DEMOCRATS ON CHAIRMAN BURTON'S COMMITTEE JUSTIFIED IN REFUSING TO VOTE FOR IMMUNITY

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

Mr. CONYERS. Mr. Speaker, several hours ago, the House Committee on Government Reform and Oversight gave a vote of no confidence to the campaign finance investigation being headed by my friend, the gentleman from Indiana (Mr. BURTON). The committee declined to immunize four witnesses and haul them before his committee. As a past chairman of that committee, I can tell you that what the committee did today was the only course of action they could take.

□ 2245

My Democratic colleagues were not asking for much. They simply wanted procedures for subpoenas that would give them a chance to object and force a committee vote before such subpoenas could be issued. They were willing to negotiate, but Chairman BURTON was not.

I am sorry to say this, but Chairman BURTON'S recent actions have discredited the Committee on House Oversight of the Congress, which is supposed to set the example for fair investigative procedure. Never in my tenure as chairman of that committee, not once, did the minority complain that a major investigation was unfair or conducted without their full involvement.

Consider the causes for our embarrassment. More than 600 subpoenas have been unilaterally issued, without one of them ever having a committee vote or the involvement of members of the committee; a stubborn and continuing refusal to subpoena any witnesses requested by the Democratic members of the committee; a tasteless decision to release the private conversations between Mr. Hubbell and his wife, that had no connection to the subject matter that the committee was investigating; the misleading editing of the tape transcripts, which should have never been released in the first place, forcing a public rebuke by the Speaker himself for the embarrassment caused to the House of Representatives; and, finally, growing evidence that the committee may be improperly and perhaps illegally coordinating its investigation with that of Independent Counsel Kenneth Starr, which, by Federal law, is supposed to remain secret.

So the failure of the committee's investigation carries an important lesson for all of us in Congress: The concerns of every member of a committee, especially an investigative committee, cannot be ignored or shunted aside by procedural maneuvers.

I am hopeful that my colleagues will keep these lessons in mind as we move forward from the ashes of the BURTON investigation.

PRESERVING THE INTEGRITY OF THE BILL OF RIGHTS

The SPEAKER pro tempore (Mr. SESSIONS). Under the Speaker's announced policy of January 7, 1997, the gentleman from Texas (Mr. EDWARDS) is recognized for 37 minutes as the designee of the minority leader.

Mr. EDWARDS. Mr. Speaker, in three weeks the gentleman from Oklahoma (Mr. ISTOOK) will try to amend the U.S. Bill of Rights, the sacred document that has served America for well over 200 years.

Perhaps the greatest contribution of the American experiment in democracy is our Nation's religious freedom. Because of our Bill of Rights, America is not torn by religious wars.

In contrast to the religious strife in Northern Ireland and in the Middle East, Americans are at peace. In contrast to Islamic fundamentalist states that use government to force religion upon its citizens, America's Founding Fathers had the wisdom to write a Bill of Rights that separated the power of government from the freedom of religion.

These and others are powerful reasons why the Bill of Rights has never been amended in our Nation's 207 years; never, never has been amended since the Bill of Rights was adopted 207 years ago.

Yet Mr. ISTOOK not only wants to tamper with the Bill of Rights, he wants to rewrite the first 16 words of the First Amendment of the Bill of Rights, those words that say ''Congress shall make no laws respecting an establishment of religion or prohibiting the free exercise thereof.''

Now, Mr. ISTOOK calls his bill the religious freedom amendment. I would suggest that James Madison and our Founding Fathers beat Mr. ISTOOK to the punch by just over 200 years. The real religious freedom amendment is called the First Amendment of our Constitution. I believe Mr. ISTOOK'S bill should frankly be called the religious freedom destruction act.

It is amazing that some of the same people who do not entrust the Federal Government to deliver our mail want government involved in something as sacred as our children's and grandchildren's prayers. To change the Bill of Rights for any reason is a grave undertaking. To change it for reasons that simply do not exist is wrong.

Mr. ISTOOK bases his amendment on several myths. His arguments are a temple built on a false foundation.

Myth number one: Mr. ISTOOK alleges that students cannot pray in public schools. Nothing could be further from the truth. The law of this land allows students to pray before, after, and even during school. What the law prohibits, as it should, as intended by our Founding Fathers, is that government-sponsored prayers should be prohibited.

Time Magazine on April 27, 1998, and CNN have recently reported there are thousands of prayer and Bible groups that have been formed in public schools all across America in just the last few years.

Mr. Speaker, I enclose for the RECORD the article from Time Magazine of April 27 record entitled ''Spiriting Prayer into School.''

