

EXHIBIT D

INAUGURAL PRAYERS, 1989-2001

January 20, 1989 inaugural of George H. W. Bush¹

Invocation by: Rev. Billy Graham
Benediction by: Rev. Billy Graham

January 20, 1993 inaugural of William J. Clinton²

Invocation by: Rev. Billy Graham
Benediction by: Rev. Billy Graham

January 20, 1997 inaugural of William J. Clinton³

Invocation by: Rev. Billy Graham
Benediction by: Rev. Gardner C. Taylor

January 20, 2001 inaugural of George W. Bush⁴

Invocation by: Rev. Franklin Graham
Benediction by: Pastor Kirbyjon H. Caldwell

¹ 135 Cong. Rec. 303-306 (101st Cong., 1st Sess.). Rev. Graham prayed, “in the name of the Father, the Son, and the Holy Spirit” in the Invocation. The U.S. Army Band played *God Bless America*. President Bush stated, “My first act as President is a prayer. I ask you to bow your heads: Heavenly Father, we bow our heads and thank You for Your love ...”

² 139 Cong. Rec. 383-85 (103rd Cong., 1st Sess.). The Philander Smith Collegiate Choir sang *City on the Hill*. Rev. Graham prayed to “the Prince of Peace” in the Invocation, and “[i]n the name of the Father and of the Son and of the Holy Spirit” in the Benediction.

³ 143 Cong. Rec. 4, S119-22 (January 21, 1997). Additionally, the Immanuel Baptist Church Sanctuary Choir sang “The Battle Hymn of the Republic.” Rev. Graham prayed, “in the name of the Father, the Son, and the Holy Spirit.”

⁴ 147 Cong. Rec. 7, S423-23. (January 22, 2001). Rev. Graham prayed, “in the name of the Father, and of the Son, the Lord Jesus Christ, and of the Holy Spirit.” Pastor Caldwell prayed, “in the name that’s above all other names, Jesus the Christ.”

EXHIBIT E

NEUTRALITY HAS BEEN DEEMED ESSENTIAL BY EVERY MEMBER OF THE SUPREME COURT

Zelman v. Simmons-Harris, 536 U.S. 639, 662 (2003) (Chief Justice Rehnquist ruled that a voucher program accords with the Establishment Clause when it “is entirely neutral with respect to religion.”)

Mitchell v. Helms, 530 U.S. 793, 809 (2000) (Justice Thomas wrote, “In distinguishing between indoctrination that is attributable to the State and indoctrination that is not, we have consistently turned to the principle of neutrality.”)

Agostini v. Felton, 521 U.S. 203, 231 (1997) (Justice O’Connor approved of “neutral, secular criteria that neither favor nor disfavor religion”)

Rosenberger v. University of Virginia, 515 U.S. 819, 839 (1995) (Justice Kennedy referenced “the guarantee of neutrality”)

Board of Education of Kiryas Joel v. Grumet, 512 U.S. 687, 704 (1994) (Justice Souter wrote that “civil power must be exercised in a manner neutral to religion.”)

Employment Div. v. Smith, 494 U.S. 872, 886 (1990) (Justice Scalia focused on “generally applicable, religion-neutral laws”)

Wallace v. Jaffree, 472 U.S. 38, 60 (1985) (Justice Stevens explained that “government must pursue a course of complete neutrality toward religion”)

Justices Ginsburg and Breyer joined Justice Souter’s dissent in Rosenberger, 515 U.S. at 879 (noting that it is key for a law to be “truly neutral with respect to religion”) and Justice Stevens’ majority opinion in Santa Fe, 530 U.S. at 304 (“The whole theory of viewpoint neutrality is that minority views are treated with the same respect as are majority views” (quoting Board of Regents v. Southworth, 529 U.S. 217, 235 (2000))).

EXHIBIT F

**COMMITTEE AND FINAL VERSIONS
OF THE CONGRESSIONAL OATH OF OFFICE
AS CREATED BY THE FIRST CONGRESS**

H. OF R.]

Proceedings.

[APRIL, 1789.]

On motion,
Ordered, That the members do severally deliver in their credentials at the Clerk's table.

THURSDAY, April 2.

LAMBERT CADWALADER, from New Jersey, appeared and took his seat.

On motion,
Ordered, That a committee be appointed to prepare and report such standing rules and orders of proceeding as may be proper to be observed in this House. And the following members were named on said committee, to wit: MESSRS. GILMAN, GERRY, WADSWORTH, BOUDINOT, HARTLEY, SMITH, LEE, TUCKER, MADISON, SHERMAN, and GOODHUE.

Resolved, That a door keeper and assistant door-keeper be appointed for the service of this House.

On motion,
Ordered, That it be an instruction to the committee appointed to prepare and report such standing rules and orders of proceeding as may be proper to be observed in this House, that they also report the duty and services of a sergeant-at-arms, or other proper officer for enforcing the orders of the House.

FRIDAY, April 3.

GEORGE CLYMER, from Pennsylvania, appeared and took his seat.

SATURDAY, April 4.

GEORGE PARTRIDGE, from Massachusetts, appeared and took his seat.

The House proceeded to the election of a doorkeeper, and assistant-doorkeeper; when Gifford Dudley was chosen to the former, and Thomas Claxton to the latter office.

MONDAY, April 6.

DANIEL CARROLL, from Maryland, appeared and took his seat.

