the community. And I will bring it on another case, Mr. Speaker, that city seal has a blank spot because the other courts ruled and the Supreme Court said, oh, yes, you cannot have a cross displayed on public property.

Now, that is the same Supreme Court that had said that you could not have a nativity scene in Pennsylvania in Allegheny County. They said a nativity scene, or for that matter a menorah, were unconstitutional because they were not sufficiently balanced by emblems like Santa Claus and Frosty the Snowman and the reindeer. Because of that, they said it was unconstitutional to have the Christmas displays that so many places have had.

I know there are many places in this country where people still do things like have a prayer at a high school football game or as part of the school assembly or maybe in a classroom. But often, Mr. Speaker, that is because the ACLU and their friends have not got

around to suing that particular community yet. And, indeed, I see in this Chamber of the House of Representatives right above the Speaker's chair, it reads, "In God we trust." And if the Speaker looks directly across the Chamber from his chair on the back wall here, he sees the visage of Moses, the great lawgiver. And yet, if we had those displayed in public schools, they would likely be held by the U.S. Supreme Court to be unconstitutional.

These decisions started in 1962. There is a whole series of them. I have not even mentioned all of them. But, Mr. Speaker, the time has come to end the judicial misinterpretations of the U.S. Constitution.

□ 2145

The first amendment says, "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." But the Supreme Court has misconstrued that to say, "Oh, well, if you have a prayer at public school, that is the same thing as establishing an official church." Of course it is not.

Common sense tells us it is not, but it is used by people who are intolerant of religion. That is why over 150 Members of this body, of the House of Representatives, have so far joined together with me in sponsoring the religious freedom amendment. It is a proposed amendment to the U.S. Constitution to tell the Supreme Court it is time that we straighten out these things.

It has been approved by the House's Subcommittee on the Constitution. Just last week it was approved by the House Judiciary Committee. We will be voting in the House of Representatives on the religious freedom amendment in not too many weeks from now, a proposed amendment to the U.S. Constitution to correct the mistaken rulings of the Supreme Court against voluntary school prayer, and in so many other ways where they have misconstrued the first amendment.

Now, the text, Mr. Speaker, of the religious freedom amendment is pretty straightforward. I would like to share it with Members. It reads, "To secure the people's right to acknowledge God according to the dictates of conscience, neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage or traditions on public property, including schools, shall not be infringed. The government shall not require any person to join in prayer or other religious activity, prescribe school prayers, discriminate against religion or deny equal access to a benefit on account of religion."

It is pretty simple. It is pretty straightforward. It expresses that we have a right to acknowledge God in America according to the dictates of our own conscience, and neither the

United States nor any State is to establish any official religion. Government is not going to tell us how to believe or what faith we must profess or indeed if we must profess any faith, but the people have a right to pray, even when they are on public property, and that is an individual right and a collective right. We can do it as individuals. We can do it as a group. Government can accommodate that and make it possible for it to occur. And also if it is a recognition of religious belief, heritage or tradition, that is okay.

I have kids in public school or that have graduated from public school, and I cannot tell you how I, as so many other parents have done, have gone to school at different times, you think you are going to a Christmas program, but you find that the songs that are sung are Frosty the Snowman, Here Comes Santa Claus, Walking in a Winter Wonderland, but what happened to O Come All Ye Faithful? What happened to Silent Night? People are afraid to sing them because they think they may get sued by the ACLU. And indeed the policies have gotten so restrictive, whether it is Christmas or a song about Hanukkah or a hymn of Thanksgiving, whatever it may be. It happens not just at school assemblies, it happens at school graduations.

After a case in Utah where a Federal court told them not to sing a simple song about friends because the court thought it had too many religious connotations, the Washington Post wrote in an editorial, it is now an open question, is it okay anymore in public school to sing America the Beautiful, because the chorus says, "God shed His grace on thee."

Is it not absurd in the United States of America, a land with such a beautiful, rich history and heritage of religious freedom, when we wonder if somebody is going to get sued for singing America the Beautiful?

The religious freedom amendment says religious heritage, traditions, belief, yes, the people can express those on public property, and that includes schools. It says also, because we want to make sure people know that they are protected, they are not compelled, government is not going to force anybody to join in prayer.

We start sessions of Congress with two things, the Pledge of Allegiance and a prayer. That used to be common in public schools as well. There are some people in this country who do not want to say the Pledge of Allegiance. The U.S. Supreme Court ruled on that 50 years ago. They said no child can be forced to say the Pledge of Allegiance. I agree with that. That is common sense. You do not force them to. But they did not give somebody the right to censor and halt the children who did want to say the Pledge of Allegiance.

That is the standard we should be applying to prayer in public schools. You are not forced to join in; if you do not want to, you do not have to, but that does not mean that if you are so intolerant

of other people's beliefs, you can force them to stop, because there are millions of people in this country, Mr. Speaker, millions of Americans, who think they should be starting a day at school with a prayer, a simple expression of hope and faith and desire for guidance at the start of the day. But we do not want to force anybody.