Mr. Speaker, let me take several excerpts from this Time Magazine article. ''Politicians may bicker about bringing back prayer, but in fact it is already a major presence, thanks to the many after-school prayer clubs.'' The article goes on to say that ''available statistics are approximate, but they suggest that there are clubs in as many as one out of every four public schools in the country. In some areas, the tally is much higher.''

Later the article says this: ''The resulting Equal Access Act of 1984 required any federally-funded secondary school to permit religious meetings if the schools allowed other clubs not related to curriculum, such as public-service Key Clubs. The crucial rule was that the prayer clubs had to be voluntary, student-run, and not convene during class time.''

The article goes on to point out the Supreme Court in 1990 sustained this law by a vote of 8 to 1.

Let me read additional excerpts from the Time Magazine article. ''Evangelicals had already seized the moment. Within a year of the 1990 court decision, prayer clubs bloomed spontaneously on a thousand high school campuses. Fast on their heals came adult organizations dedicated to encouraging more. Proffitt's, Tennessee-based organization, First Priority, founded in 1995, coordinates interchurch groups in 162 cities, working with clubs in 3,000 schools. The San Diego-based National Network of Youth Ministries has launched what is called Challenge 2000, which pledges to bring the Christian gospel to 'every kid on every secondary campus in every community in our Nation by the year 2000.' It also promotes a phenomenon called 'See You at the Pole,' encouraging Christian students country-wide to gather around their school flagpoles on the third Wednesday of each September; last year, 3 million students participated.''

Mr. Speaker, I would suggest that this article points out very clearly that Mr. ISTOOK's allegation that somehow we simply do not have prayer at our public schools does not bear out with today's facts.

The Time article also says, ''Says Doug Clark,'' quoting him, ''field director of the National Network of Youth Ministries, 'Our energy is being poured into what kids can do voluntarily and on their own. That seems to us to be where God is working.' ''

They then go on in the article finally to say, ''For now, the prospects for prayer clubs seem unlimited.

The doom of Mr. ISTOOK's predictions simply is not there.

Mr. Speaker, the fact is that students can pray silently in the classroom, or out loud over the lunch table. For anyone to suggest that prayer is not alive

and well in schools is not facing reality. For anyone to suggest that somehow God has been taken out of our schools, underestimates the God that I and my family worship. No person, no law, has the power to take an all-powerful God from anyplace in this world, much less a school classroom.

Myth number two, used by Mr. ISTOOK to push his amendment of the Bill of Rights: Mr. ISTOOK suggests that liberal Federal courts have misinterpreted our Founding Fathers.

That is simply not the case. To begin with, the majority of these so-called liberal Federal courts have been appointed by Republican presidents, Gerald Ford, George Bush, and that well-known liberal president, Ronald Reagan.

I would also point out that Thomas Jefferson could not have been more clear in his interpretation of the First Amendment of the Bill of Rights inasmuch as it deals with religious freedom. This is what Mr. Jefferson, Thomas Jefferson, our third president, the author of our Declaration of Independence, said in his letter to the Danbury Baptists.

''Religion is a matter which lives solely between man and his God that he owes account to none other for his faith or worship, that the legislative powers of government reach actions only, and not opinions, I contemplate with sovereign reference that act of the whole American people which declared that their legislatures should ''make no law respecting an establishment of religion or prohibiting the free exercise thereof,'' thus, building a wall of separation between church and state.''

The fact is that modern day Federal judges, including the majority of judges that have been appointed in our Federal courts by Mr. Bush and Mr. Reagan and Mr. Ford, have interpreted today's law exactly to be consistent with the intention of Thomas Jefferson and our Founding Fathers; not to demean religion by separating it from government, but to respect religion and to defend religious liberty by the very act of building a wall of separation to protect religion from the intrusion of government.

Myth number three Mr. ISTOOK has gone so far as to call opponents of this bill ''demagogues.'' He has suggested that those opposed to his amendment are somehow committed to keeping children from praying in schools.

He has also suggested, or others have suggested, I should say, other supporters of Mr. ISTOOK, that opponents of Istook are somehow anti-religion.

The implication that somehow Istook supporters are pro-prayer and pro-religion and opponents of Mr. ISTOOK's amendment of the Bill of Rights are anti-prayer and anti-religion could well be a surprise to the numerous religious groups strongly opposing the Istook amendment. Let me mention just a few of the religious and educational groups opposing the Istook amendment, for the very reason they believe that Istook would harm religious freedom in America, not defend it.

