

not only through their volunteer efforts, but through their financial contributions. Their \$3.5 million gift to Penn State for academic scholarships, faculty endowments and campus building projects is the most generous ever given to a university by a coach and his family.

Joe Paterno is one of those rare and wonderful individuals whose life is grounded in the highest of values, integrity, and service and who is true to his God, his family and his fellow man. Penn State and the Commonwealth of Pennsylvania have been blessed with his presence and now it is fitting that the people's House recognize his commitment to academics, service and citizenship and congratulate and thank him for his contributions to college football and to the nation.

We salute Coach Paterno, his wife Sue and his family, all the teams he has lead over the years to victory and all the young men who have not only learned how to play football under his tutelage, but who have learned life lessons from one of the best teachers they could ever have.

Mr. ISAKSON. Mr. Speaker, I ask Members to adopt the resolution.

I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FORBES). The question is on the motion offered by the gentleman from Georgia (Mr. ISAKSON) that the House suspend the rules and agree to the resolution, H. Res. 276.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

SENSE OF CONGRESS THAT
SCHOOLS SHOULD SET ASIDE
TIME TO ALLOW CHILDREN TO
PRAY FOR, OR QUIETLY RE-
FLECT ON BEHALF OF THE NA-
TION DURING THIS TIME OF
STRUGGLE

Mr. ISAKSON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 239) expressing the sense of Congress that schools in the United States should set aside a sufficient period of time to allow children to pray for, or quietly reflect on behalf of, the Nation during this time of struggle against the forces of international terrorism.

The Clerk read as follows:

H. CON. RES. 239

Whereas section 4 of title 4, United States Code, establishes the Pledge of Allegiance to the Flag and describes such Pledge as including the phrase "one Nation under God, indivisible, with liberty and justice for all";

Whereas in 1954 President Dwight D. Eisenhower, referring to the reference to God in the Pledge of Allegiance to the Flag, said that the Nation had reaffirmed "the transcendence of religious faith in America's heritage and future; in this way we shall constantly strengthen those spiritual weapons which forever will be our country's most powerful resource in peace and war"; and

Whereas President George W. Bush has asked the people of the United States to pray for those who suffered as a result of the atrocities committed against the United States on September 11, 2001: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that schools in the United States should set aside a sufficient period of time to allow children to pray for, or quietly reflect on behalf of, the Nation during this time of struggle against the forces of international terrorism.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. ISAKSON) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia (Mr. ISAKSON).

GENERAL LEAVE

Mr. ISAKSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 239.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ISAKSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution encourages and does not require the schools of America to set aside a sufficient period of time for children in America to pray for or reflect on our Nation in this time of battle and tribulation because of the terrorist acts.

Mr. Speaker, I am confident that there will be those who express concern that prayer and schools might be mentioned in the same resolution, but at the outset of this debate it should be quite clear that this is clearly an option and not a mandate.

A lot of things have become quite clear in the United States of America since September 11. It has become politically correct to sing God Bless America rather than fight songs at athletic events. All of us have reflected passionately and quietly and, many times, sadly on the blessings we have individually received and the blessings of this Nation. But we should be vigilant, even in the most terrible trying times possible, to recognize and preserve the constitutional freedoms that make this country great.

Our Constitution prohibits us in this government from establishing religion, but it preserves forever the right of Americans to practice their religion.

□ 2100

Mr. Speaker, there have been many great enemies to the citizens of America in our history. From 1950 through the early 1990s the Soviet Union was one. That was a government that believed that prayer and religion should be nonexistent, and it was basically a cornerstone of that nation. They built

an Iron Curtain in Eastern Europe. They preserved themselves for 40 years or a little over, but eventually they died.

On the other extreme there is America's enemy today, the Taliban, that not only establish a religion but force its practice, and only its practice, with the most horrible of retribution to anybody that thinks or meditates differently.

Mr. Speaker, the gentleman from North Carolina (Mr. JONES) has brought to this House a resolution which falls clearly in between those two extremes and precisely why the United States of America was founded in the first place. The gentleman from North Carolina (Mr. JONES) has asked and is asking this house to adopt a resolution that says to our schools, it is appropriate if you choose to establish a period of time, if you will, for those who would pray for our Nation in this time of trouble, to do so in the way they see fit, voluntarily, and for others to reflect on this Nation in our time of peril and distress.