And so it is explicit. Government shall not require any person to join in prayer or any other religious activity. And the government does not prescribe school prayers; it does not say, you must pray, and if you choose to pray, it does not say what your prayer shall be. Instead, follow the basic rule. Rotate, take turns, give different students their opportunities. Let them enjoy the understanding that comes from praying together and hearing and sharing in the prayers of others.

And we have a protection in the religious freedom amendment. You are not going to discriminate against religion and you are not going to deny equal access to a benefit on account of religion.

I recall in Oklahoma City, Mr. Speaker, after the bombing and when there was Federal assistance to rebuild the area of downtown Oklahoma City damaged by the blast of the Murrah Building, there were hundreds of other structures that also suffered damage in that. Several of them within a block or two of the blast were churches. The Department of Housing and Urban Development had to get their arms twisted frankly, Mr. Speaker, to accept the idea that a church, just like any other business or enterprise or building nearby, could receive the rebuilding assistance that came from the Federal Government to the properties damaged by the Murrah Building blast. I think that is proper.

We do not say that we are going to help this building over here because it is a copy business or a printing business or a restaurant but, oh, we will help everybody except those that are institutions of faith. We are not going to pay them for their religion or for their religious ceremonies, but we are going to treat them equally if there is some sort of Federal assistance program. Because churches are involved in so many things; they are involved in welfare assistance, they are involved in housing assistance, they are involved in programs against drinking and drugs and rehabilitation. Why should we say that when we have a Federal grant that is available to help somebody get on the right track again, if they have a spiritual component as part of their program, they are going to be disqualified?

The religious freedom amendment is not about supporting churches. It does not enable that to happen for religious activity. But when they have a program that meshes with what we are trying to accomplish to help people get on the right track and to get a hand up and a helping hand in their lives, you do not disqualify someone.

Just like, for example, take Federal education assistance, Pell grants, Fed-

eral college loans, GI bill benefits, we do not tell somebody, look, if you go to the University of Oklahoma or the University of Virginia or the University of Michigan, you can have the Federal assistance in education. Oh, but if you are going to go to Notre Dame or some other Catholic institution, or if you go to Baylor, which is where I went to college, since it is a Baptist institution, you cannot do that. Or Brigham Young or Southern Methodist, we do not say that we are going to disqualify you because you are going to a school that has a religious affiliation. No, we understand that the purpose is education.

So the religious freedom amendment also seeks to cut down on the attacks that people are making, trying to stop normal, everyday assistance programs just because they want to discriminate against people's religion. It is long overdue, Mr. Speaker, that we correct the decisions that the U.S. Supreme Court has heaped upon us.

I think it is important that we look at a particular term that is often used by people in this discussion. I hear people say, well, what does this mean about separation of church and State? I understand the questions. But I also worry when people pay more attention to a catch phrase than to what are the words of the U.S. Constitution. Because that phrase, "separation of church and State," although it has some use, is not found in the Constitution of the United States of America. No matter how many people try to claim that it is, all you had to do is pick up a copy of the Constitution and read it.

What does it say about religion? "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." That phrase, "separation of church and State," is not found in the Constitution.

So the religious freedom amendment does not violate the concept of separation of church and State in the proper sense of that term, but unfortunately, Mr. Speaker, people who are intolerant of other people's religions have distorted the proper meaning of that phrase. In the process, they have persuaded our courts to distort the first amendment.

Under their approach, because the government keeps expanding, everywhere, whether you are talking about schools or roads or if you are talking about drug counseling programs, if you are talking about trade, if you are talking about the price of apples and eggs and butter, the government is involved. When you have a constantly growing government, if you put in place a mistaken notion of separation of church and State and make an improper use of that term, then as government gets bigger, you are saying that religion has to leave the room.

When government comes in the door, religion must exit. So as government keeps growing, religion and its place in our lives has to shrink. That is not

what the Founding Fathers intended. That is not what that phrase was intended to mean.

I want to share with Members what the phrase properly means. This is not according to Ernest Istook; this is according to the Chief Justice of the United States Supreme Court, William Rehnquist. Justice Rehnquist is not one of those who has been trying to push religion and religious expression out of the public square. But Justice Rehnquist has dissented from what the court has done in so many ways.

Justice Rehnquist wrote an official dissent, and this was in the case of *Wallace v. Jaffree* in 1985. He wrote that the wrongful focus on the term separation of church and State has caused, and here are his words on what it has caused, "a mischievous diversion of judges from the actual intentions of the drafters of the Bill of Rights. The wall of separation between church and State is a metaphor based on bad history, a metaphor which has proved useless as a guide to judging. It should be frankly and explicitly abandoned." Those are the words of the Chief Justice of the U.S. Supreme Court.

Because people, instead of talking about the Constitution and our rights under the Constitution, have sought to persuade people that instead you just talk about this phrase, "separation of church and State."