These groups would be disappointed to know that Mr. ISTOOK has referred to opponents of his amendment as ''demagogues,'' and if opposing Istook and defending the words of James Madison and our Bill of Rights, make me a demagogue, Mr. Speaker, then I am in good company. Let me just list some of that company that oppose the Istook amendment.

The American Association of School Administrators; the American Association of University Women; the American Baptist Churches, USA; the American Jewish Committee; the American Jewish Congress; the Antidefamation League; the Baptist Joint Committee on Public Affairs; the Episcopal Church; the Lutheran Office for Governmental Affairs; the Evangelical Lutheran Church in America; the National Association of Elementary School Principals; the National Education Association; the Southern Christian Leadership Conference; the United Church of Christ, Office for Church and Society.

I join in good company, Mr. Speaker, along with our Founding Fathers, such as Jefferson and Madison and others, in defending the Bill of Rights, not amending it; not changing it, not undermining it.

I agree with Brent Walker, the General Counsel of the Baptist Joint Committee, who said this: ''The Istook amendment is unnecessary, unwise, and unfaithful to our heritage of religious freedom and separation of church and State.''

The fact is that, in my words, Mr. Speaker, the Istook amendment is a house built on sand.

□ 2300

Its foundation is flawed, unfounded, and false. In the days ahead, I will also take time to point out the numerous possible harmful consequences of the Istook amendment.

To name just a few this evening, the Istook amendment could first, allow Satanic prayers and even animal sacrifices as part of prayer rituals in first and second and third grade public school classrooms across America.

Second, it could lead to censorship of prayers.

Third, it could allow outside religious groups to proselytize young students on public school grounds so that our children will be going to public schools learning reading, writing and arithmetic and perhaps will be proselytized by some religious group such as those we see at our Nation's airports across America. I am not sure America's parents sending their children to public schools want to have to worry about religious groups, or possibly even cults, proselytizing their children while they should be learning on the school grounds.

Fourth, the Istook amendment could be an unfunded mandate of Biblical proportions, stemming from its words that we cannot ''Deny equal access to benefit on account of religion.'' Who knows how many decades of court decisions it might take and divisiveness in our country to interpret that particular language. But certainly, on the surface, it could appear that this language of the gentleman from Oklahoma (Mr. ISTOOK) could basically have required the Federal Government to fund David Koresh and the Branch Davidians in my hometown of Waco, Texas for a child care program or a child care center because other groups, nonreligious groups, were given Federal funding for child care centers, despite the fact that before his death, Mr. Koresh said that, in his religious beliefs, that God had encouraged him to have sex with girls as young as 10 years old.

I am offended by the possibility that America's taxpayers' dollars could go to fund such religious groups and programs.

Fifth, the Istook amendment could lead to majoritarian prayers in many of our public schools, and there are many others. But let me just read from a statement prepared by the Coalition to Preserve Religious Liberty. They said this:

> The following are a few examples of activities that would be permitted under the amendment:
>
> A tax could be levied for support of sectarian schools.
>
> Crosses, stars of David, or statues of the goddess Gaia could be erected in public places such as courthouses, public schools and military bases to represent religious heritage or belief.
>
> New testament readings and specific prayers could be prescribed for all meetings of government employees (except public schools) as long as no one was required to participate.
>
> Devotional Bible readings or meditations from the Quran could be required in public schools as long as no one was required to participate.
>
> Upon a student's suggestion, a teacher could lead prayers for his or her kindergarten classes, as long as the prayers were not prescribed by the government and participation was not required.
>
> Bibles, Books of Mormon or Qurans could be printed or distributed to all public school students or public employees as a way of recognizing the people's heritage.
>
> Public schools could be required to teach creation science along with evolution as a way of recognizing the beliefs and heritage of the people.
>
> Tax money could be used to fund mission programs sponsored by Baptists, Buddhists or Branch Davidians, Methodists, Mormons or Mennonites.
>
> A judge or juror could lead the courtroom in prayer and limit such prayers to the majority faith of the surrounding community.

Mr. Speaker, I am afraid it will take far longer than one hour to point out why so many religious groups and people of deep religious faith are opposing the Istook amendment. For that reason, I would like to focus on some of the cases of ''Religious persecution'' that Istook supporters use to justify their taking such drastic action as amending our Bill of Rights for the first time in our Nation's history.

I would refer to a recent publication by the People For The American Way Action Fund, and, Mr. Speaker, I would like to submit this statement for the RECORD following my remarks. This is what they say in the report:

The true facts behind the Christian Coalition's ''religious persecution'' claims.

