

CASE NOS. 05-17257, 05-17344, 06-15093

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

MICHAEL A. NEWDOW; et al.,
Plaintiffs

and

JAN ROE and ROECHILD-2,
Plaintiffs-Appellees,

v.

RIO LINDA UNION SCHOOL DISTRICT,
Defendant- Appellant,

and

UNITED STATES OF AMERICA; et al.,
Defendants-Intervenors-Appellants.

**On Appeal from the United States District Court
for the Eastern District of California
(District Court No. CV-05-00017-LKK)**

**PLAINTIFFS-APPELLEES' MOTION REQUESTING JUDICIAL NOTICE
IN PETITION FOR PANEL REHEARING OR FOR REHEARING EN
BANC**

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Pursuant to Federal Rules of Evidence Rule 201(b)(2), Rule 201(c), and/or Rule 201(d), Plaintiffs-Appellees respectfully request that the Court take judicial notice of the attached Appendices A through F, described below.

A Declaration from the undersigned is attached to this Motion. It describes the circumstances related to obtaining the content of each Appendix.

Opposing Counsel have been contacted. All have indicated that they “will not be taking a position” on this motion.¹

A. Appendix A is a copy of a news release from the Pew Research

Center for the People and the Press, dated December 20, 2002.

Newdow Declaration ¶ 2.

B. Appendix B is a copy of H.R. Rep. No. 1693, 83rd Cong., 2nd Sess. 2

(1954) – i.e., the Report of the House of Representatives that

accompanied the legislation that added “under God” to the Pledge of

Allegiance. Newdow Declaration ¶ 3.

C. Appendix C is a listing of statements from majority/plurality opinions

of the U.S. Supreme Court demonstrating that “religion” and

“irreligion/nonreligion” (= Atheism) are to be shown equal respect by

¹ The actual final format and list of the attached appendices was not prepared in time for opposing counsel to review. However, previous listings were provided and – from all indications – the undersigned firmly believes that nothing added or changed would alter the responses from opposing counsel.

the government under the Religion Clauses of the First Amendment.

Newdow Declaration ¶ 4.

- D. Appendix D has two parts. The first part is a Declaration asserting that – despite extensive research – the undersigned has been unable to find any statement from any “Framer” suggesting that the Constitution was intended to grant the federal government any power to involve itself in religious matters. The second part is a listing of statements by Framers, demonstrating that the opposite was the case – i.e., that the federal government was intentionally precluded by the Constitution from involvement in religious matters. Newdow Declaration ¶ 5.
- E. Appendix E is comprised of a bar graph demonstrating the number of religion-related entries in the indices of the Congressional Record for the years 1949-1959, plus a listing of 200 of the entries from 1954-1960. Newdow Declaration ¶ 6.
- F. Appendix F is a listing of official Monotheistic activities that all occurred within the five year interval from 1952-1956. Newdow Declaration ¶ 7.

Respectfully submitted,

April 26, 2010

s/ - Michael Newdow
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DECLARATION OF MICHAEL NEWDOW IN REGARD TO
PLAINTIFFS-APPELLEES' MOTION REQUESTING JUDICIAL NOTICE
IN PETITION FOR PANEL REHEARING OR FOR REHEARING EN
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I, Michael Newdow, declare as follows:

- (1) I am competent to testify to the matters stated herein.
- (2) On April 24, 2010, I downloaded a news release from the Pew Research Center for the People and the Press, dated December 20, 2002. The website was <http://people-press.org/reports/pdf/168.pdf>. A copy of that download is provided in Appendix A.
- (3) Approximately ten years ago, I visited the UCLA Law Library. There I located an official volume of “House Reports” that contained the report that accompanied the legislation that was responsible for adding “under God” to the Pledge of Allegiance in 1954 (i.e., H.R. Rep. No. 1693, 83rd Cong., 2nd Sess. 2 (1954)). Appendix B is a true and correct copy of that report.
- (4) Appendix C contains a listing of statements from majority/plurality opinions of the U.S. Supreme Court that I have located in my research of the high court’s opinions. These statements (which speak for themselves) demonstrate that “religion” and “irreligion/nonreligion” (= Atheism) are to be shown equal respect by the government under the Religion Clauses of the First Amendment.
- (5) Appendix D contains a listing of statements from “Framers” of the Constitution (or those who were involved in the politics of the time). These statements (which speak for themselves) demonstrate that (according to the writings of these individuals) the federal government was intentionally precluded by the Constitution from involvement in religious matters.
- (6) Approximately six or seven years ago, I spent a number of hours reviewing the entries in the Congressional Record for the years 1949-1960. I visited the State Law Library in downtown Sacramento, and personally retrieved the index volumes for each of those years. I counted the numbers of entries listed under “Religion” and related terms. The bar graph in Appendix E is a representation of the data. It is followed by a listing of 200 sample titles of those entries.
- (7) Appendix F is a listing of some of the Monotheistic activities (i.e., legislation and an executive order) that occurred in the five year period from 1952-1956.

A quote from a House document is included, stating that the Pledge of Allegiance serves to “witness our faith in Divine Providence.”

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 26, 2010 in Sacramento, CA.

s/ - Michael Newdow

CERTIFICATE OF SERVICE

CASE NOS. 05-17257, 05-17344, 06-15093

I HEREBY CERTIFY that a true and correct copy of the foregoing **PLAINTIFFS-APPELLEES' MOTION REQUESTING JUDICIAL NOTICE IN PETITION FOR PANEL REHEARING OR FOR REHEARING EN BANC** was filed with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on this 26th day of April, 2010. Assumedly, counsel for all parties (registered CM/ECF users) will be automatically served by the system.

April 26, 2010

s/ - Michael Newdow

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APPENDIX A

Pew Research Center, December 20, 2002

Top News Stories for 2002



NEWSRelease
 1150 18th Street, N.W., Suite 975
 Washington, D.C. 20036
 Tel (202) 293-3126
 Fax (202) 293-2569

**FOR IMMEDIATE RELEASE:
 December 20, 2002**

**FOR FURTHER INFORMATION:
 Andrew Kohut, Director
 Carroll Doherty, Editor**

SNIPER ATTACKS DRAW MOST PUBLIC INTEREST IN 2002

A series of horrifying sniper attacks in the Washington, D.C. area attracted the most public interest of any news story in 2002. But the growing prospects of war with Iraq, as well as the continuing threat of terrorism and the aftermath of 9/11, also drew high levels of attention throughout the year.

Nearly two-thirds of Americans (65%) said they tracked news of the sniper case very closely, while 26% followed these reports fairly closely. Owing to the intensive news coverage of this story, interest was not limited to the mid-Atlantic area where the shootings occurred. Nine-in-ten in every part of the country said they followed this story at least fairly closely.

The Iraq debate began resonating with the public in late summer. In August, roughly half of the public (48%) said they were tracking this story very closely. By early October, six-in-ten were paying very close attention, with another 28% following it fairly closely. Clearly, interest in this issue will continue, and likely increase, in the coming year as the question of military action comes to a head.

