

gious tolerance and freedom. We have examined innumerable drafts, sometimes at the rate of one per day. Indeed we have already adopted an amendment to Senate Joint Resolution 73. The Senate agreed unanimously to that amendment because each of us agrees with the purpose of that amendment, which states that "neither the United States nor any State shall compose the words of any prayer to be said in public schools." However, the perplexing result of this modification is that prayer must now be initiated and led not by school teachers or administrators, but by young people instead. That is right, the result is that we would now be compelling individual children, from some as young as age 5 and up, to lead their class in prayer, a prayer possibly suggested by another child's parent or one made up by someone else's child.

Mr. President, there is one additional consideration in answering the question I posed a minute ago, and that is how vocal, group prayer will affect those who do not wish to pray or who find some other child's prayer improper or at variance with their beliefs. It seems difficult to dispute the argument that the kind of vocal group prayer sanctioned by the now reworded amendment before us leaves open the strong possibility of stigmatizing school children because of their religious beliefs. Rather than posing the usual hypotheticals about the Catholic child in the predominantly Mormon public school or the fundamentalist Christian child in a Jewish neighborhood, I would like simply to read a very short but moving letter from a constituent. The letter is, I think, the most eloquent and vivid example of how group vocal prayer in a school for young children can have a devastating capacity to ostracize in certain circumstances. The following letter was sent to President Reagan at the White House less than 2 weeks ago:

DEAR PRESIDENT REAGAN: I am Justin Ross. I am 8 years old and I live in Pittsburgh. I am Jewish. We lived in Canada because my Dad had a job there but we are American. I went to school in Canada. In my school we had to say a prayer. Some of the Children stood in the hall instead of saying the prayer. Everybody thought they were bad. One boy told me that I was going to Hell. Please don't make people hate me because I am Jewish. I do not hate you because you are not Jewish. It made me feel terrible to say the prayer.

JUSTIN ROSS.

Mr. President, I think the authors and supporters of this amendment have the best of intentions. However we are admonished to weigh not intentions but results, and I foresee adverse consequences and results. Accordingly, to protect Justin Ross, all Pennsylvanians, and all American children from such unintended yet nonetheless adverse results, to defend our children's

rightful heritage of freedom, including the freedom of worship by each American in his or her own way, and to avoid imposing on young school-children the difficult if not impossible responsibility of composing and leading other parents' children in prayer that neither offends nor is inconsistent with another's beliefs, I am forced, Mr. President, to oppose this amendment.

The VICE PRESIDENT. The time of the Senator from Pennsylvania has expired.

Mr. WEICKER addressed the Chair. The VICE PRESIDENT. The Senator from Connecticut is recognized.

Mr. WEICKER. Mr. President, I yield 5 minutes to the distinguished Senator from Maine.

The VICE PRESIDENT. The Senator from Maine is recognized.

Mr. COHEN. Mr. President, for 2 weeks the Senate has been discussing prayer in public schools, and for 2 weeks my office here in Washington and my offices in Maine have been inundated with phone calls and letters from hundreds of my constituents expressing their position on this issue.

Many deeply religious men and women have urged me to support the proposed constitutional amendment and many others with equally strong religious beliefs have asked me to oppose Senate Joint Resolution 73 and any other amendment to the Constitution which would permit Government-sponsored prayer in our public schools.

As Senator DANFORTH in his very thoughtful and eloquent statement has already pointed out, this is not a debate between the godly versus the ungodly. It is not a debate between those who believe in and value prayer versus those who do not, nor is it between those who believe children should receive religious instruction and be encouraged to pray versus those who do not. Indeed, people who are diametrically opposed on this issue hold their views for different but equally strong religious reasons.

Two weeks ago, Members of the Senate received a letter expressing vigorous opposition to proposed constitutional amendments and urging that the pending school prayer amendments should be rejected by Congress as an unnecessary intrusion into the delicate balance which must be maintained between church and state in America. The letter was signed by representatives of the following organizations: American Baptist Churches in the U.S.A., American Jewish Committee, American Jewish Congress, Anti-Defamation League, Baptist Joint Committee on Public Affairs, Association of Evangelical Lutheran Churches, B'nai B'rith Women, Church of the Brethren, the Episcopal Church, Lutheran Churches of America, National Council of Churches of Christ in the U.S.A., Presbyterian Church (U.S.A.),

Progressive National Baptist Convention, Inc., Friends Committee on National Legislation, Lutheran Council in the U.S.A., National Council of Jewish Women, General Conference of Seventh-day Adventists, Union of Hebrew Congregations, United Church of Christ, United Methodist Church, and Unitarian Universalist Association of Churches in North America.

The current debate is not about whether we should or should not allow prayer in public schools. Purely private prayer is and has always been permitted. No court has tried to take away that right, and no new constitutional amendment is needed to protect that right. The crux of the debate which the Senate and the country have been engaged in, for not just the past 2 weeks but for many years, involves the question of whether public school officials should be allowed to become directly involved in sponsoring, structuring, and overseeing religious exercises in the public school classroom.

Religious belief and practice inherently involve the most personal and private choices of every individual. I do not believe that Government involvement in these matters, either in prohibition or furthermore of religious exercise, is appropriate. It is for this reason, in part, that I intend to vote against Senate Joint Resolution 73.

I know that many of my constituents will be deeply disappointed and some will be angered by my position. It is to these individuals that this statement is primarily directed, for I understand and respect the depth of their feelings on this matter, and it is my hope that they will be able to understand and respect mine.

There is, I believe, a considerable amount of misunderstanding and misinformation surrounding the Supreme Court's decisions involving school prayer. No Supreme Court decision, nor any lower court decision, has ruled against the right of an individual to pray in public schools. The Court has held that prayer composed by Government officials and as part of a Government-sponsored program to further religious beliefs is in violation of the establishment clause of the first amendment.

No court has attempted, nor would it be able, to take prayer and religion out of the public schools. The courts have simply mandated that the Government shall not be in the business of sponsoring and conducting religious exercises for schoolchildren. In other words, the Government cannot constitutionally direct or sponsor the time, content, or manner of student prayer.

However, any student can now engage in voluntary prayer, silent or vocal, so long as that prayer is not coercive to others and does not disrupt educational activities. Purely private,