As part of its May 22, 1977 Religious Freedom Celebration on Capitol Hill, the Christian Coalition is presenting 4 claims of what it calls ''religious persecution'' which purportedly justify a constitutional amendment concerning religion. In fact, these claims are nothing of the sort. Instead, they are instances where officials properly applied school or job rules without improper religious discrimination, or, in one instance, where school officials made a mistake and promptly corrected it. In the case of the school-related examples that the Christian Coalition is using, all 3 incidents are at least 5 years old. Religious freedom should be celebrated in our country with the true facts about the First Amendment which fully protects religious liberty for all people.

The People For The American Way Action Fund statement then goes on to mention these purported claims by the Christian Coalition of religious persecution. Brittany Settle Gossett, ''Received an ''F'' on a research paper simply because her topic was Jesus Christ.'' The Christian Coalition letter, May 8, 1997. The true facts behind the claim, according to this report, are these: ''As both a Federal trial and appeals court found, Ms. Gossett grade on this 1991 assignment was based not on religious discrimination, but on her ''refusal to comply with the requirements'' of the teacher, including changing her paper topic, without permission, and choosing a topic with which she was already familiar.''

''As one judge explained, ''The student has no constitutional right to do something other than that assignment and receive credit for it. The First Amendment already protects a student's right to address religious topics in homework if relevant and otherwise compliant with the assignment.''

The second purported claim of religious persecution that is being used to justify amending the Bill of Rights goes to the case of Kelly DeNooyer who ''Was told by her school principal that she could not show a videotape of herself performing a religious song in church for her part in the VIP of the week program in her school classroom ''because it had Christian things in it.''

The response of the facts according to this report is this: ''As a Federal Court of Appeals found, the school's decision in 1990 was upheld based not on the content of the video, but because the purpose of the program was to increase ''students' communication skills by requiring a live classroom presentation by the student,'' and that purpose ''would be frustrated if every student were permitted to show a videotape instead.''

Example number 3 used by the supporters of the Istook amendment to say why Mr. Madison and Mr. Jefferson's first amendment is somehow inadequate today. Audrey Pearson was told by school officials that ''She could not read the Bible on the school bus.'' This is the response, according to this report: ''Within days, Audrey was back reading her Bible on the bus after only a few phone calls to the principal's office in 1989.''

Mr. Speaker, it is amazing to me that Members of this House and supporters of the Istook amendment would use a case from 1989, a problem that was resolved within a few hours with a handful of phone calls, knowing that that problem had been corrected because of the misinterpretation of the law, to use that case to justify massacring the First Amendment of the Bill of Rights is unbelievable.

The final case of religious persecution used to undermine our constitutional protections of religious freedom goes to the story of Brad Hicks, a North Carolina police officer who was ''Reprimanded by his police department for offering a religious tract to a woman whom he had pulled over for speeding and was later fired for refusing a police department request to refrain from speaking about religion whenever in a police uniform.'' The response is this: ''According to the police chief, Hicks was dismissed not for speaking about religion, but because he refused to stop proselytizing to citizens while on duty. As Hicks admitted, for 7 months, ''Whenever I would pull someone over to come into contact with them on some kind of call, while on duty and on police business, he sought to proselytize and witness.''

□ 2310

The chief explained that, ''You cannot stop someone on the road as a police officer and proceed to give them a church sermon.''

Mr. Speaker, I would agree with the judicial decision, that a police officer in uniform should not be allowed to use the power and threatening nature, at times, of his government position to proselytize his personal religious views upon the citizens of this land.

In 3 weeks, Mr. Speaker, Members of this House must make a choice. They must choose between defending our Bill of Rights or dismantling it. Members must choose between the wisdom of our Founding Fathers, such as James Madison and Thomas Jefferson, and the latest and often-amended version of the Istook amendment.

We must choose in this House between the cautious, careful consideration of our Founding Fathers as they drafted that cherished document we know as the Bill of Rights, versus a constitutional amendment by the gentleman from Oklahoma (Mr. ISTOOK) that received 1 day of hearings, 1 day of hearings in 1998.

Mr. Speaker, it is amazing to me that the leadership of this House would even allow a measure to come to this floor attempting to amend the first 16 words of the First Amendment of our Bill of Rights, after having less days of hearings on it, on amending the Constitution and the Bill of Rights, than they had in reviewing the Branch Davidian situation in my hometown of Waco.

In less than 3 weeks Members must choose between America's proud 200-year history of religious freedom versus the world's history of religious intolerance caused by the commingling of government and religion.