<i>Story ...</i>	<u>Following Very Closely</u> %
1. Sniper shootings (<i>late October</i>)	65
2. Debate on war in Iraq * (<i>early October</i>)	60
3. Court ruling on Pledge of Allegiance (<i>July</i>)	52
4. Defending against terrorism in U.S.* (<i>July</i>)	51
5. U.S. military efforts in Afghanistan * (<i>Jan</i>)	51
6. Stories about kidnaped children (<i>Sept</i>)	49
7. Continued violence in Mideast * (<i>April</i>)	44
8. FBI/CIA prior knowledge of 9/11 * (<i>early Oct</i>)	41
9. One-year anniversary of 9/11 (<i>September</i>)	39
10. 'Code Orange' terrorism alert (<i>September</i>)	39
11. Reports about U.S. economy * (<i>December</i>)	38
12. Hurricanes on Gulf coast (<i>early October</i>)	38
13. Catholic priest scandal * (<i>June</i>)	38
14. U.N. weapons inspections in Iraq (<i>Dec</i>)	35
15. Cases of West Nile virus (<i>September</i>)	34

* Interest in these stories was tracked over many months – highest reported interest shown here.

Not surprisingly, terrorism was less of a public focus than in 2001. Last year's attacks attracted very close interest from 74% of the public (22% followed them fairly closely), and eight of the year's top ten stories related in some way to terrorism. This year, five of the top ten stories had something to do with terrorism, but overall interest was much lower. The top terrorism stories – the U.S. war in Afghanistan and reports on U.S. defenses against domestic terrorism – drew very close interest from about half of the public (51% each).

Pledge Controversy Draws Attention

In July, a majority of Americans (52%) paid very close attention to stories on a controversial federal court ruling that the words "One nation, under God" cannot appear in the Pledge of Allegiance. It was the year's third highest-rated story and one of the most closely followed court decisions since the Pew Research Center began measuring news interest in 1986.

Last summer's series of child abductions, which drew considerable news coverage, also attracted a large audience. In September, nearly half of Americans (49%) followed the kidnappings very closely, and this story struck a chord with women, in particular: 57% of women followed the child abductions very closely, compared with 41% of men.

News of the court ruling on the Pledge and child abductions drew more interest than several other major domestic stories, including the Catholic priest scandal and stories on corporate wrongdoing. Roughly four-in-ten (38%) tracked the priest scandal very closely. The priest controversy initially was centered on Boston. Catholics and people in the Northeast took particular interest in this story (45% very closely).

The well-publicized scandals affecting corporations like Enron and WorldCom drew comparatively less interest. Pew asked questions about the scandals on several occasions; interest was highest for reports on WorldCom in July but only about three-in-ten (31%) followed those reports very closely.

Record Interest in Mideast

The public tends to pay little attention to foreign news, aside from stories that mainly involve Americans. The notable exception is news about the Middle East. In April, 44% paid very close attention to violence between Israelis and Palestinians (33% fairly closely). That not only made it the biggest foreign news story of the year, but it was one of the most closely followed international

stories in Pew’s 16-year history of measuring news attentiveness.

Other overseas news stories – those not directly involving Americans or possible U.S. military action in Iraq – attracted far smaller audiences. Aside from reports on U.N. weapons inspections in Iraq, which may set the stage for military action, none of these stories drew interest from more than a quarter of the public.

Interest was especially low in overseas political and economic developments: roughly one-in-twenty Americans paid close attention to the failed coup in Venezuela (6%); an upset victory by a right-wing candidate, Jean-Marie Le Pen in a preliminary election in France (6%); and political and economic instability in Argentina (5%). These attracted the lowest interest of any stories this year.

<i>Stories ...</i>	Follow “ <u>Very Closely</u> ” %
Continued violence in Mideast (<i>April</i>)	44
U.N. weapons inspections in Iraq (<i>Dec</i>)	35
N. Korea nuclear weapons (<i>October</i>)	25
India-Pakistan tensions (<i>June</i>)	24
Terrorist attacks in Kenya (<i>December</i>)	21
Nightclub bombing in Bali (<i>October</i>)	20
Oil spill off coast of Spain (<i>December</i>)	15
Coup attempt in Venezuela (<i>May</i>)	6
French election (<i>May</i>)	6
Instability in Argentina (<i>January</i>)	5

* Stories do not mainly involve Americans

Overseas News Divides Generations

Traditionally, young people take little interest in overseas news and that was again the case in 2002. Ongoing violence in the Middle East was the top story for people under age 30, as it was for those in other age groups. But just three-in-ten followed those reports very closely, compared with 41% of those 30-49 and more than half of those age 50 and older. Young people displayed much less interest in the year’s other foreign stories.

	<u>18-29</u>	<u>30-49</u>	<u>50-64</u>	<u>65+</u>
	%	%	%	%
Mideast violence	30	41	53	55
U.N. inspectors in Iraq	22	36	43	40
N. Korea nuclear	15	22	32	36
India-Pakistan	16	24	32	24
Terrorism in Kenya	12	21	30	24
Bali bombing	12	18	26	27
Oil spill in Spain	7	14	18	21
Venezuelan coup	6	5	7	6
French election	4	6	7	9
Argentina instability	4	3	6	8

Educational differences have less of an effect on foreign news interest. College graduates showed no more interest in most foreign news stories than did those who completed some college or high school graduates. The exception is news on the U.N. weapons inspectors in Iraq; more than four-in-ten college graduates tracked those reports very closely, compared with roughly a third of those who did not complete college and high school graduates.

APPENDIX B

H.R. Rep. No. 1693, 83rd Cong., 2nd Sess. 2 (1954)

83^D CONGRESS : : : : 2^D SESSION

JANUARY 6-DECEMBER 2, 1954

HOUSE REPORTS

VOL. 3

MISCELLANEOUS III

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1954

83D CONGRESS } HOUSE OF REPRESENTATIVES } REPORT
2d Session } } No. 1693

AMENDING THE PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

MAY 28, 1954.—Referred to the House Calendar and ordered to be printed

Mr. JONAS of Illinois, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. J. Res. 243]

The Committee on the Judiciary, to whom was referred the joint resolution (H. J. Res. 243) to amend the pledge of allegiance to the flag of the United States of America, having considered the same, report favorably thereon with an amendment and recommend that the joint resolution, as amended, do pass.

The amendment is as follows:

Page 2, line 1, strike out the comma after the words "one Nation".

PURPOSE

The act of June 22, 1942 (ch. 435, 56 Stat. 1074), as amended, relates to rules and customs pertaining to the display and use of the flag of the United States of America. Section 7 of that act contains the pledge of allegiance to the flag; and it is the purpose of this proposed legislation to amend that pledge by adding the words "under God" so as to make it read, in appropriate part, "one Nation under God, indivisible,".

STATEMENT

Since the introduction of this legislation the committee and a great number of the individual Members of Congress have received communications from all over the United States urging the enactment of this measure.

At this moment of our history the principles underlying our American Government and the American way of life are under attack by a system whose philosophy is at direct odds with our own. Our American Government is founded on the concept of the individuality and the dignity of the human being. Underlying this concept is the

belief that the human person is important because he was created by God and endowed by Him with certain inalienable rights which no civil authority may usurp. The inclusion of God in our pledge therefore would further acknowledge the dependence of our people and our Government upon the moral directions of the Creator. At the same time it would serve to deny the atheistic and materialistic concepts of communism with its attendant subservience of the individual.

