



# CONGRESSIONAL PRAYER CAUCUS FOUNDATION

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July 2, 2018

Lee County School Board  
c/o Mr. Rob Hines, Chair  
153 School Board Place  
Jonesville, VA 24263

Re: National Motto on School Buses

Dear Chairman Hines and School Board Members:

I have the honor of serving as the Executive Director of the Congressional Prayer Caucus Foundation. The Foundation serves nearly 100 members of Congress who are part of the Congressional Prayer Caucus (the names of those members of Congress who serve on the Congressional Prayer Advisory Team are listed on the left).

In addition, the Foundation serves Legislative Prayer Caucuses in 32 states, including Virginia, which have over 1,000 state senators and state representatives as members. These leaders are working together to preserve the integrity of our first principles and protect First Amendment rights for all.

We understand that the Freedom From Religion Foundation ("FFRF") has contacted either the Lee County Schools and/or the School Board recently to express its disappointment that the Lee County Schools has decided to place our National Motto – "In God We Trust" – on each of the County's school buses. In its press release (a copy of which can be found at <https://ffrf.org/news/news-releases/item/32524-ffrf-to-virginia-school-district-don-t-let-jesus-take-the-wheel>), FFRF claims the Schools' action constitutes "an assault on the religious liberty of every student in the district," "sends a message that atheist and agnostic students – 21 percent of younger Americans . . . – are outsiders in their own district," and that "religion is inherently divisive and should never be promoted by our secular public schools."

One claim not argued by FFRF is that the National Motto is an unconstitutional establishment of religion. FFRF was wise not to advance this

argument since the law is very clear that the National Motto is constitutional. More than 40 years ago, 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 the National Motto on school buses that take Lee County children and young adults to schools 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.

FFRF’s claim that 21 percent of students are atheist or agnostic is patently false. The study cited by FFRF did not survey American students in elementary, junior high school or high school. The youngest category surveyed was 18-29 year old adults (see Figure 8 on page 25 of the cited study), who as a group are more transitional than older or younger citizens, and therefore more likely to be unaffiliated with a church. Moreover, FFRF’s cited study shows that only a third of these unaffiliated younger adults are either atheist or agnostic (see page 26 of the study).

The attorney provides no study supporting his claim, and to our knowledge there is no study that shows what level of offense there is to a patriotic, ceremonial display of the National Motto, “In God We Trust.” 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 an 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.

The Congressional Prayer Caucus Foundation has joined Congress in encouraging the display of the National Motto by helping advance The National Motto, "In God We Trust," Display Acts in legislatures nationwide. We firmly believe that this little gesture of displaying the National Motto 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 Lee County. We applaud you for standing strong in the face of ongoing challenges from the FFRF. If we can be of any further service to you on this issue, feel free to contact us. We have First Amendment lawyers on staff who will work with you, without charge, if you need their services. We look forward to seeing photos of Lee County school buses bearing our National Motto!

Sincerely,



Lea Carawan

Executive Director

Congressional Prayer Caucus Foundation