How ironic and sad it would be for America, which is a beacon of religious freedom to the world, to take the first step down the path of Islamic fundamentalist states to prove how religious freedom is imperiled when the wall of separation between church and state is dismantled.

The choice is clear, in my opinion. Madison and Jefferson were right, and my colleague, the gentleman from Oklahoma (Mr. EARNEST ISTOOK), no disrespect intended, is wrong. I believe the Bill of Rights should be protected, not dismantled.

The materials referred to earlier are as follows:

[Prepared by People for the American Way Action Fund]

THE TRUE FACTS BEHIND THE CHRISTIAN COALITION'S 'RELIGIOUS PERSECUTION' CLAIMS

As part of its May 22, 1977 Religious Freedom Celebration on Capitol Hill, the Christian Coalition is presenting four claims of what it calls ''religious persecution'' which purportedly justify a constitutional amendment concerning religion. In fact, these claims are nothing of the sort. Instead, they are instances where officials properly applied school or job rules without improper religious discrimination or, in one instance, where school officials made a mistake and promptly corrected it. In the case of the school-related examples that the Christian Coalition is using, all three incidents are at least 5 years old. Religious freedom should be celebrated in our country with the true facts about the First Amendment, which fully protects religious liberty for all people.

The Christian Coalition claim:

Brittany Settle Gossett ''received an F on a research paper simply because her topic was Jesus Christ.'' (Christian Coalition letter May 8, 1997)

The true facts behind the claim:

As both a federal trial and appeals court found, Ms. Gossett's grade on this 1991 assignment was based *not* on religious discrimination, but on her ''refusal to comply with the requirements'' of the teacher, including changing her paper topic without permission and choosing a topic with which she was already familiar. 1995 Lexis Fed. App. 141, 4–5. As one judge explained, ''the student has no constitutional right to do something other than that assignment and receive credit for it.'' *Id.* at 20. The First Amendment *already protects* a student's right to address religious topics in homework if relevant and otherwise compliant with the assignment.

The Christian Coalition claim:

Kelly DeNooyer ''was told by her school principal that she could not show'' a videotape of herself performing a religious song in church for her part of the VIP of the Week program in her school classroom ''because it had Christian things in it.'' (Rutherford Inst. Rep. Oct. 1992)

The true facts behind the claim:

As a federal court of appeals found, the school's decision in 1990 was upheld based *not* on the content of the video, but because the purpose of the program was to increase ''students'' communication skills by requiring a

'live' classroom presentation by the student,'' and that purpose ''would be frustrated if every student were permitted to show a videotape'' instead. 1993 U.S. App. Lexis at 4.

STATEMENT PREPARED BY THE COALITION TO PRESERVE RELIGIOUS LIBERTY

The following are a few examples of activities that would be permitted under the amendment:

A tax could be levied for support of sectarian schools.

Crosses, stars of David or statues of the goddess Gaia could be erected in public places such as courthouses, public schools and military bases to represent religious heritage or belief.

New Testament readings and specific prayers could be prescribed for all meetings of government employees (except public schools) as long as no one was required to participate.

Devotional Bible readings or meditations from the Quran could be required in public schools as long as no one was required to participate.

Upon a student's suggestion, a teacher could lead prayers for his or her kindergarten classes, as long as the prayers were not prescribed by the government and participation was not required.

Bibles, Books of Mormon or Qurans could be printed and distributed to all public school students or public employees as a way of recognizing the people's heritage.

Public schools could be required to teach creation science along with evolution as a way of recognizing the beliefs and heritage of the people.

Tax money could be used to fund mission programs sponsored by Baptists, Buddhists or Branch Davidians; Methodists, Mormons or Mennonites.

A judge or juror could lead the courtroom in prayer and limit such prayers to the majority faith of the surrounding community.

[From the Time—April 27, 1998]

SPIRITING PRAYER INTO SCHOOL

POLITICIANS MAY BICKER ABOUT BRINGING BACK PRAYER, BUT IN FACT IT'S ALREADY A MAJOR PRESENCE—THANK TO THE MANY AFTER-SCHOOL PRAYER CLUBS

(By David Van Biema)

On a overcast afternoon, in a modest room in Minneapolis, 23 teenagers are in earnest conversation with one another—and with the Lord. ''Would you pray for my brother so that he can raise money to go [on a preaching trip] to Mexico?'' asks a young woman. ''Out church group is visiting juvenile-detention centers, and some are scared to go,'' explains a boy. ''Pray that God will lay a burden on people's hearts for this.''

''Pray for the food drive,'' says someone.