The Supreme Court ruled in 1892 that "this is a religious nation."¹ It reiterated this holding, more recently (1951), when it stated:

We are a religious people whose institutions presuppose a supreme being.²

Those words by our Supreme Court are true in a very fundamental and realistic sense. From the time of our earliest history our peoples and our institutions have reflected the traditional concept that our Nation was founded on a fundamental belief in God. For example, our colonial forebears recognized the inherent truth that any government must look to God to survive and prosper. In the year 1620, the Mayflower compact, a document which contained the first constitution in America for complete self-government, declared in the opening sentence "In the name of God. Amen." This was an open recognition, by our forebears, of the need for the official conjunction of the laws of God with the laws of the land.

It was William Penn who said: "Those people who are not governed by God will be ruled by tyrants."

Four years before the Declaration of Independence, we find George Mason arguing to the General Court of Virginia that—

All acts of legislature apparently contrary to the natural right and justice are, in our laws, and must be in the nature of things considered as void. The laws of nature are the laws of God, whose authority can be superseded by no power on earth.

On July 4, 1776, our Founding Fathers proclaimed our Declaration of Independence which no less than four times refers to the existence of the Creator. It states in part:

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.

This same document appeals to "the Supreme Judge of the world" that this Nation be free, and pledges our Nation to support the Declaration "with a firm reliance on the protection of divine Providence."

During the Presidency of Abraham Lincoln, the Congress passed the act of April 22, 1864, directing that the inscription "In God we trust" be placed on our coins. This avowal of faith has been imprinted on billions and billions of coins during the last 90 years.

Later at Gettysburg on November 19, 1863, Lincoln said:

That we here highly resolve that these dead shall not have died in vain; that this Nation, under God, shall have a new birth of freedom, and that government of the people, by the people, for the people shall not perish from the earth.

¹ *Church of the Holy Trinity v. U. S.* (1892) (143 U. S. 457, 470).

² *Zorach v. Clauson* (1951) (343 U. S. 306, 313).

AMEND THE PLEDGE OF ALLEGIANCE TO THE FLAG

3

Recently President Eisenhower joined with Bishop Fulton J. Sheen, Dr. Norman Vincent Peale, Rabbi Norman Salit, and the American Legion Commander, Arthur J. Connell, in the American Legion's Back to God appeal in connection with its Four Chaplains' Day, commemorating the four military chaplains who heroically gave their lives when the troopship *Dorchester* was sunk in 1943. The President declared that "all the history of America" bears witness to the truth that "in time of test or trial we instinctively turn to God." "Today, as then (Gettysburg), there is need for positive acts of renewed recognition that faith is our surest * * * strength, our greatest resource."

Representative Louis C. Rabaut who testified at the hearing before the subcommittee aptly stated the need for this legislation in the following words:

By the addition of the phrase "under God" to the pledge, the consciousness of the American people will be more alerted to the true meaning of our country and its form of government. In this full awareness we will, I believe, be strengthened for the conflict now facing us and more determined to preserve our precious heritage.

More importantly, the children of our land, in the daily recitation of the pledge in school, will be daily impressed with a true understanding of our way of life and its origins. As they grow and advance in this understanding, they will assume the responsibilities of self-government equipped to carry on the traditions that have been given to us. Fortify our youth in their allegiance to the flag by their dedication to "one Nation, under God."

Since our flag is symbolic of our Nation, its constitutional government and the morality of our people, the committee believes it most appropriate that the concept of God be included in the recitations of the pledge of allegiance to the flag. It should be pointed out that the adoption of this legislation in no way runs contrary to the provisions of the first amendment to the Constitution. This is not an act establishing a religion or one interfering with the "free exercise" of religion. A distinction must be made between the existence of a religion as an institution and a belief in the sovereignty of God. The phrase "under God" recognizes only the guidance of God in our national affairs. The Supreme Court has clearly indicated that the references to the Almighty which run through our laws, our public rituals, and our ceremonies in no way flout the provisions of the first amendment (*Zorach v. Clauson* (343 U. S. 306, 312-313)). In so construing the first amendment, the Court pointed out that, if this recognition of the Almighty was not so, then even a fastidious atheist or agnostic could object to the way in which the Court itself opens each of its sessions, namely, "God save the United States and this Honorable Court" (id., 313).

Included as a part of this report is an opinion from the Legislative Reference Service of the Library of Congress, concerning the proper placement of the words "under God" in the pledge of allegiance.

MAY 11, 1954.

To: Mr. Cyril F. Brickfield [Assistant Counsel], House Committee on the Judiciary.

Subject: Placing of the words "under God" in the pledge of allegiance.

The pledge of allegiance to the flag was recognized and codified by Congress in the Flag Code of 1942 (act of June 22, 1942, amended December 22, 1942, U. S. C. 36:172). The pledge law now reads: "I pledge allegiance to the flag

4 AMEND THE PLEDGE OF ALLEGIANCE TO THE FLAG

of the United States of America and to the Republic for which it stands, one Nation indivisible, with liberty and justice for all."

Currently, several proposals are pending, to insert in this pledge the word "under God." These present several alternatives as to placement and punctuation:

- (1) * * * Republic for which it stands, one Nation, under God, indivisible with liberty * * *
- (2) * * * Republic for which it stands, one Nation under God, indivisible with liberty * * *
- (3) * * * Republic for which it stands, one Nation indivisible under God, with liberty * * *

You have asked for a brief memorandum on the question of placement and punctuation, and whether the rules of grammar point to one form rather than another. The present statement is limited to this narrow point. Of course, before any judgment can be expressed, the fundamental question must be met—what is the exact meaning intended by the proposed insertion? On this point, we have some remarks in the Congressional Record as a guide.

Representative Rabaut, who introduced Joint Resolution 243, explained his measure in the Congressional Record of February 12, 1954, page A-1115. "Unless we are willing to affirm our belief in the existence of God and His creator-creature relationship to man, we drop man himself to the significance of a grain of sand. * * * Children and Americans of all ages must know that this is one Nation which "under God" means "liberty and justice for all."

Senator Ferguson, who introduced Senate Joint Resolution 126, commented that "Our Nation was founded on a fundamental belief in God * * * communism, on the contrary, rejects the very existence of God." (See Congressional Record, April 1, 1954, p. A-2527.)

It seems unlikely, then, that the insertion is intended as a general affirmation of the proposition that the United States of America is "founded on a fundamental belief in God." The new language should therefore be inserted, and punctuated, so as most clearly to indicate this general thought. Under the generally accepted rules of grammar, a modifier should normally be placed as close as possible to the word it modifies. In the present instance, this would indicate that the phrase "under God," being intended as a fundamental and basic characterization of our Nation, might well be put immediately following the word "Nation." Further, since the basic idea is a Nation founded on a belief in God, there would seem to be no reason for a comma after Nation; "one Nation under God" thus becomes a single phrase, emphasizing precisely the idea desired by the authors noted above.

This reading, it will be noticed, substitutes the basic concept of "one Nation under God" for the phrase now in the law, "one Nation indivisible"; and "indivisible" becomes a separate prime modifier.

In the alternative reading, "one Nation indivisible under God," the phrase "under God" would by the normal rules of grammar be read as modifying "indivisible," rather than "Nation." By the same reasoning, in the reading "one Nation under God indivisible," indivisible would naturally be construed as modifying the word "God."