The religious freedom amendment does not abandon the notion of separation of church and State. It just corrects it to the proper meaning; the original and correct meaning of it is what we focus upon. Chief Justice Rehnquist wrote about the actual intent of the first amendment, "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." This is what Justice Rehnquist says was the actual intent of the Founding Fathers.

And I quote his words again, "The evil to be aimed at, so far as its drafters were concerned, appears to have been the establishment of a national church and perhaps the preference of one religious sect over another, but it was definitely not concerned about whether the government might aid all religions evenhandedly."

So the religious freedom amendment follows the correct interpretation and meaning. We do not establish any sort of official religion. We are not going to have a national church in the USA. But that does not mean that we cannot have evenhanded treatment of different religions, of all religions rather than suppressing them, rather than having this current, horrible standard that says you go into a classroom and if a child wants to pray, you silence them.

□ 2200

We silence them. We censor them, we shut them up. That is wrong. That is not tolerance, that is not diversity, that is censorship. But that is what the U.S. Supreme Court has been telling us for 36 years, and it is long overdue that

we correct what they have done to twist and distort the First Amendment.

Now, it is really embarrassing, Mr. Speaker, that Congress has taken so long to act on this crucial issue which goes to the heart of the matter; it goes to the essence of our liberties as Americans. We have not had a vote on a school prayer constitutional amendment in this House of Representatives since 1971, and that is the only time we ever had it. The Supreme Court made its decision in that area in 1962. Now, after 36 years, we only had one vote on the floor of this House, and that was 27 years ago. They have not had a vote in the Senate since 1984.

And yet, year after year, month after month, we have public opinion polls, I have a collection of 36 years of public opinion polls in the U.S.A., and 75 percent plus, 75 percent and up of the American people say they want a constitutional amendment to address this, to make it possible to have voluntary prayer in public school again. And the House has been unresponsive. That is why I am so pleased that 150 and more Members of this House have come together in sponsoring the religious freedom amendment to correct this. It is so long overdue.

As we look at this, let us compare the difference between what we do on a Federal level and the States. If we look at the preamble of the religious freedom amendment, to secure the people's right to acknowledge God according to the dictates of conscience, is that not what we want? Is that not the freedom we want? We can acknowledge God according to what our conscience tells us ought to be the manner of doing so.

I hear some critics say, oh, my goodness, we cannot refer to God in the Constitution of the United States of America. What do we think the Founding Fathers did and the Declaration of Independence when they talked about a due regard for nature's God, when they said in the Declaration of Independence that we hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain inalienable rights, and that among these rights are life, liberty, and the pursuit of happiness, that to secure these rights, governments are instituted among men. Now, is that not something? The Founding Fathers said our rights do not come from government, they come from God, from our Creator, and the purpose of government, the whole reason for setting up government is to secure the rights given to us by God.

Now, to some people today perhaps that appears a strange notion, and so when we say let us put in the Constitution that people have a right to acknowledge God according to the dictates of conscience, they seem to think it is something strange. But yet, Mr. Speaker, I have looked through the constitutions of all 50 States. I ask my colleagues if they know that every one of our 50 States in their State constitutions refer to God. They do.

We can look at any State, pick a State. The gentleman from California (Mr. CUNNINGHAM), from that Golden State, California's constitution includes the words that they are grateful to Almighty God for our freedom. Pick another State. Let us take another western State. Arizona, in its Constitution it says, grateful to Almighty God for our liberties. Idaho, grateful to Almighty God for our freedom. Kansas, grateful to Almighty God for our civic and religious privileges.

Maine, oh, listen to this in Maine: Acknowledging with grateful hearts the goodness of the sovereign ruler of the universe in affording us an opportunity so favorable to the design, and imploring God's aid and direction in its accomplishments. That is in a State Constitution in Maine. Connecticut says that it acknowledges with gratitude the good providence of God. Indiana, grateful to Almighty God for the free exercise of the right to choose our own government. Nebraska, grateful to Almighty God for our freedom. Michigan, grateful to Almighty God for the blessings of freedom. New York, grateful to Almighty God for our freedom.

My home State of Oklahoma, invoking the guidance of Almighty God. Rhode Island in its State Constitution says, grateful to Almighty God for the civil and religious liberty which he hath so long permitted us to enjoy and looking to him for a blessing upon our endeavors. South Carolina in their State Constitution says that they are grateful to God for our liberties. Vermont says that part of the reason for their Constitution is to worship Almighty God.

We could go on and on, Mr. Speaker, through the different States, through what the people of the States have thought was so important that they needed to write it into their constitutions, and they did not mince words. They said, we as a people believe in Almighty God, and we want to protect people's rights to worship God Almighty.

In this age when so many people are trying to suppress religious expression in everyday life, is it not overdue that we make it clear in the national Constitution of the United States of America that people should be secure in their right to acknowledge God according to the dictates of conscience? And that is a phrase that appears also in a number of State constitutions: according to the dictates of conscience.