''There's one teacher goin' psycho because kids are not turning in their homework and stuff. She's thinking of quitting, and she's a real good teacher.''

''We need to pray for all the teachers in the school who aren't Christians.'' comes a voice from the back.

And they do, Clad in wristbands that read w.w.j.d. (''What Would Jesus Do?'') and T shirts that declare upon this rock I will build my church, the kids sing Christian songs, discuss Scripture and work to memorize the week's Bible verse, John 15:5 (''I am the vine and you are the branches'') Hours pass. As night falls, the group enjoys one last mass hug and finally leave its makeshift chapel—room 133 of Patrick Henry High School. Yes, a public high school. If you are between ages 25 and 45, your school days were not like this. In 1963 the Supreme Court issued a landmark ruling banning compulsory prayer in public schools. After that, any worship on school premises, let alone a prayer club, was widely understood as forbidden. But for the past few years, thanks to a subsequent court case, such groups not only have been legal but have become legion.

The club's explosive spread coincides with a more radical but so far less successful movement for a complete overturn of the 1963 ruling. On the federal level is the Religious Freedom amendment, a constitutional revision proposed by House Republican Ernest Istook of Oklahoma, which would reinstate full-scale school prayer. It passed the Judiciary Committee 16 to 11, last month but will probably fare less well when the full House votes in May. One of many local battlefields is Alabama, where last week the state senate passed a bill mandating a daily moment of silence—a response to a 1997 federal ruling voiding an earlier state pro-school prayer law. Governor Fob James is expected to sign the bill into law, triggering the inevitable church state court challenge.

But members of prayer clubs like the one at Patrick Henry High aren't waiting for the conclusion of such epic struggles. They have already, brought worship back to public school campuses, although with some state-imposed limitations. Available statistics are approximate, but they suggest that there are clubs in as many as 1 out of every 4 public schools in the country. In some areas the tally is much higher, evengelicals in Minneapolis-St. Paul claim that the vast majority of high schools in the Twin Cities region have a Christian group. Says Benny Proffitt, a Southern Baptist youth-club planter: ''We had no idea in the early '90s that the response would be so great. We believe that if we are to see America's young people come to Christ and America turn around, it's going to happen through our schools, not our churches.'' Once a religious scorched-earth zone, the schoolyard is suddenly fertile ground for both Vine and Branches.

The turnabout culminates a quarter-century of legislative and legal maneuvering. The 1963 Supreme Court decision and its broad-brush enforcement by school administrators infuriated conservative Christians, who gradually developed enough clout to force Congress to make a change. The resulting Equal Access Act of 1984 required any federally funded secondary school to permit religious meetings if the schools allowed other clubs not related to curriculum, such as public-service Key Clubs. The crucial rule was that the prayer clubs had to be voluntary student-run and not convened during class time.

Early drafts of the act were specifically pro-Christian. Ultimately, however, its argument was stated in pure civil-libertarian terms: prayers that would be coercive if required of all students during class are protected free speech if they are just one more after-school activity. Nevertheless, recalls Marc Stern, a staff lawyer with the American Jewish Congress, ''there was great fear that this would serve as the base for very intrusive and aggressive proselytizing.'' Accordingly, Stern's group and other organizations challenged the law—only to see it sustained, 8 to 1, by the Supreme Court in 1990. Bill Clinton apparently agreed with the court. The President remains opposed to compulsory school prayer. But in a July 1995 speech he announced that ''nothing in the First Amendment converts our public schools into religion-free zones or requires all religious expression to be left at the schoolhouse door.'' A month later Clinton had the Department of Education issue a memo to public school superintendents that appeared to expand Equal Access Act protections to include public-address announcements of religious gatherings and meetings at lunchtime and recess.

Evangelicals had already seized the moment. Within a year of the 1990 court decision, prayer clubs bloomed spontaneously on a thousand high school campuses. Fast on their heels came adult organizations dedicated to encouraging more. Proffitt's Tennessee-based organization, First Priority, founded in 1995, coordinates interchurch groups in 162 cities working with clubs in 3,000 schools. The San Diego-based National Network of Youth Ministries has launched ''Challenge 2000,'' which pledges to bring the Christian gospel ''to every kid on every secondary campus in every community in our nation by the year 2000.'' It also promotes a phenomenon called ''See You at the Pole,'' encouraging Christian students countrywide to gather around their school flagpoles on the third Wednesday of each September; last year, 3 million students participated. Adult groups provide club handbooks, workshops for student leaders and ongoing advice. Network of Youth Ministries leader Paul Fleischmann stresses that the resulting clubs are ''adult supported,'' not adult-run, ''If we went away,'' he says, ''they'd still do it.''