It may be noted in passing that as the expression is used in Lincoln's Gettysburg Address [that this Nation, under God, shall have a new birth of freedom * * *] the phrase "under God" seems to mean "with the help of God." Lincoln was solemnly asking his people to resolve that the Nation, with God's help, should have a new birth of freedom. The difference in context seems adequate reason for the punctuation as given.

W. C. GILBERT, Assistant Director.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the House of Representatives there is printed below in roman type without brackets existing law in which no change is proposed by enactment of this bill: New provisions proposed to be inserted are shown in italic.

E FLAG

AMEND THE PLEDGE OF ALLEGIANCE TO THE FLAG 5

TITLE 28, UNITED STATES CODE

§ 172. PLEDGE OF ALLEGIANCE TO THE FLAG; MANNER OF DELIVERY

The following is designated as the pledge of allegiance to the flag: "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation *under God*, indivisible, with liberty and justice for all." Such pledge should be rendered by standing with the right hand over the heart. However, civilians will always show full respect to the flag when the pledge is given by merely standing at attention, men removing the headdress. Persons in uniform shall render the military salute.



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APPENDIX C

Listing of Supreme Court Statements

Showing Requirement for Equal Respect for Atheists

APPENDIX C

**UNITED STATES SUPREME COURT MAJORITY OPINIONS
DEMONSTRATING MANDATE FOR EQUAL TREATMENT FOR
“NONRELIGION” AND “IRRELIGION” (= ATHEISM)¹**

- (1) *McCreary County v. ACLU*, 545 U.S. 844, 860 (2005) (“The touchstone for our analysis is the principle that the ‘First Amendment mandates governmental neutrality between religion and religion, and between religion and nonreligion.’”)
- (2) *Bd. of Educ. of Kiryas Joel v. Grumet*, 512 U.S. 687, 703 (1994) (“[A] principle at the heart of the Establishment Clause [is] that government should not prefer one religion to another, or religion to irreligion.”)
- (3) *Allegheny County v. Greater Pittsburgh ACLU*, 492 U.S. 573, 610 (1989) (“A secular state establishes neither atheism nor religion as its official creed.”)
- (4) *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968) (“The First Amendment mandates governmental neutrality between religion and religion, and between religion and nonreligion.”)
- (5) *Torcaso v. Watkins*, 367 U.S. 488, 495 (1961) (“We repeat and again reaffirm that neither a State nor the Federal Government ... can aid those religions based on a belief in the existence of God as against those religions founded on different beliefs.”)
- (6) *Everson v. Board of Education*, 330 U.S. 1, 18 (1947) (“Th[e First] Amendment requires the state to be a neutral in its relations with groups of religious believers and non-believers ...”)

¹ All internal citations omitted in this listing.

APPENDIX D

Founders' Statements on the Constitution's Treatment of Religion

APPENDIX D

Framer Statements Demonstrating They Intended for the Constitution to Preclude Favoritism For Any Religious View

I, Michael Newdow, declare as follows:

- (1) I have been researching the history of the founding of the United States, especially in regard to the religious liberty embraced by the Constitution, since 1997.
- (2) During that time period, I have extensively reviewed numerous sources to gain an understanding of that history.
- (3) The following is a sampling of the statements by the Framers I have found that show that the Constitution (including the Bill of Rights) was unequivocally meant to keep the federal government uninvolved in religious matters.
- (4) Although on many occasions I have specifically looked for statements by any Framer indicating that this interpretation is incorrect, my searches have, to date, been unsuccessful. As far as I can tell, not one Framer ever even suggested that the Constitution permitted the federal government to involve itself in religious matters.
- (5) This is not to say that there were no individuals unhappy with this constitutional secularity. On the contrary, numerous individuals bemoaned the lack of religion in the document.
- (6) However, as Timothy Dwight stated merely one generation after the ratification of the Bill of Rights:

We formed our Constitution without any acknowledgement of GOD; without any recognition of his mercies to us, as a people, of his government, or even of his existence. The Convention, by which it was formed, never asked, even once, his direction, or his blessing upon their labours. Thus we commenced our national existence under the present system, without GOD.¹

I declare under penalty of perjury that the foregoing is true and correct.

s/ Michael Newdow

April 26, 2010

¹ *A discourse in two parts*, delivered July 23, 1812, on the public fast, in the chapel of Yale College by Timothy Dwight, D.D.L.L.D., President of that Seminary. (New Haven: Howe and Deforest; Sold also by A.T. Goodrich and Co. No, 124, Broadway, New-York; Printed by J. Seymour), p. 40.

- (1) “It will never be pretended that any persons employed in [the formation of the American government] had any interviews with the gods, or were in any degree under the inspiration of heaven ... it will for ever be acknowledged that these governments were contrived merely by the use of reason and the senses.”

Adams, John, *A defence of the constitutions of government of the United States of America* (London: C.Dilly; 1787) at xvi.

- (2) “In some nations, legislators have derived much of their power from the influence of religion, or from that implicit belief which an ignorant and superstitious people entertain of the gods, and their interposition in every transaction of life. ... This influence derived from the authority of opinion, was less perceptible, but as tyrannical as a military force. ... But in North America, by a singular concurrence of circumstances, the possibility of establishing this influence, as a pillar of government, is totally precluded.”

Webster, Noah. A Citizen of America, *An Examination into the Leading Principles of the Federal Constitution* (October 17, 1787), in Wootten, David (ed.). *The essential Federalist and anti-Federalist papers*. (Indianapolis, IN: Hackett Publishing Co.; 2003) at 132

- (3) “The one has no particle of spiritual jurisdiction; the other is the supreme head and governor of the national church!”

Hamilton, Alexander. Federalist #69 (March 14, 1788). Scott, E.H. (ed.) *The Federalist and Other Constitutional Papers*. Chicago: Albert, Scott & Company; 1894), Vol. 1 (of 2), p. 383 (comparing the King of England with the United States President).

- (4) “[There is] “no power is given expressly to Congress over religion.”

John J. Randolph, Governor of Virginia, Address to The Virginia Convention (June 10, 1788) in *The Documentary History of the Ratification of the Constitution*. Kaminski, John P. and Saladino, Gaspare J. (ed’s.). (Madison: State Historical Society of Wisconsin; 1990), vol. IX (Virginia), p. 1100.

- (5) “There is not a shadow of right in the general government to intermeddle with religion. Its least interference with it, would be a most flagrant usurpation.”

Statement of James Madison at the Virginia Ratifying convention (June 12, 1788). Elliot’s Debates, III: 330.

- (6) “If any future Congress should pass an act concerning the religion of the country, it would be an act which they are not authorized to pass, by the Constitution, and which the people would not obey. Every one would ask, “Who authorized the government to pass such an act? It is not warranted by the Constitution, and is barefaced usurpation.”

Debate in North Carolina Ratifying Convention (June 30, 1788), in 5 *Founders’ Constitution* 90 (P. Kurland & R. Lerner eds. 1987).

- (7) “As to the subject of religion, ... [n]o power is given to the general government to interfere with it at all. Any act of Congress on this subject would be a usurpation.”

Statement of Richard Dobbs Spaight at the North Carolina State Ratifying Convention (July 30, 1788) Elliot’s Debates, IV: 208.

