

103^D CONGRESS
2^D SESSION

H. RES. 446

Expressing the sense of the House of Representatives regarding the issuance under title VII of the Civil Rights Act of 1964 of administrative guidelines applicable to religious harassment in employment.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 1994

Mr. McKEON (for himself, Mr. APPLEGATE, Mr. ARCHER, Mr. ARMEY, Mr. BACHUS of Alabama, Mr. BAESLER, Mr. BAKER of California, Mr. BAKER of Louisiana, Mr. BARCIA of Michigan, Mr. BARRETT of Nebraska, Mr. BALLENGER, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BLILEY, Mr. BLUTE, Mr. BOEHNER, Mr. BUNNING, Mr. BURTON of Indiana, Mr. BUYER, Mr. CANADY, Mr. CALLAHAN, Mr. CALVERT, Mr. CLEMENT, Mr. COBLE, Mr. COLLINS of Georgia, Mr. COMBEST, Mr. COX, Mr. CRAPO, Mr. CRANE, Mr. CUNNINGHAM, Mr. DELAY, Mr. DIAZ-BALART, Mr. DICKEY, Mr. DOOLITTLE, Mr. DORNAN, Mr. DUNCAN, Ms. DUNN, Mr. EHLERS, Mr. EMERSON, Mr. EVERETT, Mr. EWING, Mr. FAWELL, Mrs. FOWLER, Mr. GALLEGLY, Mr. GALLO, Mr. PETE GEREN of Texas, Mr. GILCHREST, Mr. GINGRICH, Mr. GOODLATTE, Mr. GRAMS, Mr. GUNDERSON, Mr. HANCOCK, Mr. HANSEN, Mr. HASTERT, Mr. HEFLEY, Mr. HEFNER, Mr. HERGER, Mr. HOEKSTRA, Mr. HUFFINGTON, Mr. HUNTER, Mr. HUTCHINSON, Mr. HYDE, Mr. INGLIS of South Carolina, Mr. INHOFE, Mr. ISTOOK, Mr. SAM JOHNSON of Texas, Mr. KIM, Mr. KING, Mr. KINGSTON, Mr. KLINK, Mr. KNOLLENBERG, Mr. LAFALCE, Mr. LEWIS of Kentucky, Mr. LIGHTFOOT, Mr. LINDER, Mr. LIVINGSTON, Mr. MCCANDLESS, Mr. MCCOLLUM, Mr. MCDADE, Mr. MCHUGH, Mr. LAZIO, Mr. LUCAS, Mr. MANZULLO, Mr. MICA, Mr. MICHEL, Mr. MILLER of Florida, Mr. MONTGOMERY, Mr. MOORHEAD, Mr. MURPHY, Mr. MYERS of Indiana, Mr. NUSSLE, Mr. OXLEY, Mr. ORTON, Mr. PACKARD, Mr. PAXON, Mr. POMBO, Mr. PORTMAN, Mr. QUILLEN, Mr. RAMSTAD, Mr. REGULA, Mr. ROBERTS, Mr. ROHRABACHER, Mr. SAXTON, Mr. SCHAEFER, Mr. SHUSTER, Mr. SMITH of Michigan, Mr. SMITH of Oregon, Mr. SOLOMON, Mr. STEARNS, Mr. STENHOLM, Mr. STUMP, Mr. SUNDQUIST, Mr. SWETT, Mr. TALENT, Mr. TORKILDSEN, Mr. TUCKER, Mr. UPTON, Mr. WALKER, Mr. WELDON, Mr. WOLF, Mr. YOUNG of Alaska, and Mr. ZELIFF) submitted

the following resolution; which was referred to the Committee on Education and Labor

RESOLUTION

Expressing the sense of the House of Representatives regarding the issuance under title VII of the Civil Rights Act of 1964 of administrative guidelines applicable to religious harassment in employment.

Whereas the liberties protected by our Constitution include the religious liberty clauses of the first amendment;

Whereas citizens of the United States profess the beliefs of almost every conceivable religion;

Whereas Congress has historically protected religious expression even from governmental action not intended to be hostile to religion;

Whereas the Supreme Court of the United States has written “the free exercise of religion means, first and foremost, the right to believe and profess whatever religious doctrine one desires”;

Whereas the Supreme Court has firmly settled that under our Constitution the public expression of ideas may not be prohibited merely because the content of the ideas is offensive;

Whereas the Equal Employment Opportunity Commission has written proposed guidelines to title VII of the Civil Rights Act of 1964, published in the Federal Register on October 1, 1993, which expand the definition of “harassment” beyond established legal standards set forth by the

Supreme Court which may thus result in the infringement of religious liberty; and

Whereas the Commission has not offered sufficient evidence that such guidelines are necessary to deal with religious harassment or to remedy some gap or weakness in existing law: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that, for purposes of issuing under title VII
3 of the Civil Rights Act of 1964 final guidelines in connec-
4 tion with the Proposed Guidelines relating to unlawful
5 harassment in employment published by the Equal Em-
6 ployment Opportunity Commission on October 1, 1993 (58
7 Fed. Reg. 51266), the Commission should exclude harass-
8 ment based on religion.

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