The club at Patrick Henry High certainly would. The group was founded two years ago with encouragement but no specific stage managing by local youth pastors. This afternoon its faculty adviser, a math teacher and Evangelical Free Church member named Sara Van Der Werf, sits silently for most of the meeting, although she takes part in the final embrace. The club serves as an emotional bulwark for members dealing with life at a school where two students died last year in off-campus gunfire. Today a club member requests prayer for ''those people who got in that big fight [this morning].'' Another asks the Lord to ''bless the racial-reconciliation stuff.'' (Patrick Henry is multiethnic; the prayer club is overwhelmingly white.) Just before Easter the group experienced its First Amendment conflict: whether it could hang posters on all school walls like other non-school-sponsored clubs. Patrick Henry principal Paul McMahan eventually decreed that putting up posters is off limits to everyone, leading to some resentment against the Christians. Nonetheless, McMahan lauds them for ''understanding the boundaries'' between church and state.

In Alabama, the new school-prayer bill attempts to skirt those boundaries. The legislation requires ''a brief period of quiet reflection for not more than 60 seconds with the participation of each pupil in the classroom.'' Although the courts have upheld some moment-of-silence policies, civil libertarians say they have struck down laws featuring pro-prayer supporting language of the sort they discern in Alabama's bill. In the eyes of many church-club planters, such fracases amount to wasted effort. Says Doug Clark, field director of the National Network of Youth Ministries: ''Our energy is being poured into what kids can do voluntarily and on their own. That seems to us to be where God is working.''

Reaction to the prayer clubs may depend on which besieged minority one feels part of. In the many areas where Conservative Christians feel looked down on, they welcome the emotional support for their children's faith. Similarly, non-Christians in the Bible Belt may be put off by the clubs' evangelical fervor; members of the chess society, after all, do not inform peers that they must push pawns or risk eternal damnation. Not everyone shares the enthusiasm Proffitt recently expressed at a youth rally in Niagara Falls, N.Y.: ''When an awakening takes place, we see 50, 100, 1,000, 10,000 come to Christ. Can you imagine 100, or 300, come to Christ in your school? We want to see our campuses come to Christ.'' Watchdog organizations

like Americans United for the Separation of Church and State report cases in which such zeal has approached harassment of students and teachers, student prayer leaders have seemed mere puppets for adult evangelists, and activists have tried to establish prayer clubs in elementary schools, where the description ''student-run'' seems disingenuous.

Nevertheless, the Jewish committee's Stern concedes that ''there's been much less controversy than one might have expected from the hysterical predictions we made.'' Americans United director Barry Lynn notes that ''in most school districts, students are spontaneously forming clubs and acting upon their own and not outsiders' religious agendas.'' A.C.L.U. lobbyist Terri Schroeder also supports the Equal Access Act, pointing out that the First Amendment's Free exercise clause protecting religious expression is as vital as its Establishment Clause, which prohibits government from promoting a creed. The civil libertarians' acceptance of the clubs owes something to their use as a defense against what they consider a truly bad idea: Istooks's school-prayer amendment. Says Lynn: ''Most reasonable people say, 'If so many kids are praying legally in the public schools now, why would you possibly want to amend the Constitution?'''

For now, the prospects for prayer clubs seem unlimited. In fact, the tragic shooting of eight prayer-club members last December in West Paducah, Ky., by 14-year-old Michael Carneal provided the cause with martyrs and produced a hero in prayer-club president Bob Strong, who persuaded Carneal to lay down his gun. Strong recalls that the club's daily meetings used to draw only 35 to 60 students out of Heath High School's 600. ''People didn't really look down on us, but I don't know if it was cool to be a Christian,'' he says. Now 100 to 150 teens attend. Strong has since toured three states extolling the value of Christian clubs. ''It woke a lot of kids up,'' he says. ''That's true everywhere I've spoken. This is a national thing.''

TRANSFER OF TECHNOLOGY COULD REPRESENT MAJOR SECURITY BREACH

The SPEAKER pro tempore (Mr. SESSIONS). Under the Speaker's announced policy of January 7, 1997, the gentleman from Pennsylvania (Mr. WELDON) is recognized for the remaining time until midnight as the designee of the majority leader.

Mr. WELDON of Pennsylvania. Mr. Speaker, I do not rise to speak in the well to talk about scandals in this city. Many of my colleagues do, and many of our colleagues talk about the latest scandal of the day, whether it is in the White House or from other parts of our society. I do not like to do that, and in fact, I have not done that.