- (8) “Many pious people wish the name of the Supreme Being had been introduced somewhere in the new Constitution. Perhaps an acknowledgement may be made of his goodness or of his providence in the proposed amendments.”

Letter from Dr. Benjamin Rush to John Adams (June 15, 1789), in 1 Letters of Benjamin Rush 517, 517 (L.H. Butterfield ed., 1951). [This suggestion was rejected, as the First Congress placed, instead, “Congress shall make no law respecting an establishment of religion” into those “proposed amendments.” United States Constitution, Amendment I.

- (9) “Mr. Sherman thought the amendment altogether unnecessary, inasmuch as Congress had no authority whatever delegated to them by the Constitution to make religious establishments.”

1 Annals of Congress 757 (August 15, 1789).

- (10) “All possess alike liberty of conscience ...”

George Washington’s reply to Moses Seixas’ letter of August 17, 1790. Accessed on April 25, 2010 at <http://www.loc.gov/exhibits/treasures/images/hh0006Ap1s.jpg>

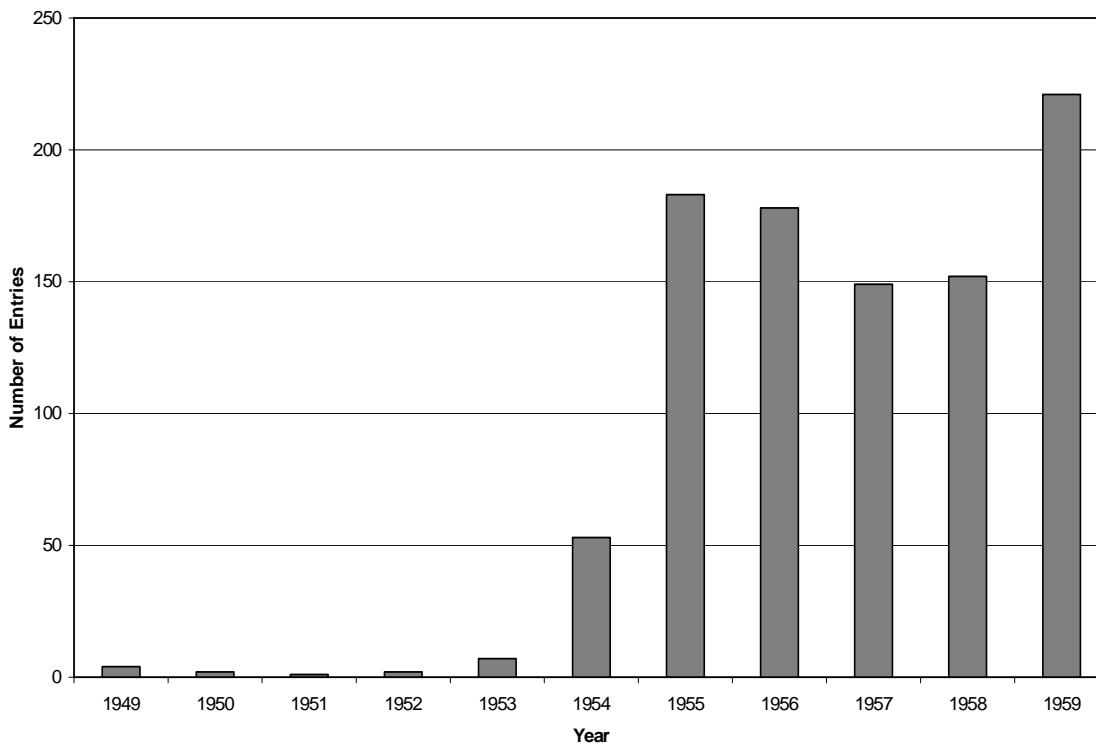
APPENDIX E

Selected Excerpts from the Congressional Record
(Circa 1954)

APPENDIX E

**SELECTED EXCERPTS FROM THE CONGRESSIONAL RECORD
(CIRCA 1954)**

Congressional Record "Religion" Entries by Year, 1949-1959



This bar graph was created by counting the number of entries under the heading "Religion" (and associated terms) in each Index volume of the Congressional Record for the years 1949 through 1959. For the five years from 1949-1953, there was an average of 3.2 entries. For the five years from 1955-1959, the average shot up to 176.6. This is a greater than fifty-fold increase.

On the pages that follow, two hundred sample titles are provided.

SELECTED CONGRESSIONAL RECORD INDEX ENTRIES
1954-1960

- | | |
|---|--|
| (1) Transcript of Back to God Program ¹ | (37) Our Prayers Could Change World ³⁷ |
| (2) Celebration, 300 years of Protestantism ² | (38) President Honored for Religious Aim ³⁸ |
| (3) Thank God for Freedom ³ | (39) What Did Jesus Believe About Wealth? ³⁹ |
| (4) City Under God ⁴ | (40) Who Are Disciples of Christ? ⁴⁰ |
| (5) Religion Versus Communism ⁵ | (41) Effect of Spiritual Guidance ⁴¹ |
| (6) Threats to Christianity and Democracy ⁶ | (42) I Speak for Christian Citizenship ⁴² |
| (7) Faith Versus Fear ⁷ | (43) One Nation Under God ⁴³ |
| (8) "Under God" this Nation lives ⁸ | (44) Communists versus God ⁴⁴ |
| (9) For God and Country ⁹ | (45) Atheists misquote George Washington ⁴⁵ |
| (10) Meditation, Christ, our hope ¹⁰ | (46) God: acknowledge in the Constitution ⁴⁶ |
| (11) Ninety-first Psalm ¹¹ | (47) Erection of Giant Cross ⁴⁷ |
| (12) Proceedings of Dedicatory Prayer Breakfast ¹² | (48) Religion in American Life ⁴⁸ |
| (13) Dedication of Crucifix in Gary, Ind. ¹³ | (49) This I Believe ⁴⁹ |
| (14) Christian in Politics ¹⁴ | (50) Christian Impact ⁵⁰ |
| (15) Christians in Politics ¹⁵ | (51) Christian Life ⁵¹ |
| (16) Duty of Christian Politician ¹⁶ | (52) Love of Neighbor Is God's Guided Missile to Peace ⁵² |
| (17) Faith in Our Time ¹⁷ | (53) Need for Spiritual Values in These Times ⁵³ |
| (18) Faiths of Our Presidents ¹⁸ | (54) Our Holy Father ⁵⁴ |
| (19) Free Government Based on Faith ¹⁹ | (55) Place of God In Education ⁵⁵ |
| (20) God's Answer to Communism ²⁰ | (56) Religion Should Accompany Student ⁵⁶ |
| (21) No Coexistence of Religion and Communism ²¹ | (57) Seeking God's Way for World Peace ⁵⁷ |
| (22) One Hundred Years of Spiritual Blessing ²² | (58) Spiritual Statesmanship ⁵⁸ |
| (23) Strengthening America Under God ²³ | (59) Spiritual Strength in Cold War ⁵⁹ |
| (24) This Nation Under God ²⁴ | (60) Supplying Education with Religious Spirit ⁶⁰ |
| (25) We Pray or We Perish ²⁵ | (61) This Nation Under God ⁶¹ |
| (26) With Faith and Flag They Called It America ²⁶ | (62) World Must Choose Between Religion and Ruin ⁶² |
| (27) Beloved Man of God ²⁷ | (63) Christian and Jew ⁶³ |
| (28) Christian and Debt ²⁸ | (64) Eisenhower Should Lead Godly Against Reds ⁶⁴ |
| (29) Congressmen Get Prayer Room ²⁹ | (65) Man Who Sees Inside Heaven ⁶⁵ |
| (30) Drive to Erect World's Largest Cross ³⁰ | (66) Our Home and God ⁶⁶ |
| (31) God Meant Us To Find Atom ³¹ | (67) Prayer - Exposure to God ⁶⁷ |
| (32) God and U.N. ³² | |
| (33) Great Christian ³³ | |
| (34) Harvesting Lord's Acre ³⁴ | |
| (35) Has Your Home a Prayer Room? ³⁵ | |
| (36) Our Father's God to Thee ³⁶ | |