It mandates nothing. It requires nothing. But it recognizes as the motto above the chair of the Speaker which states that in the America we founded, we place the trust in our people, that they could freely worship in the way they saw fit, pay tribute to the God of their choice, and enjoy living in a nation where they had sufficient time to practice their faith their way.

Mr. Speaker, I encourage the Members of this House to adopt this concurrent resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, while no one can quarrel with what the supporters of this resolution suggest they want, and that is for reflection and time for children to consider what is going on in this country, once we suggest that the school is going to set aside time for the children to pray or reflect quietly, it does not say that they shall pray quietly, it does not say they shall pray silently, I believe we are now treading into the question of the school setting the content of that prayer.

There is nothing today that prevents schoolchildren from praying voluntarily at their own time on behalf of this Nation or people in harm or the victims of terrorism; but what we should not do is, we should not have the school dictating that should take place at an appointed time and place.

If the schools want to have a moment of silence, the child may then pick that moment of silence to reflect in any manner or pray in any manner that they want, but this resolution goes beyond that. I am afraid that this resolution is really about, once again, trying to introduce some form of content or

prayer into the schools under the guise of the tragedies of September 11 and the events that have occurred since then. We should really not do that.

We should really understand that we are very clear about the rights of children to pray in school. If the student groups meet on student property, then religious groups have an equal right to meet on school property and to pray; and the courts have protected students' individual rights to pray in a non-disruptive manner and have approved attempts by school districts to accommodate students in this resolution.

But this resolution is different than that, because while it is voluntary from the Congress and it is voluntary for the school to do it, but once the school sets aside time to pray for the country in that manner, then I believe they have crossed the line.

I wish that we would understand that we have every right to call for people to reflect and to pray in the interest in this country; and they will or they will not. Hopefully they have, and millions and millions of Americans and their children and their families have made that decision to pray in their places of worship, to pray around the dinner table, to pray in their homes before they go to sleep at night or when they first wake up in the morning or whatever suits them. I hope that that would continue.

But I think that this resolution is mistaken. And I think that this resolution is ill-considered and I would hope that the Congress would not pass it.

Mr. Speaker, I reserve the balance of my time.

Mr. ISAKSON. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I rise in very strong support of H. Con. Res. 239, a timely and very necessary call for prayer and/or spiritual reflection during this time of extreme challenge.

Mr. Speaker, as the father of four, I know that kids have vexing questions and myriad doubts and concerns over the recent spate of horrific terrorist acts. In the minds of many of our young people and in the minds of the old alike, cruelty, mass murder, terrorism defy easy answers. It seems to me that prayer or spiritual reflection in all venues, not just in the church, not just at home, but in all venues, including school, fosters healing and fosters reconciliation.

The why of it, the questions concerning the essence of good and evil defy simply logic. To understand the depravity of September 11 requires all of us to look deeply at the hearts and at matters spiritual.

The gentleman from North Carolina's (Mr. JONES) modest call for prayer or, and I emphasize the word "or," quiet reflection is a positive, constructive, liberating and very necessary thing.

Our young people need encouragement to pray and they need encouragement to reflect.

Frankly, I find it bewildering and disappointing that this modest proposal should engender any opposition at all. There is nothing dangerous or risky about encouraging and even admonishing children to pray and to reflect. The gentleman from North Carolina (Mr. JONES) does not prescribe any specific prayer, nor is there anything in this resolution concerning specific content.

I would hope that our children would be inspired not only to pray, but to pray for wisdom and understanding and strength, and also to pray for the victims and their families and their friends. There are a lot of hurting people out there. They need prayer. And I think we should encourage our kids to pray.

I would hope America's young people would pray for reconciliations among people of disparate and often conflicting perspectives, and to pray for justice for those who perpetrate these crimes and cruelty.