Mr. Speaker, I rise tonight to talk about, first of all, an issue that I usually speak about on the floor when I get the opportunity. That is our national security, and our relationship with those countries who have been our adversary, or who may be our adversary in the future.

Tonight, unfortunately, Mr. Speaker, I rise to talk about both of those issues, our national security and a scandal that is currently unfolding that I think will dwarf every scandal that we have seen talked about on this floor in the past 6 years.

Mr. Speaker, this scandal involves potential treason, and if in fact the facts are true as they have been outlined in media reports, which we are currently trying to investigate, I think will require articles of impeachment.

Mr. Speaker, there was a story that ran in the New York Times in the early part of April that outlined a technology transfer involving American companies and institutions in China involving the Long March space launch vehicle. In February of 1996 the Long March space launch vehicle exploded, blew up, and destroyed a $200 million satellite built by the Loral Company that it was supposed to place into orbit.

What happened after that explosion, Mr. Speaker, is the subject of intense investigation right now, but there are some facts that we do know. What we do know is that there was some degree of cooperation between one and perhaps two American companies and the Chinese government and their military and space agencies that allowed for a technology transfer to assist the Chinese in not just their commercial space launch program, but, more importantly, their ability to place long range missiles into the upper atmosphere and have a capability of deploying multiple warheads, posing an extremely significant threat to the U.S. and our allies.

The military significance of the technology transfer that took place following this explosion was of such gravity that a criminal investigation was opened by the U.S. Justice Department, and a grand jury was empaneled. The grand jury was empaneled to consider whether indictments were warranted in this cooperative technology transfer with the Chinese.

However, before any formal charges were filed, the criminal inquiry was dealt a very serious blow two months ago, in fact, this would have been in February or March of this year, when President Clinton quietly authorized the export to China of similar technology by one of the companies under investigation, the Loral Corporation.

So in effect, the President's quiet authorization of this technology transfer, which up until this time was not allowed under U.S. law, basically took the entire foundation away from the Justice Department investigation. In fact, Mr. Speaker, we know the Justice Department opposed that decision by the White House, arguing that it would be much more difficult to prosecute the companies if the government gave its blessing to the deal that had occurred. In fact, it is probably now impossible to have any indictments against Loral and Hughes because of the President's actions.

Why is this a scandal, Mr. Speaker? First of all, and I am going to get into this in great detail, this, perhaps, will do as much harm to our security as that situation that occurred years ago when the Russians were able to get our quieting technology that they basically illegally acquired, that allowed them to build their submarines in a quiet manner that makes it extremely difficult and in some cases impossible for our U.S. intelligence sources to monitor these submarines as they travel across the oceans of the world. This is a very egregious violation of transferring technology that directly threatens the U.S. and our people, as well as our allies.

But in addition, Mr. Speaker, the American people need to understand something else about the Loral Corporation. First of all, the CEO of the Loral Corporation, Mr. Schwartz, was the largest contributor to the Democratic National Committee in the year during which this entire process occurred. That in itself raises some concerns.

The questions that need to be answered are, did the CEO of Loral Corporation's involvement in contributing hundreds of thousands of dollars of personal wealth to one political party affect the President's decision to waive a requirement that basically undermined a judicial investigation, a criminal judicial investigation of this incident? We are attempting to find that out right now, Mr. Speaker.

The American people and our colleagues in this institution need to know whether or not this administration basically allowed a technology to be transferred to China that was up until that point in time prohibited, and that appears not only is that in itself an outrageous act; but then on top of that, did the influence of the CEO of that corporation, and the fact that that corporation hired one of the most well-connected lobbyists in the city, whose brother in fact had been working at the White House, did that connection have an impact on the President's decision? If it did, in my opinion, Mr. Speaker, that is treason.

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Mr. Speaker, the whole issue of this technology transfer itself is a scandal. Newspapers across this city and across this country, through bits and pieces, have picked up the story and have attempted to piece it together.

The Speaker of the House, leadership on both sides of the national security effort in this body are concerned about the technology transfer itself as well as whether or not there was an impact of this CEO's involvement with one political party and convincing the President to waive the requirement that would have allowed the criminal prosecution of Loral and possibly Hughes to move forward.

We need to know the answers, and we need to have that information provided to us. To me it is an absolute outrage that this occurred even without the connection of the dollars from the CEO of Loral and his contributions to the Democratic National Committee.

But, Mr. Speaker, I think even of more significance to us for the long-term security of our country is the fact that this is a continuing pattern that