- (68) Religious Illiteracy Is Problem for Home⁶⁸
- (69) Supping With Devil⁶⁹
- (70) Thanks Be to Providence⁷⁰
- (71) The Christian Leader and Politics⁷¹
- (72) Worship and Work⁷²
- (73) World Day of Prayer⁷³
- (74) "I Met God There"⁷⁴
- (75) Christian amendment flier⁷⁵
- (76) Bible ABC Verses⁷⁶
- (77) Christ Did Not Wear Crown of Thorns To Teach Appeasement⁷⁷
- (78) Christianity, Patriotism, and Myth of National Communism⁷⁸
- (79) Faith That Built America⁷⁹
- (80) Role of Church in American Politics⁸⁰
- (81) Unfair Trial of Jesus⁸¹
- (82) Appeal to Churches⁸²
- (83) Apostolic Blessing⁸³
- (84) Christian in Politics⁸⁴
- (85) Christian Survival at Stake⁸⁵
- (86) Church Versus Dictatorships⁸⁶
- (87) Convert Russia Through Prayer⁸⁷
- (88) Cross Against Sky⁸⁸
- (89) Direction of Our Gratitude⁸⁹
- (90) Faith Is Target⁹⁰
- (91) God's Time⁹¹
- (92) Ideas Are God's Weapons for New World⁹²
- (93) Prayer Is Power⁹³
- (94) Why Not Teach Religion?⁹⁴
- (95) Church of Christ⁹⁵
- (96) Mobilizing religious influence⁹⁶
- (97) Prayer breakfast: proceedings⁹⁷
- (98) Amendment to Constitution recognizing God⁹⁸
- (99) Christian Reformed Church in America⁹⁹
- (100) Errors in trial of Jesus¹⁰⁰
- (101) Power of prayer¹⁰¹
- (102) Proceedings of sixth annual presidential prayer breakfast¹⁰²
- (103) Atheistic Character of Communism¹⁰³
- (104) Church-Related Colleges¹⁰⁴
- (105) Importance of Easter and Good Friday¹⁰⁵
- (106) Modern Delusions and God's Design¹⁰⁶
- (107) Politics and Christian Service¹⁰⁷
- (108) Antichrists on Prowl¹⁰⁸
- (109) Christ in Marketplace¹⁰⁹
- (110) Churches Under Open Skies¹¹⁰
- (111) Contemporary Church Heraldry in America¹¹¹
- (112) Has My Church Left Me?¹¹²
- (113) Holy Week Holds the Answer¹¹³
- (114) Moses, Prophets, Jesus Fought To Erase Inequality¹¹⁴
- (115) Opposes Asking God's Aid for United States¹¹⁵
- (116) 139 Joined Church During Crusade¹¹⁶
- (117) Presidential Prayer Breakfast¹¹⁷
- (118) Religious Imperatives and Foreign Aid¹¹⁸
- (119) Religious Overseas Aid¹¹⁹
- (120) Uriel, Flame of God¹²⁰
- (121) World Day of Prayer¹²¹
- (122) Yes; My Church Has Left Me - Thank God¹²²
- (123) Faith of our forefathers¹²³
- (124) Speak for Christian citizenship¹²⁴
- (125) Subsidy for ministers¹²⁵
- (126) Voting according to religious precepts¹²⁶
- (127) Spiritual faith of our fathers¹²⁷
- (128) Catholicism and politics¹²⁸
- (129) God, peace, and you¹²⁹
- (130) Protestantism speaks on justice and integration¹³⁰
- (131) Reaffirm Christian faith in Middle East crisis¹³¹
- (132) Essay: Christian Principles and Citizenship¹³²
- (133) Proceedings at presidential prayer breakfast¹³³
- (134) Aggressive Secularism Undermining Nation¹³⁴
- (135) Can-Do Christians¹³⁵
- (136) Catholic President?¹³⁶
- (137) Christian Amendment Resolution¹³⁷
- (138) Faith¹³⁸
- (139) Faith and Learning¹³⁹

- (140) For God and Country¹⁴⁰
 (141) In Remembrance of Him¹⁴¹
 (142) Our Religious Heritage¹⁴²
 (143) Religion Today¹⁴³
 (144) Religious Acknowledgements in Political Documents¹⁴⁴
 (145) Religious Education and Democracy¹⁴⁵
 (146) Spirituality and Prayer: Weapons Against Communism¹⁴⁶
 (147) Ten Commandments¹⁴⁷
 (148) Catholic Can Become President¹⁴⁸
 (149) Catholic in Politics¹⁴⁹
 (150) Christianity or Communism?¹⁵⁰
 (151) Christ United Church of Christ¹⁵¹
 (152) Christian Philosophy of Civil Government¹⁵²
 (153) Everybody Prays at Sholl's¹⁵³
 (154) Ex-Coach Blaik Believes in Prayer¹⁵⁴
 (155) Foreign Policy and Christian Conscience¹⁵⁵
 (156) Jesuit Denounces Racism as Pagan¹⁵⁶
 (157) Let's Not Forget Power of Faith¹⁵⁷
 (158) Man Sent From God¹⁵⁸
 (159) Our Religious Heritage¹⁵⁹
 (160) Sunday Change Shocks God Fearing¹⁶⁰
 (161) Will Science Ever Replace God?¹⁶¹
 (162) God and Mr. Dulles¹⁶²
 (163) Khrushchev, Nikita: minute of silent prayer to greet¹⁶³
 (164) American spiritual values versus Lenin and Marx¹⁶⁴
 (165) Lord's Day Observance¹⁶⁵
 (166) Vaughn Bible Class¹⁶⁶
 (167) We Believe in Prayer¹⁶⁷
 (168) We Pay Taxes for Sin¹⁶⁸
 (169) Lecture: Existence of God¹⁶⁹
 (170) Proceedings at Presidential Prayer breakfast¹⁷⁰
 (171) Text on broadcast on Christian amendment¹⁷¹
 (172) Christian amendment¹⁷²
 (173) Christ and Politics¹⁷³
 (174) Dedication of "In God We Trust" Plaque in Post Offices¹⁷⁴
 (175) Power of Prayer¹⁷⁵
 (176) Union of Church and State¹⁷⁶
 (177) Apostate Clergymen Battle for God-Hating Communist China¹⁷⁷
 (178) Christianity and Capital Punishment¹⁷⁸
 (179) Did God Attend the Summit?¹⁷⁹
 (180) Guide to Atheism¹⁸⁰
 (181) How Much God Is There in Government¹⁸¹
 (182) Jesus, the Perfect Man¹⁸²
 (183) Millennium of Christianization¹⁸³
 (184) Washington's Lady Ambassador for Christ¹⁸⁴
 (185) What Faith in God Has Meant to Me¹⁸⁵
 (186) Christian Citizenship¹⁸⁶
 (187) Faith by William Jennings Bryan¹⁸⁷
 (188) Shrine of the Immaculate Conception¹⁸⁸
 (189) Make yourself a rubberstamp for God¹⁸⁹
 (190) Religious qualifications for the Presidency¹⁹⁰
 (191) Spiritual values are our basic need¹⁹¹
 (192) Revised Standard Version of the Holy Bible: adoption of¹⁹²
 (193) World Day of Prayer¹⁹³
 (194) Bible: eternal source of strength¹⁹⁴
 (195) Bible: light that illumines the pathway¹⁹⁵
 (196) Good Shepherd and the abundant life¹⁹⁶
 (197) Holy Week¹⁹⁷
 (198) In the beginning God¹⁹⁸
 (199) Prayer rooms, U.S. Capitol¹⁹⁹
 (200) Psalm 23²⁰⁰