Mr. Speaker, prayer and spiritual reflection are as necessary as food and oxygen, and without it, our kids are deprived of the most essential element in building character. This is an excellent resolution and I hope we get a unanimous vote.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, we find ourselves in the wake of September 11 and we are using the tragedy to pass controversial legislation. It is not the first time, of course. Just a few days ago we repealed the alternative minimum tax, a tax on corporations who have loopholes and deductions and were paying no tax at all. We had an alternative minimum tax for them to pay, and under the name of economic stimulus, this House voted to repeal that tax.

In the name of airline security in the wake of September 11, we had a bill that included tort reform that had been defeated year after year. In the name of antiterrorist crime legislation, we had wiretap authority that applied to cases that had nothing to do with terrorism, in fact, in some cases had nothing to do with any alleged crime. And we passed excessive wiretap authority in the wake of September 11.

Now we are using September 11 to try to pass prayer in public school. The last time we had hearings on the issue of prayer in public school, we had deliberations, subcommittee and committee, and when it came to the floor, it was defeated. It was defeated because we know that children can already pray in public school today. They have that option. They do not need the bill. They can pray. If the teacher passes

out a math test, they can pray. Before the meal, they can say grace. That is okay. That is allowed today.

What we cannot do is instruct the children to pray whether they want to or not. This resolution not only tells them to pray, but tells them what to pray for, and reserves, according to the resolution, a sufficient period of time during the day for prayer or quiet reflection, whatever that sufficient period of time during the day means. I mean, some religions require prayers several times a day. Some religions have prayers that are relatively long, others relatively short. I do not know who decides.

I received a letter today from Reverend Barry Lynn, the Executive Director of Americans United, who said in his letter, "Students already have an individual right to pray voluntarily in school as long as they are not disruptive. This resolution, however, is a radical departure from constitutional standards because it calls for a mandatory time of classroom prayer on a specific topic. This resolution instructs children specifically what to pray for. Under our constitutional separation of church and state, it is the job of parents and clergy, not the government, to tell children when to pray, how to pray and what to pray for."

He cites Justice Anthony Kennedy who explained in *Lee v. Weisman*, a 1992 case, "The First Amendment's religious clauses mean that religious beliefs and religious expression are too precious to either be proscribed or prescribed by the state."

Mr. Speaker, because we know that children can already pray and because this resolution has not gone through the regular process, it encourages school districts to violate the Constitution. It is ambiguous, and it uses the September 11 tragedy as an excuse to pass legislation which has failed in the past when subjected to the regular process.

I would urge my colleagues to defeat this resolution.

Mr. ISAKSON. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from North Carolina (Mr. JONES), the author of this resolution.

Mr. JONES of North Carolina. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, let me say to my liberal friends on the other side, we very seldom agree, but I respect you. I always have and I always will. On this subject, I am a little bit disappointed. It is not a nonbinding resolution.

We come on this floor every day and we pray. And all we are saying to children who are hurting badly because of September 11, because of evil people who have come to this country and killed their fellow Americans, all we are saying to fifth graders, sixth graders, seventh graders, that we as a Congress encourage.

This Nation was founded on Judeo-Christian principles. Whether people like it or not, before Madelyn Murray, they prayed in the schools. If you look at recent rulings that I am going to make reference to in just a moment on a Virginia case, it is coming back whether we like it or not.

In a country that respects different religions, whether you are Muslim, whether you are Catholic, whether you are a Jew, whether you are Protestant, we cannot pass a nonbinding resolution to say we as a Congress, who pray every day, are saying to the children of America in a nonbinding way that America needs your prayers. Whether you are young, whether you are old, America is hurting and hurting badly.

Mr. Speaker, I go back to my district like everybody on that side and on this side and I go into the school rooms and I listen to the children. At times, like my good friends on the other side who oppose this nonbinding resolution, I listen to the children. Whether they are in the high school, the elementary school or the middle school, they are constantly asking what is happening. The terrorists, where are they in this country? What will happen next? And for this body to be able to say to the young people, we are not telling you that you must reflect, we are not telling you that you must pray, but we as a Congress pray.

The President of the United States has asked that we pray. The governors of the States, both liberal and conservative, have asked that we pray. And to have this resolution on the floor just to show support and encouragement to the children of America to reflect or pray, I just respect, again, but I do not understand the opposition to this, but I respect it because that is what makes America great, that we can disagree. I do respect that.