So the people that did so much to establish this Nation and the States and to establish and then to preserve our freedom and our liberty, they recognized that it is because of God Almighty that we have been able to do these things. Yet, Mr. Speaker, it is sad that so many people want to wipe it out. They say, well, look, if we want to express something about religion, do it in the privacy of your own home, do it only at church.

But, Mr. Speaker, if our constitutional rights only exist when we are in

private and we cannot proclaim them in public, are they really a right anymore? If we were told we have a right of free speech, but not in public, we would have the media so up in arms about it saying, wait a minute, free speech is something one takes with them wherever they go, and in fact it is supposed to be more protected on public property than on private property. Is that happening?

A sad case recently, this is a Federal court, a Federal court in New Jersey, there was a first grade student in Medford, New Jersey, and he wanted the right to read a story to his classmates and he brought a book to school the next day to read a story to his classmates. The book was *The Beginner's Bible*. The story was about Jacob and Esau, their reunion together, two brothers coming back together. In fact, I have read the text of that story. It does not even mention God, but because it is from a beginner's Bible, the teacher said, "You cannot read it in school," and the U.S. District Court agreed and said that is right, you cannot read it. That is the first grader.

In Alabama right now, in a court ruling issued by a Federal judge in Alabama, over 70 students have been expelled because the judge has said it does not matter what sort of school activity it is, classroom, school assembly, football game, pep rally, you name it, school officials cannot permit a prayer to occur. And students that do not go along with that have been expelled. Now, what kind of religious tolerance is that?

I recall the words of another Supreme Court Justice, Potter Stewart. He dissented, Mr. Speaker. He dissented when the Supreme Court said that students should not be allowed to join together in prayer at school as part of a normal activity, and he wrote that he did not see that there was a danger in letting students that wanted to say a prayer to say one. In fact, he said if we really believe in diversity, students are only going to learn about diversity if they are exposed to it at school where they know it is normal, where they realize different people pray different ways, different people have some differences among their faiths, but yet they are more united than they are separate on those things.

In fact, Justice Stewart went farther, because I hear some people talk about what they call a captive audience at school, they say, oh, you cannot have prayers at school because the children are captive audiences there. The people that first came up with that concept did not think about all of the students, they only cared about maybe a child who did not want to hear someone else's prayer.

But how about the vast majority of students that say yes, that is something good, that is something positive, what about their rights? Because Justice Potter Stewart wrote, in a system of compulsory attendance at public school, to deny children the right to

have a prayer, which is an everyday occurrence in so many other places in life—this Congress, legislatures, city council meetings, city club meetings, you name it—to deny them the right, Justice Stewart wrote, to have a prayer while they are required to be at school is to place religion at an artificial and State-created disadvantage. It is not being neutral, it is being negative toward religion, and that is not what the Founding Fathers intended.

Mr. BISHOP. Mr. Speaker, will the gentleman yield?

Mr. ISTOOK. I yield to the gentleman from Georgia.

Mr. BISHOP. Mr. Speaker, I thank the gentleman for yielding to me. I would just like to thank my good friend from Oklahoma for organizing this special order and for all of his hard work in behalf of this very important and vital legislation. I respect very, very deeply our Constitution and our First Amendment, but I share the gentleman's concern with the interpretations that have been given of the First Amendment over the last 30 years by our Supreme Court.

Ironically, it seems that the Founding Fathers who certainly had the specter of a national religion fresh on their minds probably never, ever envisioned a time in history like we experience today when religious expression and exercise of any kind in a public place is shunned so adamantly by our government. They were running from a government that was too involved in religion, and we now have a government that discriminates against religion.

So I want to commend the gentleman from Oklahoma (Mr. ISTOOK) for his efforts and for lifting up this issue for the American people and for the Members of this body to carefully deliberate on so that we can really consider where we want to go in the future to right what has been 30 years of the wrong direction.

I can remember very vividly when I was a child growing up in Mobile, Alabama, and I started to school and every morning it was the Lord's Prayer, the 23rd Psalm, the Pledge of Allegiance to the flag, and My Country 'Tis of Thee. That was regular, it was consistent, and even though we recited it almost by rote, the words of all of those began to have meaning for us. And I believe that somehow those words, through the 12 years of grade school and high school that I attended, made a difference in shaping the values that I have. I am afraid that several generations of America's young people have grown up despiritualized because of this wall of separation that has been placed between our religious values and our life.

I learned somewhere that religion is what means the most to a person. I believe as Americans we are very, very reverent, and I think that everyone should have the right to express him or herself in any way that he or she should, within the appropriate and accepted means.

This religious freedom amendment that is being offered is very simple. It says simply that to secure the people's right to acknowledge God according to the dictates of conscience, neither the United States nor any State shall establish any official religion. Who would have any qualms about that? It goes on to say that the people's right to pray and to recognize their religious beliefs, heritage or traditions on public property, including schools, shall not be infringed. Now, who should have problems with that?