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- ¹ 100-a Cong. Rec. A1204 (1954).
² 100-a Cong. Rec. A5288 (1954).
³ 100-a Cong. Rec. A5674 (1954).
⁴ 100-a Cong. Rec. A5519 (1954).
⁵ 100-a Cong. Rec. A5569 (1954).
⁶ 100-a Cong. Rec. A3187 (1954).
⁷ 100-a Cong. Rec. 13977 (1954).
⁸ 100-a Cong. Rec. 15828 (1954).
⁹ 100-a Cong. Rec. A5879 (1954).
¹⁰ 101-a Cong. Rec. 11120 (1955).
¹¹ 101-a Cong. Rec. 4767 (1955).
¹² 101-a Cong. Rec. 1212 (1955).
¹³ 101-a Cong. Rec. 6264 (1955).
¹⁴ 101-a Cong. Rec. 1698 (1955).
¹⁵ 101-a Cong. Rec. A129 (1955).
¹⁶ 101-a Cong. Rec. 8792 (1955).
¹⁷ 101-a Cong. Rec. A4822 (1955).
¹⁸ 101-a Cong. Rec. A4625 (1955).
¹⁹ 101-a Cong. Rec. A2167 (1955).
²⁰ 101-a Cong. Rec. A2057 (1955).
²¹ 101-a Cong. Rec. 275 (1955).
²² 101-a Cong. Rec. A505 (1955).
²³ 101-a Cong. Rec. 11111 (1955).
²⁴ 101-a Cong. Rec. A2982 (1955).
²⁵ 101-a Cong. Rec. A3247 (1955).
²⁶ 101-a Cong. Rec. A145 (1955).
²⁷ 101-a Cong. Rec. A150 (1955).
²⁸ 101-a Cong. Rec. A2262 (1955).
²⁹ 101-a Cong. Rec. A836 and A1211 (1955).
³⁰ 101-a Cong. Rec. 2872 (1955).
³¹ 101-a Cong. Rec. 2853 (1955).
³² 101-a Cong. Rec. A4664 (1955).
³³ 101-a Cong. Rec. A742 (1955).
³⁴ 101-a Cong. Rec. A1972 (1955).
³⁵ 101-a Cong. Rec. A5881 (1955).
³⁶ 101-a Cong. Rec. A2149 (1955).
³⁷ 101-a Cong. Rec. A786 (1955).
³⁸ 101-a Cong. Rec. A3368 (1955).
³⁹ 101-a Cong. Rec. A4210 (1955).
⁴⁰ 101-a Cong. Rec. A1953 (1955).
⁴¹ 101-a Cong. Rec. 4942, A2945, A2946, A2987, A2990, A2991, A2996, and A5468 (1955).
⁴² 101-a Cong. Rec. A3151 (1955).
⁴³ 101-a Cong. Rec. A3154 (1955).
⁴⁴ 101-a Cong. Rec. 6265 (1955).
⁴⁵ 101-a Cong. Rec. 13135 (1955).
⁴⁶ 101-a Cong. Rec. 6848 (1955).
⁴⁷ 101-a Cong. Rec. 4400 (1955).
⁴⁸ 101-a Cong. Rec. 3217 (1955).
⁴⁹ 101-a Cong. Rec. 6603 (1955).
⁵⁰ 102-a Cong. Rec. A1957 (1956).
⁵¹ 102-a Cong. Rec. A6037 (1956).
⁵² 102-a Cong. Rec. A1589 (1956).
⁵³ 102-a Cong. Rec. A542 (1956).
⁵⁴ 102-a Cong. Rec. A4893 (1956).
⁵⁵ 102-a Cong. Rec. A2131 (1956).
⁵⁶ 102-a Cong. Rec. A2659 (1956).
⁵⁷ 102-a Cong. Rec. 2272 (1956).
⁵⁸ 102-a Cong. Rec. 4547 (1956).
⁵⁹ 102-a Cong. Rec. 9454 (1956).
⁶⁰ 102-a Cong. Rec. A4122 (1956).
⁶¹ 102-a Cong. Rec. A3533 and 9277 (1956).
⁶² 102-a Cong. Rec. A429 (1956).
⁶³ 102-a Cong. Rec. A2803 (1956).
⁶⁴ 102-a Cong. Rec. A452 (1956).
⁶⁵ 102-a Cong. Rec. A5129 (1956).
⁶⁶ 102-a Cong. Rec. 6895 (1956).
⁶⁷ 102-a Cong. Rec. A1493 (1956).
⁶⁸ 102-a Cong. Rec. A1650 (1956).
⁶⁹ 102-a Cong. Rec. A5842 and A6209 (1956).
⁷⁰ 102-a Cong. Rec. A3960 (1956).
⁷¹ 102-a Cong. Rec. 8031 (1956).
⁷² 102-a Cong. Rec. A5366 (1956).
⁷³ 102-a Cong. Rec. 2751 (1956).
⁷⁴ 102-a Cong. Rec. 1519 (1956).
⁷⁵ 102-a Cong. Rec. A700 (1956).
⁷⁶ 103-a Cong. Rec. A4891 (1957).
⁷⁷ 103-a Cong. Rec. A2221 (1957).
⁷⁸ 103-a Cong. Rec. A291 (1957).
⁷⁹ 103-a Cong. Rec. A4008 (1957).
⁸⁰ 103-a Cong. Rec. A4184 (1957).
⁸¹ 103-a Cong. Rec. 8121 (1957).
⁸² 103-a Cong. Rec. A4124 (1957).
⁸³ 103-a Cong. Rec. A45 (1957).
⁸⁴ 103-a Cong. Rec. A4236 (1957).
⁸⁵ 103-a Cong. Rec. A532 (1957).
⁸⁶ 103-a Cong. Rec. A5220 (1957).
⁸⁷ 103-a Cong. Rec. A1008 (1957).
⁸⁸ 103-a Cong. Rec. A3083 (1957).
⁸⁹ 103-a Cong. Rec. A1512 (1957).
⁹⁰ 103-a Cong. Rec. A2671 (1957).
⁹¹ 103-a Cong. Rec. A1357 (1957).
⁹² 103-a Cong. Rec. A4515 (1957).
⁹³ 103-a Cong. Rec. A3467 (1957).
⁹⁴ 103-a Cong. Rec. A7212 (1957).
⁹⁵ 103-a Cong. Rec. A154 (1957).
⁹⁶ 103-a Cong. Rec. 8249 (1957).
⁹⁷ 103-a Cong. Rec. 2085 (1957).
⁹⁸ 103-a Cong. Rec. 234 (1957).
⁹⁹ 103-a Cong. Rec. 6128 (1957).