□ 2115

I also want to read, if I might, just a moment from the Washington Post, says Virginia minute of silence survives test in high court. Fourth circuit ruling allowed to stand without comment. Virginia's requirement that public school children start their day with a minute of silence passed constitutional muster yesterday when U.S. Supreme Court let stand a lower court ruling that the law does not violate the First Amendment. The law, which took effect last year, requires that all students observe a minute of quiet during which they may meditate, pray or engage in other silent activity.

The law has been challenged by seven Virginia families backed by the volunteer lawyers from the American Civil Liberties Union. They argue that including prayer among the approved activities violated the constitutional ban on State-sponsored religion and conflicted with a 1985 ruling in an Alabama case that struck down a moment of silent law that also included prayer.

The ACLU argument was rejected at every court level, and public schools have been observing the moment of silence since July of the year 2000.

Let me say to the gentleman from California (Mr. GEORGE MILLER), with whom I have served on the Committee on Resources and have great respect for his intellectual ability, as well as the other gentleman that has spoken, this is from a news article. It has got firemen around a flag, a moment of silence at ground zero. A moment of silence at ground zero.

It says: Students pray at school events, this is 2 weeks ago, despite restrictions. Search for spiritual solace continues. God has made a comeback at the Nation's public schools as students and educators look for spiritual solace in the wake of the September 11 terrorist attacks. At a high school in Texas, athletes and cheerleaders and members of the band broke into an open recitation of the Lord's prayer as they gathered in the end zone before a football game last week.

I do not know, and if I mispronounce this, please forgive me, Rancho Carmel, California, and the gentleman from California (Mr. GEORGE MILLER) can tell me if I did or did not, I want to read from a minister named David Overstreet of the National Network of Youth Ministries in Rancho Carmel, California. I do not know if that is the gentleman from California's (Mr. GEORGE MILLER) district or someone else's. Let me tell my colleague what he said: Our kids today are reaching out for something and the reality is that these kids are seeking peace, the real peace that is provided by God, observed Reverend David Overstreet.

Again, I respect each and everyone that will speak in opposition to this nonbinding resolution, but I will say from the bottom of my heart that a Nation founded on Judeo-Christian principles, if America's future, which is the children of America, cannot be encouraged in this time of war and the death of over 6,000 fellow Americans to have a moment to reflect or a moment of prayer and all we are talking about is passing a resolution, the sense of the Congress, it is nonbinding; but I do again respect those who are in opposition, and I am sure I might have another opportunity before we conclude.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 1 minute.

Let me just say these two points. One, I have supported for a long time a moment of silence, and I think it is quite proper and quite helpful to young children. Two, this Nation was founded on Christian-Judeo principles. It was also founded on constitutional principles; and we live under the Constitution, and there is a clash from time to time.

What my colleagues do not get to do is to have the State organize the prayer. A moment of silence could not be

more important than at this time, and more and more schools can do it; and as my colleague pointed out, the court clearly has said that that is, in fact, allowable. But what the schools do not get to do is they do not get to organize the times and conditions of that prayer as called for, and this may be nonbinding, but the Congress on a binding or nonbinding, they ought not to be calling for unconstitutional acts. That is not meeting our charge under our responsibilities in this office.

Mr. Speaker, I yield 8 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, as a person of faith, I believe in the power of prayer. Like millions of Americans, I have prayed often for the victims of the terrorist attacks of September 11, and my prayers tonight are also with America's servicemen and -women now in harm's way in our war against terrorism.

What makes our Nation different, what makes our Nation different from Afghanistan is that in America citizens do not need their government to tell them when and how to pray. The millions and millions of prayers offered up by Americans since September 11 did not occur because the Federal Government dictated or suggested them to do so in legislation. Rather, those prayers occurred because of citizens' personal faith and choice to pray. That is as it should be in a free society.

One might ask, well, what could be wrong with a congressional resolution suggesting that public schools should set aside time for prayer or quiet reflection for our Nation? I would suggest there are several things wrong with this resolution.