□ 2215

It says, "Neither the United States nor any State shall require any person to join in prayer or other religious activity, prescribe school prayers, discriminate against religion, or deny equal access to a benefit on account of religion."

All of this would appear to be perfectly legitimate and perfectly consistent with what the Founding Fathers had when they drafted the First Amendment to our Constitution. It is certainly consistent with our history, our traditions for most of the 200 plus years of our country's history, save the last 30 years where the Supreme Court has turned us in another direction.

I believe that it is appropriate. I believe that it is certainly incumbent upon us to lift this issue and to raise it so that, once again, Americans will have as much protection to express their religious beliefs and heritage, even in a public place as they do to express, to describe, or to observe nude or pornographic material.

I think that to offer more protection for pornography than for the sacred, religious beliefs and traditions of the various people in this country is really awful. It is something that is inconsistent with our history and our heritage.

I commend the gentleman from Oklahoma (Mr. ISTOOK) for his efforts. And I join the gentleman in his efforts to see if we can right that wrong.

Now, there are those who would suggest that, if we should do this, that we will somehow be infringing upon the rights of, perhaps, a minority; that there may be a Jewish student in school or a Muslim student in school who might feel ostracized because he or she may be the only child or one of just a few children in the class who may be belonging to a particular religious belief or faith.

Well, that may be true that they may be a minority, but we have learned in America that even minorities have rights. Under this religious freedom amendment, even that child who belongs to a minority would have just as much right to pray or to express his or her religious traditions as the majority, the majority faith that would be represented in that particular environment.

They say, well, how are we going to manage to make sure that no child gets ostracized or no one is treated unfairly? I suggest to the gentleman that

it should be handled in the very same way that teachers and principals and school administrators and school boards handle the order and discipline of our schools today.

What has to happen is that school boards must be accountable. They must make sure that whatever policies are applied are applied evenhandedly. And if those policies are applied evenhandedly, even the minority students would have the right to express their religious beliefs with the same dignity and the same respect as any other students in the class. I believe that it is fair. It is basic. I think it is an idea whose time has returned.

I commend the gentleman from Oklahoma. I certainly support his efforts. Maybe we may disagree on some of the nuances and some of the specific wording in the amendment, but I think the thought, the principles, and the ideas are the same.

I want to join the gentleman and support what he is doing. Maybe at some point we can get together and fine tune the language in a way that it would eliminate any criticism.

For example, I believe the gentleman mentioned the word, "God". There are some religions that God can be a generic term or God can be an anthropomorphic deity. I do not think it is appropriate for government to decide.

So for that reason, if it were my preference, I would remove the word, "God," from the amendment itself, because it appears no where else in the Constitution anyway. But I do not think that that is a severe impediment.

I believe that the essence of the amendment is for every person to have the right to express his or her religious beliefs and opinions without being discriminated against and in an evenhanded way.

I do not think that government should shun religion just as I do not think government should foster religion. I believe that this amendment, if implemented and if it is applied fairly, and school boards are accountable and hold their employees accountable in the implementation of it, I think it can work well. I think that it will help us to get back to the day where we can restore spirituality and values and principles and character and dignity in our young people, and we can look forward to a brighter future.

I thank the gentleman from Oklahoma for yielding.

Mr. ISTOOK. I appreciate the gentleman from Georgia's comments. In fact, I would like to exchange a couple of thoughts with the gentleman.

I would like to engage in a colloquy, if I can, with the gentleman from Georgia, because I was struck by something he said about some people, the way they treat it, in essence, equate religion or religious expression with pornography.

Now, let me explain what I mean by that, because pornography is a special category where free speech does not

apply. Free speech is not absolute. We cannot yell "fire" in a crowded theater. That is kind of the classic. We cannot advocate for people to rush out and take up arms and violently overthrow the government or otherwise incite people to riot or rebel. I do not know if that is truly what we are trying to do. Of course, then, there is limitations on things that are pornographic.

Now, the courts in doing this, I can think of an example that involves the Internal Revenue Service. One of their big district offices in California put out a memorandum to its employees. They said, you cannot have a religious item in your personal work space or on your desk. We are talking about things that could be a picture of Christ. It could be a Star of David. It could be a nativity scene. It could be lots of different things.

I wrote the IRS, and I said, why are you doing this? They wrote back, and they said in their letter, items which are considered intrusive such as, and they gave two examples, and these are the only examples they gave, items which are considered intrusive such as religious items or sexually suggestive cartoons or calendars are prohibited.

Look how they juxtaposed things. Look how they categorized a Bible or a menorah or a cross or whatever as though it were pornographic. I was struck by that when the gentleman from Georgia made the comment that he did. I wanted to share that with the gentleman and get your reaction to that.

Mr. BISHOP. I would be appalled to have that kind of comparison contrast made to mention religious items. Religion is what means most to people. It is revered. It is something that is sacred, whatever that expression may be. If it is religious, it is deeply held and deeply felt.

