

WASHINGTON, DC – Congressman Robert C. "Bobby" Scott issued the following statement on his position on H.R. 290 and H.R. 2070:

"Today the House considered two unnecessary bills, again wasting the American people's time. Instead of focusing on jobs and our economic recovery, Republican leadership brought to the floor two bills that would seek to undermine the religion clauses of the First Amendment to the Constitution.

"The first bill, H.R. 290, the so-called War Memorial Protection Act, is an unnecessary attempt by Congress to authorize the use of religious symbols on government memorials or monuments honoring U.S. veterans. Current law requires a delicate balance in determining the government's appropriate use of religious symbols; the symbols must not make it appear that the government endorses religion over non-religion or advances one particular religion over another. The fact is that each display must be considered on a case-by-case basis. If a particular display meets the constitutional requirements, then it will be found constitutional and the bill is unnecessary. If a display does not meet the constitutional requirements, then it will be found unconstitutional, and this bill will not overcome that finding. In summary, for each display considered in the future, the bill is either unnecessary or powerless to overcome a constitutional violation.

"The House Natural Resources Committee acknowledged in its report to the House that the legislation is in response to a 9th Circuit Court decision that held a government display of a lone 43-foot tall cross violated the Establishment Clause of the Constitution. This bill will not change that decision; that display, found to favor one religion, will remain unconstitutional even with this legislation.

"Moreover, government selected religious symbols on war memorials are problematic. Members of our Armed Services come from many different religions and some do not ascribe to any religion at all. In fact, according to a recent report, nearly one-third of all members of the armed services identify as non-Christian. We should not dishonor their service by excluding them from or offending them by a display that may not represent them and their beliefs. Finally, this bill does not affect military headstones which may display the personal religious conviction belonging to the fallen soldier.

"The second bill, H.R. 2070, the World War II Memorial Prayer Act of 2011, directs the Secretary of the Interior to install a plaque or inscription containing the prayer proffered by President Franklin D. Roosevelt on June 6, 1944, the morning of D-Day at the World War II memorial in Washington, DC. The Commemorative Works Act (CWA) is the law that sets forth the requirements for development, approval, and location of new memorials and monuments in the District of Columbia. The current design of the World War II monument was selected as part of an open, national competition, and each stage of the design process was approved by the Commission of Fine Arts and the National Capital Planning Commission in a public hearing,

allowing for input from the general public and veterans. The National Capital Memorial Advisory Commission and the American Battle Monuments Commission, charged by Congress with designing and building the monument, oppose altering the memorial. Congress should not override the CWA to assert control over content and artistic design. Even worse, Congress should not use the memorial to play politics and assert a religious message by a religious majority. Members of many diverse religions and no religion at all served the U.S. honorably in World War II to defend the freedoms that we hold dear. We should not dishonor their service or their memories by supporting this legislation."

Unfortunately, the House adopted H.R. 290 by voice vote.

H.R. 2070 passed the House by a recorded vote of 386-26 ([Roll Call No. 8](#)).

Both bills will be sent to the Senate for consideration.

#