First, in the first amendment to our Constitution, our Founding Fathers made it clear that government involvement in religion should be considered with the utmost care. In fact, they dedicated the first 16 words of the Bill of Rights to the principle that religion is a private matter, not a government responsibility.

Whether one supports or opposes this resolution, to bring legislation to this House floor that deals with the fundamental matter of religion and prayer, without a single committee hearing, without any testimony, is wrong. In my opinion, such a frivolous handling of the issue of prayer demeans the sanctity of religious faith.

Second, this resolution may or may not be constitutional. The gentleman from North Carolina (Mr. JONES) does not know for sure. This resolution is worded differently from the Virginia law. Would it not be better to discuss those vital questions in a committee hearing of constitutional scholars before we vote on this matter on the floor of the House rather than after?

Third, this resolution sets a dangerous precedent by suggesting what the subject should be of school children's prayers. As a parent, I want my

children to pray for our Nation in this time of need; but as a citizen, I will say here and everywhere, that the U.S. Congress has absolutely no right telling my children how to pray. The Federal Government and this House has no business telling any citizen, much less children, what the subject of their prayers should be.

If the gentleman from North Carolina (Mr. JONES), President Bush or I want to encourage others to pray for our Nation, there is nothing wrong with that; but there is something terribly wrong with the United States Congress passing legislation that tells my children what they should pray about in a public, tax-supported school. The gentleman from North Carolina (Mr. JONES) has no right to tell my children or anyone else's children how, when or about what they should pray.

In addition, this resolution refers to former President Eisenhower's description of religion and prayers as "spiritual weapons." I have great respect for President Eisenhower, but millions of Americans of deep faith might not agree that religion and prayer should be thought of as "weapons."

Does this Congress really have the wisdom and the constitutional authority to start dictating or suggesting the subject of school children's private prayers? If so, are we then to set up a congressional committee, vote on what subjects are and are not appropriate for prayer in public schools? It seems to me that process would be more appropriate in the Taliban's Afghanistan than in the United States.

The fourth problem is that this resolution says "a sufficient period of time" should be allowed for prayer or quiet reflection in our schools. Does this resolution envision Federal, State or local governments having debates on what is "sufficient time to pray"? To someone, a 1-minute prayer might be appropriate. In many religions, a 1-minute prayer would be considered superficial. To Muslim children, only one prayer a day would be considered sacrilegious.

Under the recent Supreme Court decision the gentleman from North Carolina (Mr. JONES) addressed, schools will face complex and difficult decisions in determining whether or how to establish time for prayer and meditation. Congress should not complicate that matter tonight for local schools by getting into the debate of defining what is "sufficient" time to pray and what the subject of children's prayers, however well intentioned, should be.

Mr. Speaker, it is already legal for children to pray in school. No law, no government body has the power to outlaw private prayer. Children may already pray quietly in the classroom or out loud before and after school. They may pray out loud during their lunch periods during school. The only prohibition, and rightly so, is against gov-

ernment-organized, government-sanctioned prayers in our public schools.

Mr. Speaker, another serious objection I have to this legislation is that it frankly implies that congressional action is needed to encourage American citizens to pray. Nothing could be further from the truth.

All of human history, including the world today, has proven that religion and prayer flourish best when politicians and government stay out of our matters of personal faith. It was wrong when House Republicans in the last Congress tried to pass a similar resolution dictating that it was the "necessary duty" of Americans to pray. Fortunately, that measure failed.

My hope is that Members of this House will recognize that it is just as wrong to dictate to school children or to even suggest to school children through legislative action of this Congress the subject of their prayers.

Mr. Speaker, this legislation is unnecessary at best. At worst it raises serious constitutional questions and sets the dangerous precedent of Congress suggesting the subject of our children's prayers.

As an individual, I hope that American citizens will continue to pray for our Nation; but as a matter of conscience, those prayers should be their choice, not Congress', not the gentleman from North Carolina's (Mr. JONES), and not mine.

Americans do not want and Americans do not need government getting involved in our prayers or our personal faith. Vote "no" on this resolution.

Mr. ISAKSON. Mr. Speaker, could the Chair advise both sides of the remaining time, please.