For those of us who feel that a person's right to express his or her religious traditions, whether it is the wearing of religious items, a crucifix, a menorah, or whatever the sacred item might be, and to have that item in his or her possession, and to have that equated with pornography, I think, is abominable.

I think it is certainly inconsistent with the noble high ideals of our Founding Fathers when they founded this country and when they wrote what I believe to be one of the greatest documents ever written in history, and that is our Constitution, next to the Bible, of course.

I feel very strongly that this is wrong, that the interpretation, the pendulum, has swung too far in that direction, and we need to right a wrong. I believe that the way to do that is through the enactment of a Constitutional amendment to set it straight once and for all.

Mr. ISTOOK. I agree with the gentleman. I think through the different symbols. Because it is not just the Internal Revenue Service. They are acting in response to these horrible court decisions.

In San Francisco, in a city park there, for 65 years, there was a large cross. It was on public property there. It had been there for 65 years. It had been praised by people.

President Franklin D. Roosevelt, when he was President, made a national address where he singled it out. A U.S. Supreme Court ruled last year it was unconstitutional. Now, I do not know if it was unconstitutional to them 65 years ago or if it first became unconstitutional to them in 1997 or when.

There have since become cases in San Diego, cases in Oregon, cases in Hawaii. I mentioned the one in Edmond, Oklahoma. For the U.S. Supreme Court to single out emblems of a particular faith and, yet, that same U.S. Supreme Court has ruled that an emblem like a Nazi swastika is protected.

I am thinking of a case in Skokie, Illinois, a Jewish community with a lot of members of the Jewish faith who were survivors of the Nazi Holocaust, and American Nazis went to parade in Skokie, Illinois, through the streets emblazoning their Nazi swastika all over the place. The court said, oh, that is protected. A symbol of hate is protected, but a symbol of love, of hope, of faith, it is not. What kind of standard is the Supreme Court using?

Mr. BISHOP. Will the gentleman yield?

Mr. ISTOOK. Yes.

Mr. BISHOP. I think that is a very, very profound question, because I think what the Supreme Court was trying to say was that we have to learn to be tolerant of the views of others, even though they may be different from ours. I think that is a very, very valid statement, a very, very valid principle.

However, do we want to draw the line and not be tolerant of the views of others if those views happen to be based in religious tradition, religious practices, religious beliefs? Certainly, that could not be the intent of our Founding Fathers.

Certainly, we must want to teach tolerance so that, if people are of different religions, different backgrounds, have different points of view, that they each have the right to express those points of view in an atmosphere of tolerance, particularly government tolerance.

I think that that is essentially what this amendment is trying to do. Let us be as tolerant of the expressions of religious belief, regardless of what the religion might be.

Let us be as tolerant of that as we would be of a swastika or of burning a flag in public, which is certainly abominable to those of us who are patriotic Americans who revere our flag, but to allow tolerance for those who, through their anger and misguided or misdirection, would destroy our flag or would want to wave a symbol of hate like a swastika, to give them the protection and the tolerance, but not to give that to a young girl who merely wants to take her Bible with her on her school bus on her way to school, to ban that

and not give her the protection and the tolerance by her government merely to carry a sacred book on the school bus with her, that could not be the intent of our Founding Fathers, and certainly was not the practice of the custom for most of our country's history.

Can you imagine justifying and protecting the use and the waving of a swastika, a symbol of hate, while at the same time, banning a young girl from playing a videotape of herself in a show-and-tell day at school simply because she is singing a religious song in church. It just does not seem to be fair. It is not right. And it is discriminatory.

□ 2230

I believe the time has come that we need to stop discriminating against the kind of tolerance that expresses religious traditions while we protect the kind of tolerance that allows hate and racism to be expressed as with the swastika and many other symbols that the Supreme Court has allowed to be protected.

Mr. ISTOOK. I certainly agree with the gentleman. Unfortunately, some people seem to have this notion that tolerance is a one-way street. They expect us to tolerate expressions by people who are way out of the ordinary, and certainly I believe in protecting the rights of minorities of whatever type they may be, but that does not mean that you disregard the rights of the majority because the first amendment was meant for all of us.

I hear some people say, the first amendment and the religious protections in it were intended to protect the minority from the majority, but I think that cuts both ways. Yes, it is intended to protect the minority from the majority, but it is also to protect the majority as well. And to say that it only protects some of us and not others is certainly not equal protection of the laws and it is not what the Founding Fathers intended.

Yet I think of instances, in Denver, Colorado, a year or two ago, this organization known as Americans United for Separation of Church and State got involved really in an incredible way, because they were going to have a prayer luncheon and the governor was going to be a part of it, and they put out this press release saying, oh, it is terrible for a public official to be involved in a prayer breakfast or a prayer luncheon because they are public officials and, therefore, I guess supposedly they are not supposed to have any religious expression of religious freedom. Yet they were condemning the idea of having a community prayer luncheon and letting public officials be a part of it. That was outrageous to me.