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- 100 103-a Cong. Rec. 5848 (1957).
101 103-a Cong. Rec. 2452 (1957).
102 104-a Cong. Rec. 2192 (1958).
103 104-a Cong. Rec. A32 (1958).
104 104-a Cong. Rec. A3246 (1958).
105 104-a Cong. Rec. A3578 (1958).
106 104-a Cong. Rec. A2159 (1958).
107 104-a Cong. Rec. 10790 (1958).
108 104-a Cong. Rec. A2214 (1958).
109 104-a Cong. Rec. A5975 (1958).
110 104-a Cong. Rec. A6724 (1958).
111 104-a Cong. Rec. A1257 (1958).
112 104-a Cong. Rec. A3993 (1958).
113 104-a Cong. Rec. A3199 (1958).
114 104-a Cong. Rec. A883 (1958).
115 104-a Cong. Rec. A2494 (1958).
116 104-a Cong. Rec. A690 (1958).
117 104-a Cong. Rec. A1119 (1958).
118 104-a Cong. Rec. 6283 (1958).
119 104-a Cong. Rec. A927 (1958).
120 104-a Cong. Rec. A3253 (1958).
121 104-a Cong. Rec. A1606 (1958).
122 104-a Cong. Rec. A4976 (1958).
123 104-a Cong. Rec. A4646 (1958).
124 104-a Cong. Rec. A5262 (1958).
125 104-a Cong. Rec. A869 (1958).
126 104-a Cong. Rec. A7215 (1958).
127 104-a Cong. Rec. 18591 (1958).
128 104-a Cong. Rec. A7518 (1958).
129 104-a Cong. Rec. A3088 (1958).
130 104-a Cong. Rec. 1918 (1958).
131 104-a Cong. Rec. A7264 (1958).
132 105-a Cong. Rec. A4622 (1959).
133 105-a Cong. Rec. 4418 (1959).
134 105-a Cong. Rec. A8440 (1959).
135 105-a Cong. Rec. A1524 (1959).
136 105-a Cong. Rec. A5345 (1959).
137 105-a Cong. Rec. 6158 (1959).
138 105-a Cong. Rec. A174 (1959).
139 105-a Cong. Rec. A4918 (1959).
140 105-a Cong. Rec. A1966 (1959).
141 105-a Cong. Rec. A3369 (1959).
142 105-a Cong. Rec. 9499 (1959).
143 105-a Cong. Rec. A7022 (1959).
144 105-a Cong. Rec. A1125 (1959).
145 105-a Cong. Rec. A7057 (1959).
146 105-a Cong. Rec. A8446 (1959).
147 105-a Cong. Rec. A7354 (1959).
148 105-a Cong. Rec. 3482 (1959).
149 105-a Cong. Rec. 12008 (1959).
150 105-a Cong. Rec. A4465 (1959).
- 151 105-a Cong. Rec. A5375 (1959).
152 105-a Cong. Rec. A4536 (1959).
153 105-a Cong. Rec. A4718 (1959).
154 105-a Cong. Rec. A1529 (1959).
155 105-a Cong. Rec. A4653 (1959).
156 105-a Cong. Rec. A4950 (1959).
157 105-a Cong. Rec. A1278 (1959).
158 105-a Cong. Rec. A5186 (1959).
159 105-a Cong. Rec. A5838 (1959).
160 105-a Cong. Rec. A6542 (1959).
161 105-a Cong. Rec. A3542 (1959).
162 105-a Cong. Rec. A648 (1959).
163 105-a Cong. Rec. 17448 (1959).
164 105-a Cong. Rec. 5346 (1959).
165 105-a Cong. Rec. A6540 (1959).
166 105-a Cong. Rec. A1568 (1959).
167 105-a Cong. Rec. A1573 (1959).
168 105-a Cong. Rec. A4315 (1959).
169 106-a Cong. Rec. 13735 (1960).
170 106-a Cong. Rec. 3591 (1960).
171 106-a Cong. Rec. A478 and A410 (1960).
172 106-a Cong. Rec. A1538 (1960).
173 106-a Cong. Rec. A6547 (1960).
174 106-a Cong. Rec. A5504 (1960).
175 106-a Cong. Rec. 15044 (1960).
176 106-a Cong. Rec. A1578 (1960).
177 106-a Cong. Rec. A1476 (1960).
178 106-a Cong. Rec. A6053 (1960).
179 106-a Cong. Rec. A5421 (1960).
180 106-a Cong. Rec. A5601 (1960).
181 106-a Cong. Rec. 3903 and 9337 (1960).
182 106-a Cong. Rec. A3291 (1960).
183 106-a Cong. Rec. A2563 (1960).
184 106-a Cong. Rec. A404 (1960).
185 106-a Cong. Rec. 17414 (1960).
186 106-a Cong. Rec. A3910 (1960).
187 106-a Cong. Rec. 6744 (1960).
188 106-a Cong. Rec. A170 (1960).
189 106-a Cong. Rec. A5895 (1960).
190 106-a Cong. Rec. A5673 (1960).
191 106-a Cong. Rec. A6441 (1960).
192 106-a Cong. Rec. 8272 (1960).
193 106-a Cong. Rec. 6009 (1960).
194 106-a Cong. Rec. 8708 (1960).
195 106-a Cong. Rec. 8849 (1960).
196 106-a Cong. Rec. 12072 (1960).
197 106-a Cong. Rec. 8070 (1960).
198 106-a Cong. Rec. 10519 (1960).
199 106-a Cong. Rec. 3403 (1960).
200 106-a Cong. Rec. 8850 (1960).

APPENDIX F

Sampling of Official Monotheistic Activities
(Circa 1954)

APPENDIX F

**SAMPLING OF OFFICIAL MONOTHEISTIC ACTIVITIES
(CIRCA 1954)**

- (1) Act of Apr. 17, 1952, ch. 216, 66 Stat. 64 (National Day of Prayer)
- (2) H. Con. Res. 60, 83rd Cong., 1st Sess., July 17, 1953 (Prayer Room in the United States Capitol)
- (3) Act of June 14, 1954, ch. 297, § 7, 68 Stat. 249 (adding “under God” to the Pledge of Allegiance)
- (4) Act of July 11, 1955, ch. 303, 69 Stat. 290 (requiring “In God We Trust” on every coin and currency bill)
- (5) Executive Order 10631 (August 17, 1955) – Appendix (adding “I will trust in my God and in the United States of America” to the Military Code of Conduct.)
- (6) Act of July 30, 1956, ch. 795, 70 Stat. 732 (“In God We Trust” as the national motto)

“Our coinage, our Pledge of Allegiance, many of our postage stamps witness our faith in Divine Providence.”

84th Cong., 1st Sess., House Doc. 234 at 5. *The Prayer Room in the United States Capitol*. (USGPO: Washington, DC; 1956).