The SPEAKER pro tempore (Mr. FORBES). The gentleman from Georgia (Mr. ISAKSON) has 6 minutes remaining. The gentleman from California (Mr. GEORGE MILLER) has 5 minutes remaining.

Mr. ISAKSON. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Speaker, I would like to say to the gentleman from Texas (Mr. EDWARDS) that, again, whether my colleague agrees or disagrees, this is nonbinding. It does not have the power of the law behind it. It is just for the Congress to make a statement to the children of America.

I have three military bases in my district. I have Camp Lejeune Marine Base in Jacksonville, I have Cherry Point Marine Air Station, and Seymour Air Force Base; and I go to a lot of the schools where kids have parents in uniform; and I know the questions and concerns they have been asking since September 11. If by chance, whether this resolution passes or not, if by chance the children will have that moment to reflect or whatever they

might do, I am telling my colleague it is just extremely important.

Let me share one thing with my colleagues that Billy Graham, who is a well-known man of our Lord and Savior, his daughter Ann was on the CBS Early Morning Show, and Jane Clayson asked her and I will read this, Mr. Speaker, how could God let something like this happen. Ann Graham gave an extremely profound and insightful response, and I would like to read her response.

She said, I believe that God is deeply saddened by this just as we but for years we have been telling God to get out of the schools, to get out of the government and to get out of our lives. She further stated, In being the gentleman that He is, meaning God, I believe that He has calmly backed out. How can we expect God to give us His blessings and His protections if we demand that He leaves us alone. That is one person's opinion.

□ 2130

The point I am trying to make, Mr. Speaker, is that again, I am just one Member of 435. I think it is important that this Congress in a nonbinding way say that we understand that the children of America are hurting, and if the children of America would like to have a moment of prayer or a moment to reflect, then God bless the children of America.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, let me first respond to the statement of the gentleman from North Carolina (Mr. JONES). He said, "God has made a comeback in our schools." Frankly, the God I pray to never left the schools. And the God I pray to is so powerful that no government body in any nation has the ability to take God or prayers out of our schools.

The gentleman, it is interesting, talks about the importance of this resolution and says it is a nonbinding resolution. Well, the gentleman needs to make up his mind. If it has no impact, perhaps we should not be taking the time of the Congress tonight to debate it. But if it does have impact, I would argue the case, with which many religious conservative organizations, including many Christian organizations in this country, that would agree with my position that government ought not to be suggesting or dictating prayers; and especially should not be dictating what the content of American citizens and school children's prayers should be.

The fact is, if Members read the resolution, it does not just say schools should consider as one option possible prayers. Schools should, should set aside a sufficient period of time. That word is with all of the authority and respect that the institution and the

United States Congress might have in this country.

It also, by the way, talks about what to pray for. It does not mention, as the gentleman from California (Mr. GEORGE MILLER) mentioned, silent prayers or out-loud prayers. If silent, that is not what this resolution says. If these prayers are out loud, my question is, who is going to decide in the classroom whose prayer is heard and what prayer is given. Are we going to have third graders deciding who is going to give the prayer on the subject that Congress has suggested they should pray about?

It would be helpful before the end of the debate if the gentleman could answer the question raised by the gentleman from California (Mr. GEORGE MILLER) as to whether his resolution contemplates prayers being given out loud in our classrooms. If so, I would suggest that raises use constitutional questions. If not, then the gentleman needs to rewrite his resolution, which is exactly why we should have had a committee hearing on an issue of such great importance.

This resolution should not be on the floor of the House tonight.

Mr. ISAKSON. Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, first of all, I want to say I do not question the sincerity of the gentleman from North Carolina. He is a man of principle. We are talking about the resolution, not talking about the distinguished gentleman from North Carolina.

This is a controversial resolution. It might be constitutional; it might not. If we worked on it consistent with the Virginia supreme court case, we might make it constitutional, but it is very controversial. It prescribes what the prayer is. Therefore, it ought not, without any hearings at all, be adopted.

Mr. Speaker, if we want to help our children, we might help them by having school psychologists in the school. Child health care with mental health parity, I think that would help the children. Smaller class sizes, that would help the children. There are a lot of ways we can help the children rather than spending time on the floor of the House debating a resolution such as this.