Ordered, That leave be given to bring in a bill to regulate the taking the oath or affirmation prescribed by the sixth article of the Constitution; and that MESSRS. WHITE, MADISON, TRUMBULL, GILMAN, and CADWALADER, do prepare and bring in the same.

On motion,
Resolved, That the form of the oath to be taken by the members of this House, as required by the third clause of the sixth article of the Constitution of Government of the United States, be as followeth, to wit: "I, A B, a Representative of the United States in the Congress thereof, do solemnly swear (or affirm, as the case may be) in the presence of Almighty GOD, that I will support the Constitution of the United States. So help me God."

A message from the Senate, by Mr. ELLSWORTH:

Mr. Speaker: I am charged by the Senate to inform this House, that a quorum of the Senate is now formed; that a President is elected for the sole pur-

pose of opening the certificates and counting the votes of the electors of the several States, in the choice of a President and Vice President of the United States; and that the Senate is now ready in the Senate chamber, to proceed, in presence of this House, to discharge that duty. I have it also in further charge to inform this House that the Senate has appointed one of its members to sit at the Clerk's table to make a list of the votes as they shall be declared, submitting it to the wisdom of this House to appoint one or more of its members for the like purpose.

On motion,

Resolved, That Mr. Speaker, attended by the House, do now withdraw to the Senate chamber, for the purpose expressed in the message from the Senate; and that Mr. PARKER and Mr. HEISTER be appointed, on the part of this House, to sit at the clerk's table with the member of the Senate, and make a list of the votes as the same shall be declared.

Mr. Speaker accordingly left the chair, and, attended by the House, withdrew to the Senate chamber, and after some time returned to the House.

Mr. Speaker resumed the chair.

Mr. PARKER and Mr. HEISTER then delivered in at the Clerk's table a list of the votes of the electors of the several States in the choice of a President and Vice President of the United States, as the same were declared by the President of the Senate, in the presence of the Senate and of this House, which was ordered to be entered on the Journal.*

On motion,

Ordered, That a message be sent to the Senate, to inform them that it is the desire of this House that the notifications of the election of the President and Vice President of the United States should be made by such persons, and in such manner, as the Senate shall be pleased to direct; and that Mr. MADISON do communicate the said message.

TUESDAY, April 7.

The Speaker laid before the House a letter from the Mayor of the city of New York, covering certain resolutions of the Mayor, Aldermen, and Commonalty of the said city, appropriating the City Hall for the accommodation of the General Government of the United States; which were read, and ordered to lie on the table.

Mr. BOUDINOT, from the committee appointed to prepare such rules and orders of proceeding as may be proper to be observed in this House, made the following report:—

"The committee to whom it was referred to prepare such standing rules and orders of proceeding as may be proper to be observed in this House, have, according to order, prepared the same, and agreed to the following report: •

Resolved, That it is the opinion of this committee that the rules and orders following are proper to be

* For this list see the Senate Journal.

THE
LAWS OF THE UNITED STATES.

ACTS OF THE FIRST CONGRESS
OF THE
UNITED STATES,

Passed at the first session, which was begun and held at the City of New York on Wednesday, March 4, 1789, and continued to September 29, 1789.

GEORGE WASHINGTON, President, JOHN ADAMS, Vice President of the United States, and President of the Senate, FREDERICK AUGUSTUS MUHLENBERG, Speaker of the House of Representatives.

STATUTE I.

CHAPTER I.—*An Act to regulate the Time and Manner of administering certain Oaths.*

June 1, 1789.

SEC. 1. *Be it enacted by the Senate and [House of] Representatives of the United States of America in Congress assembled,* That the oath or affirmation required by the sixth article of the Constitution of the United States, shall be administered in the form following, to wit: "I, A. B. do solemnly swear or affirm (as the case may be) that I will support the Constitution of the United States." The said oath or affirmation shall be administered within three days after the passing of this act, by any one member of the Senate, to the President of the Senate, and by him to all the members and to the secretary; and by the Speaker of the House of Representatives, to all the members who have not taken a similar oath, by virtue of a particular resolution of the said House, and to the clerk: and in case of the absence of any member from the service of either House, at the time prescribed for taking the said oath or affirmation, the same shall be administered to such member, when he shall appear to take his seat.

Constitution of the U. S. article 6, page 19.
Form of the oath or affirmation to support the Constitution of the United States, to be administered to the members of the Senate and to the members of the House of Representatives.

SEC. 2. *And be it further enacted,* That at the first session of Congress after every general election of Representatives, the oath or affirmation aforesaid, shall be administered by any one member of the House of Representatives to the Speaker; and by him to all the members present, and to the clerk, previous to entering on any other business; and to the members who shall afterwards appear, previous to taking their seats. The President of the Senate for the time being, shall also administer the said oath or affirmation to each Senator who shall hereafter be elected, previous to his taking his seat: and in any future case of a President of the Senate, who shall not have taken the said oath or affirmation, the same shall be administered to him by any one of the members of the Senate.

Manner of administering the oath or affirmation to Speaker of the House of Representatives.

To each Senator.

SEC. 3. *And be it further enacted,* That the members of the several State legislatures, at the next sessions of the said legislatures, respectively, and all executive and judicial officers of the several States, who have been heretofore chosen or appointed, or who shall be chosen or

To the members of the several State Legislatures, and to all executive and judicial officers of the States.