



# CONGRESSIONAL PRAYER CAUCUS FOUNDATION

## CONGRESSIONAL ADVISORY MEMBERS

Congressman Randy Forbes  
Senator James Lankford  
Congressman Mark Walker  
Senator John Boozman  
Congressman Robert Aderholt  
Congressman Brian Babin  
Congresswoman Marsha  
Blackburn  
Congressman John Carter  
Congressman Mike Conaway  
Congressman Kevin Cramer  
Congressman Rick Crawford  
Congressman Jeff Fortenberry  
Congressman Trent Franks  
Congressman Gregg Harper  
Congressman Vicky Hartzler  
Congressman Jody Hice  
Congressman Richard Hudson  
Congressman Bill Huizenga  
Congressman Randy Hultgren  
Congressman Doug Lamborn  
Congressman Steve Pearce  
Congressman Robert Pittenger  
Congressman Paul Ryan  
Congressman Chris Smith  
Congressman Glenn Thompson  
Congressman Tim Walberg  
Congressman Joe Wilson  
Congressman Robert Wittman

September 25, 2017

RE: National Motto Display Act

Dear Superintendent,

I have the honor of serving as the Executive Director of the Congressional Prayer Caucus Foundation (CPCF). The CPCF serves the nearly 100 members of Congress who are part of the Congressional Prayer Caucus.

In addition, the CPCF supports the actions of the Arkansas Legislative Prayer Caucus, which is part of a nationwide network of over 950 federal and state legislators who are committed to protecting religious freedom for all Americans.

It has come to our attention that The American Atheists recently sent you a letter about not complying with a recent law that passed in your state, The National Motto, "In God We Trust," Display Act, or also known as ACT 911. This law sets certain guidelines for public schools, including posting a durable poster of America's National Motto, "In God We Trust", in public schools. The CPCF, along with the Arkansas Legislative Prayer Caucus, encourages you to disregard their letter.

Several members of the Arkansas Legislative Prayer Caucus sponsored and supported The National Motto, "In God We Trust," Display Act that Governor Hutchinson signed into law on April 5, 2017. This law provides that local public school board superintendents and officials of state agencies shall place a poster containing our National Motto and the American and Arkansas flags in each school and state agency and may display the poster in each public school library, classroom, and public building maintained or operated by the state. No school or state agency is responsible for paying for these posters; these posters will be paid entirely by voluntary contributions. Legislators sponsored, supported, and voted for this law because they believe that it is important for all Arkansas citizens, including our children, to recognize and know our national and state flags and our National Motto. They have worked together with private organizations to design and fund an approved poster that will be used in classrooms.

We understand that the American Atheist Legal Center recently sent you a letter threatening a lawsuit if you accept donations for the display of the flags/National Motto poster. American Atheists in this letter argues that

displaying the flags/National Motto poster will violate the Constitution because it advances religion. American Atheists cites and quotes several cases that do not deal with the National Motto, but omits one that does and that it certainly knows about – its founder’s own challenge to the constitutionality of the National Motto, that she lost.

In 1977, Madalyn Murray O’Hair, the founder of American Atheists, brought suit claiming that the National Motto, “In God We Trust,” and the usage of the National Motto on U.S. coins and currency violated the First Amendment to the Constitution. The federal district court dismissed Ms. O’Hair’s complaint, and the appellate court affirmed. *O’Hair v. Blumenthal*, 462 F. Supp. 19 (W.D. Tex. 1978), *affd.* 588 F. 2d 1144 (5<sup>th</sup> Cir. 1979), *cert. denied*, 442 U.S. 930 (1979). In dismissing the complaint, the trial court quoted approvingly from a previous circuit court decision (*Aronow v. United States*, 432 F.2d 242, 243 (9<sup>th</sup> Cir. 1970)) that held that the “national motto and the slogan on coinage and currency ‘In God We Trust’ has nothing whatsoever to do with the establishment of religion. Its use is of a patriotic or ceremonial character and bears no true resemblance to a governmental sponsorship of a religious exercise.” 462 F. Supp. at 19-20.

The court in *O’Hair* also relied upon the U.S. Supreme Court case of *School District of Abington Township v. Schempp*, 374 U.S. 203 (1963), which considered compulsory reading of the Bible in public schools (something that the Court prohibited). In this opinion involving public schools, Justice Brennan, in a concurring opinion, stated that the National Motto, “In God We Trust,” was “interwoven . . . so deeply into the fabric of our civil polity that its present use may well not present that type of involvement which the First Amendment prohibits.” *Id.* at 303.

Placing a poster with flags and our National Motto, “In God We Trust,” in a room where students recite the Pledge of Allegiance (which of course includes the phrase “under God”) and study the Declaration of Independence (with references to “Nature’s God” and “Creator”) seems very appropriate. All three promote patriotism and honor our country’s history and, therefore, are very important aspects of our children’s education.

The American Atheists’ attorney on page three of his letter states that a quarter of all Americans – and 40% of young people, are atheists, agnostics, or nonreligious, and that these students will perhaps be made to feel unwelcome if the poster is displayed. The attorney provides no study supporting his claim, and to our knowledge there is no study that shows what level of offense there would be to a patriotic, ceremonial poster that The National Motto, “In God We Trust,” Display Act envisions. It can hardly be more “offensive” than carrying around the motto on every piece of currency in their pocket or purse. And, in any event, our National Motto and all references to a divine power and religion in our historical documents do not force anyone to believe in a deity, and the motto and such references cannot be thrown in the dustbin by a heckler’s veto.

The National Motto, “In God We Trust,” was created by Act of Congress in 1956. Before it officially became our National Motto, the phrase “In God We Trust” was placed on our

nation's coins as early as 1864. The National Motto was affirmed in 2002, and then in 2011 the U.S. House of Representatives overwhelmingly (396 to 9) passed a resolution reaffirming the National Motto and encouraging the public display of this motto in all public buildings and public schools.

Furthermore, Congress in encouraging the display of the National Motto by helping enact The National Motto, "In God We Trust," Display Act (HRES 13). We firmly believe that this little gesture of displaying the National Motto and our flags in schools will in some small way spark a curiosity about the motto and, again in some small way, an appreciation for our nation. We are not alone in this belief. The attorneys at the National Legal Foundation (<http://www.nlf.net/>) have generously agreed to support this effort by providing legal services, if required, at no cost to you.

In conclusion, thank you for your continued service on behalf of the parents and children of our state. We look forward to hearing the good reports of the National Motto/flag posters on display in your school!

Sincerely,



Lea Carawan  
Executive Director  
Congressional Prayer Caucus Foundation