

January 24, 2012

Dear Representative:

We are writing to urge you to oppose H.R. 290 and H.R. 2070. H.R. 290 would broadly authorize the use of religious symbols on any government memorial or monument honoring United States veterans. H.R. 2070 would inscribe a prayer onto the WWII Memorial, which was dedicated nearly a decade ago. These bills are misguided attempts to sanction government promotion of religion.

H.R. 290 is an ill-advised attack on a federal appeals court decision that held a 43-foot tall cross at a war memorial was an unconstitutional endorsement of religion because the cross is a preeminent Christian symbol that no other religion shares.¹ Although in limited circumstances the government may allow religious symbols to appear on public property, it must take steps to ensure that in doing so, it does not convey a message of preferring religion over non-religion, or advancing a particular religion over others. In addition to constitutional concerns, certain government uses of religious symbols can harm religion by assigning a secular meaning to a sacred religious symbol. H.R. 290 ignores the delicate analysis for evaluating religious symbols on public property in which the courts have long engaged. Religious symbols do not become something else merely by congressional say-so.

Further, Department of Defense reports show that the U.S. Armed Forces is highly religiously diverse. Indeed, nearly one-third of all members of the armed services identify as non-Christian.² The government should not use religious symbols that do not represent a large segment of our service members. All of those who have served should be equally respected, regardless of their beliefs.

Notably, none of our organizations, nor any organization that we know of, has the slightest doubt that veterans and their families can mark their burial places with a cross, a star of David, a crescent, or any of the nearly 100 other symbols of belief. In fact, we support and defend their right to do so. Thus, H.R. 290 is not necessary to protect religious symbols found on headstones in military cemeteries throughout the country. These religious symbols are not considered military memorials, but are instead personal religious speech that reflects the personal faith and choice of each individual fallen service members. In such cases, the government simply respects and facilitates an expression of an individual's personal beliefs.

Although the constitutional analysis is somewhat different for adding an inscription of a prayer to the WWII Memorial, as would be authorized under H.R. 2070, our policy concerns are similar. Both bills are an attempt to use religion for political purposes, which harms the beliefs of everyone.

Respectfully,

American Civil Liberties Union
American Jewish Committee
Americans United for Separation of Church and State
Interfaith Alliance
Religious Action Center of Reform Judaism

¹ *Trunk and Jewish War Veterans v. City of San Diego*, 629 F. 3d 1099, 1110-11, *reh'g denied*, 629 F. 3d 1099 (9th Cir. 2011).

² Religious Diversity in the U.S. Military, Military Leadership Diversity Comm'n, Issue Paper No. 22 (June 2010).