You look, right now the State of Ohio, Ohio has a State motto. Their State motto is, "With God all things are possible." They are being sued by the ACLU saying, You cannot use the State motto; you cannot put it up.

Like I mentioned before, we have "In God We Trust" over the Speaker's chair here in the Chamber of the House of Representatives. But they are suing, saying the State of Ohio better not say, "With God all things are possible."

Look at the State seal of Florida; it says, "In God we trust" on the State seal of Florida. There are other expressions on other State seals and State flags.

I look at West Virginia, where the ACLU is suing there to say you cannot have prayers to start football games. What kind of intolerance is this? Yet in this topsy-turvy world, some people try to say, oh, we are practicing tolerance by telling people to be silent. That is not tolerance. That is intolerance of the worst order because it picks on people's religious faith.

I know when it comes to saying that it is once again possible for students at school and, if they wish, in the classroom to have a prayer at the start of the day and, as you mentioned, you protect everybody's rights, you have it rotated and you make sure that it is not just one faith that gets to say a prayer and others do not, the religious freedom amendment does not countenance that sort of thing, but it gives people the opportunity.

I think back on my experience, and I am 48 years old; maybe once or twice in 48 years of life thousands and thousands of prayers I have ever heard, only maybe once or twice in my life has there ever been a prayer that I heard that I thought was out of place.

I think when you talk about having prayers in public schools and thousands of public schools, what turns out to be millions of times a year probably, that it is going to be extremely rare if there is going to be any sort of prayer that is offensive. Do you say that if you are afraid that somebody is going to say something wrong, you force everyone to be silent? That is not the American way. If something happens that is wrong, that is how you learn. You learn from those experiences.

These scare tactics that some people are using, the ACLU-type groups, saying, people are going to be coming into our schools to do this and that; no, they are not. This amendment does not give anybody the right to walk into a public school. It talks about the rights of those who have a right to be there, just as everybody does not have the right to come in and disrupt the proceedings of this House or to go into some other government office and be disruptive, there is no right to be disruptive just because you have a right to free speech.

Mr. BISHOP. That is a very interesting concept that the gentleman just raised, because I hear a lot of the opponents or the critics of the amendment suggesting, how are we going to regulate this? How are we going to control who comes in and what they say?

We already have in place the mechanisms for controlling the orderly proc-

esses of our government operations, for example, the rules of this House, for the operation of our schools, the principals, the school board, the teachers, the faculty. They have a routine. They have procedures. Students know when they are allowed to speak and when they should remain silent. They know that they have to cease speaking while another child is giving his or her recitation or responding in class. There is a protocol.

I believe that the people in this country, our school boards in this country, are as creative and as ingenious and as bright as it takes to be able to establish the right kinds of protocol so that every child would be given the opportunity to express him or herself in a way that is evenhanded.

We live in a melting pot. America has been always a melting pot with many, many backgrounds and many generations of people coming from all over the world to make their home on these soils. I believe that they bring a very, very interesting set of backgrounds and histories and religious traditions which is a part of our national cultural heritage. We must be willing to expose ourselves and to listen to it, not necessarily agree with everything we hear, but to listen, to listen respectfully and to form our own opinions.

I believe that is what this religious freedom amendment is all about. It is not about cramming one particular point of view down anyone's throat. It is about allowing all of the ideas, allowing young people, allowing people who have religious beliefs to be able to express them as they can express any other form of free speech in any context that is not inhibiting and is not discriminatory.

I just believe that what the gentleman is trying to do through this amendment and what we all want to see for America will help us to have a much richer heritage and a much more tolerant environment. I do not believe that anybody will be put upon, and I do not believe that any school board would stand for anyone being put upon. Should that happen, those instances where someone abuses that authority, it will be appropriate for the ACLU or for parents or for the community to rise up in arms, to rise up in protest legally or otherwise to make sure that those wrongs are righted.

Mr. ISTOOK. I think the gentleman has stated things very well. I appreciate your recognition and expression of the fact that this amendment is about tolerance.

Some people have developed the mistaken notion that if they are present when somebody says something with which they disagree, that they have been put upon. Well, hearing something with which you disagree and being respectful of it does not mean you agree with it. It happens all the time on the floor of this House. It happens all the time in classrooms at school. And to single out religion and say, you cannot

say something that does not have unanimous approval because it infringes on someone else's rights, what you are really doing is stomping on the rights of almost everyone just because somebody there is intolerant.

I think of the case, this was the graduation prayer case, the prayer there was said by a Jewish rabbi. The Supreme Court said it was unconstitutional to expect people to be there because they would be expected to be respectful. That interfered with their constitutional rights.

I suggest to you and to everyone that if they said, well, we expect students to be respectful when somebody is speaking, we expect them to be respectful if the school choir is singing a song, we expect them to be respectful of all the occasions, but if it is a prayer, you cannot expect respect.

What a terrible doctrine the Supreme Court unleashed there. We have to correct it. You do not have free speech if you can only say things with which people agree.

