

103^D CONGRESS
2^D SESSION

S. RES. 219

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

IN THE SENATE OF THE UNITED STATES

JUNE 7, 1994

Mr. BROWN submitted the following resolution; which was referred to the
Committee on Labor and Human Resources

RESOLUTION

Expressing the sense of the Senate 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 religious liberty protected by 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 has written that “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 to some;

Whereas Congress enacted the Religious Freedom Restoration Act of 1993 to restate and make clear again our intent and position that religious liberty is and should forever be granted protection from unwarranted and unjustified government intrusions and burdens;

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, that expand the definition of religious harassment beyond established legal standards set forth by the Supreme Court, and that may result in the infringement of religious liberty; and

Whereas such guidelines do not appropriately resolve issues related to religious liberty and religious expression in the workplace: Now, therefore, be it

1 *Resolved*, That it is the sense of the Senate that, for
 2 purposes of issuing final regulations under title VII of the
 3 Civil Rights Act of 1964 in connection with the proposed
 4 guidelines published by the Equal Employment Oppor-
 5 tunity Commission on October 1, 1993 (58 Fed. Reg.
 6 51266), the Commission should withdraw religion as a
 7 category covered by the proposed guidelines, hold public
 8 hearings, and receive additional public comment before is-
 9 suing similar new regulations.

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