

111TH CONGRESS
1ST SESSION

S. RES. 5

Expressing support for prayer at school board meetings.

IN THE SENATE OF THE UNITED STATES

JANUARY 6, 2009

Mr. VITTER submitted the following resolution; which was referred to the
Committee on Health, Education, Labor, and Pensions

RESOLUTION

Expressing support for prayer at school board meetings.

Whereas the freedom to practice religion and to express religious thought is acknowledged to be a fundamental and unalienable right belonging to all individuals;

Whereas the United States was founded on the principle of freedom of religion and not freedom from religion;

Whereas the framers intended that the first amendment to the Constitution would prohibit the Federal Government from enacting any law that favors one religious denomination over another, not prohibit any mention of religion or reference to God in civic dialogue;

Whereas in 1983, the Supreme Court held in *Marsh v. Chambers*, 463 U.S. 783, that the practice of opening legislative sessions with prayer has become part of the fabric of our society and invoking divine guidance on a public

body entrusted with making the laws is not a violation of the Establishment Clause of the first amendment, but rather is simply a tolerable acknowledgment of beliefs widely held among the people of the Nation;

Whereas voluntary prayer in elected bodies should not be limited to prayer in State legislatures and Congress;

Whereas school boards are deliberative bodies of adults similar to a legislature in that they are elected by the people, act in the public interest, and hold sessions that are open to the public for voluntary attendance; and

Whereas voluntary prayer by an elected body should be protected under law and encouraged in society because voluntary prayer has become a part of the fabric of our society, voluntary prayer acknowledges beliefs widely held among the people of the Nation, and the Supreme Court has held that it is not a violation of the Establishment Clause for a public body to invoke divine guidance: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) recognizes that prayer before school board
3 meetings is a protected act in accordance with the
4 fundamental principles upon which the Nation was
5 founded; and

6 (2) expresses support for the practice of prayer
7 at the beginning of school board meetings.

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