If I could close and just share a thought expressed recently, just about 3 months ago by Pope John Paul II, concerned with religious freedom in the United States of America, when he received the new American ambassador to the Vatican just in December. He said this: "It would truly be a sad thing if the religious and moral convictions upon which the American experiment was founded could now somehow be considered a danger to free society, such that those who would bring these convictions to bear upon your Nation's public life would be denied a voice in debating and resolving issues of public policy. The original separation of church and State in the United States was certainly not an effort to ban all religious convictions from the public sphere, a kind of banishment of God from civil society."

Those were the words of Pope John Paul II just in December, expressing concern about religious freedom being stripped away in America.

The religious freedom amendment will correct that. I thank the gentleman from Georgia (Mr. BISHOP). I thank the Chair for having the time to present it. I look forward to the day in the next few weeks when we will have a chance to debate and to act upon this House floor on the religious freedom amendment.

1997 ANNUAL REPORT ON ALASKA'S MINERAL RESOURCES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. REDMOND) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Resources:

*To the Congress of the United States:*

I transmit herewith the 1996 Annual Report on Alaska's Mineral Resources,

as required by section 1011 of the Alaska National Interest Lands Conservation Act (Public Law 96-487; 16 U.S.C. 3151). This report contains pertinent public information relating to minerals in Alaska gathered by the U.S. Geological Survey, the U.S. Bureau of Mines, and other Federal agencies.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 10, 1998.*

FEDERAL AGENCY CLIMATE CHANGE PROGRAMS AND ACTIVITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-226)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Science, the Committee on International Relations, and the Committee on Appropriations and ordered to be printed:

*To the Congress of the United States:*

In accordance with section 580 of the Foreign Operations, Export Financing, and Related Agencies Appropriations Act, 1998, I herewith provide an account of all Federal agency climate change programs and activities.

These activities include both domestic and international programs and activities directly related to climate change.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 10, 1998.*

MILITARY READINESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from California (Mr. CUNNINGHAM) is recognized for 60 minutes.

Mr. CUNNINGHAM. Mr. Speaker, one of my favorite speakers is a guy named Will Rogers. First of all, he tells stories and he relates to people. And my subject tonight is the readiness, the national security of this great country.

We just finished a hearing in San Diego headed up by the gentleman from Virginia (Mr. BATEMAN). Our Republican and Democrat colleagues, I was very, very proud, they listened. They watched. And they unanimously contended that the readiness state of our armed forces in this country is at a critical state.

I think it best relates, as my friend Will Rogers used to relate the stories, and it tells about a case of a gentleman that was in an accident and he was banged up. His horse was killed. His dog was killed.

And the insurance agent came to the gentleman and said, Well, is it true the day of your accident you told the police officer that it was the best day of your life and that you had never felt better? And the gentleman looked at him and said, Yes, this is right. I did that. He said, But you had broken legs and broken arms. He said, Yes, but I

still said that I never felt better. He said, Can you explain? He said, Well, my horse had broken legs and the policeman took out his revolver and he shot the horse. My dog was near death, and he reached over and shot the dog and the police officer looked at me and said, how do you feel? And of course, I replied I never felt better in my life, even though I had broken legs and arms.

Kind of the truth in the same story could be related to our service chiefs as they testified before the different committees.

□ 2245

A four-star General or Admiral will come before the committee and state, "Our readiness state is high, we are well trained, we are well prepared." And these are the same words that they said in the '70s when we were at an all-time low. But we know and they know if they do not agree with the President's budget and they say otherwise, the President will find someone who will agree. And there is the paradigm.

If we take a look, the White House budget is a good one. But our service chiefs try and give us the information to read between the lines. For example, in the President's budget education impact aid has been cut. What is education impact aid?

If a military service person signs up for aid in one State and moves to another, and they reside in that State and keep their registration there, their State taxes go to that State. And say that they go to California, the State that I am from, and their children go to that school. Well, they impact that school, but yet there are no State funds. Ninety-seven percent of education is paid for, excuse me, 93 percent, out of State funds, so there is a direct impact on that school. Yet the budget is okay, but education impact aid is not in the budget.

The service chiefs testified that 80 percent of the equipment of all of our services, 80 percent, is of 1970 vintage. But the budget is okay. There is not enough money for modernization, because modernization over the past 7 years has been cut 70 percent. So our new tanks, our new aircraft, our new weapon systems, our ships cannot be built. But yet the system is okay.

The bottom-up review that was charged by then Secretary of Defense Les Aspin pointed out that the Navy was going from 546 ships, but yet we needed only 346 to complete two combat zones at one time. They refer to it as a two MRC. It would take 346 ships to do that. But yet in the budget that we see today, in the outgoing years and this year, we are only building three to five ships, which will put us well below 300 ships. But yet the budget was okay.

There are limited parts, so bad that many squadrons in the United States have but one or two aircraft that will fly because they have had to take the parts off of those aircraft and send