I would hope that we defeat the resolution and not suspend the rules.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I grew up as a Catholic believing that God was all-knowing and ever-present; and it was not until I came to Congress and listened to these debates that I thought anybody would ever believe that a superintendent of schools or a teacher or a congressman could separate me from my God.

My God was always present. I could reach out and converse with God, rely on God, pray to God. Then I came to the Congress, and there were Members saying people could drive God out of school, drive God out of Congress, drive God out of here, drive God out of there. Maybe, I do not know; but it was never the God I understood that would travel with me throughout my life, that would always be there for me.

I find it interesting that somehow people believe children's faith is so weak that it can be dismissed like that by some school official, despite the teachings of their families, church and peers. I find it interesting that somehow God just disappears. It is an incredible statement that I do not understand regarding the underestimation of the American people's faith in their God.

Mr. ISAKSON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I commend the gentleman from North Carolina (Mr. JONES) for bringing this resolution, I commend the gentleman from Virginia, the gentleman from Texas, the gentleman from New Jersey, and the gentleman from California.

I am not a religious philosopher by any stretch, and I would not stretch to say I am a constitutional expert. But I am reminded, as I listen to this debate, that it is one of the reasons I am most proud to be an American. Both the gentleman from North Carolina (Mr. JONES) and the gentleman from New Jersey (Mr. SMITH) and the gentlemen on the other side have raised the consciousness of our country in this debate. Their arguments are not based on grounds that are against religion. They are based on the fundamentals and protection of religion, as our Constitution intends it to be, and I respect that.

I am somewhat reminded of a quote from Floyd Patterson shortly before he went into the ring to fight a title bout for the heavyweight championship of the world. Known to be a religious man, he was asked by a sportswriter, "Mr. Patterson, is God on your side?" And he said, "I only hope God knows I am on his side."

Regardless of the opinions in this debate, it is my conclusive belief that every Member of Congress falls in that same category as Mr. Patterson. While we may have differences on the intent of this legislation, it is patently clear it is permissive, not mandatory; respectful, not dictatorial; and it recognizes that at a time and place of tragedy in our country, it is only appropriate that America's children have the opportunity in their own way to reflect or to pray.

Mr. Speaker, I commend the gentleman from North Carolina (Mr. JONES) and those on both sides of the debate. I urge Members to adopt the resolution.

Mr. BOEHNER. Mr. Speaker, I am proud to support House Concurrent Resolution 239.

The atrocities committed against the United States on September 11, the ongoing threats to our national security, and the realization that ordinary Americans can be targets in the struggle against the forces of domestic and international terrorism have left our Nation searching for comfort. They have also led many of us to pray and reflect on behalf of the Nation, each in our own way, and according to our own understanding of God. When events occur that confound and enrage and hurt us so deeply, it is natural for humankind, and Americans especially, to take time to seek wisdom and consolation from the Creator. I believe such times of spirituality are something to be encouraged, especially among our children.

This House Concurrent Resolution makes clear Congress's support that America's schools should set aside a sufficient period of time to allow children to pray for, or quietly reflect on behalf of, the Nation during the difficult days we now face. I believe such "moments of silence" merely given students a choice—not a mandate—to pray and reflect, and are not only constitutional, but also consistent with this Nation's heritage of recognizing that America is indeed "one Nation under God," as so many students around this great land recite each school day.

As President Eisenhower once said, referring to the reference to God in the Pledge of Allegiance, our Nation is one that reaffirms "the transcendence of religious faith in America's heritage and future; in this way we shall constantly strengthen those spiritual weapons which forever will be our country's most powerful resource in peace and war." It is appropriate that our schools encourage their students to seek comfort and answers—and strength—in their faith.

I urge my colleagues to support House Concurrent Resolution 239.

Mr. ISAKSON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FORBES). The question is on the motion offered by the gentleman from Georgia (Mr. ISAKSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 239.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. JONES of North Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RESERVISTS EDUCATION PROTECTION ACT OF 2001

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3240) to amend title 38, United States Code, to restore certain education benefits of individuals being ordered to active duty as part of Operation Enduring Freedom.