

**Wally
Herger**
Congressman

2nd District - California



FOR IMMEDIATE RELEASE
JULY 19, 2006

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Herger Hails Measure to Protect Pledge from Judicial Activists

(WASHINGTON, D.C.) - Congressman Wally Herger (CA-02) today voted for H.R. 2389, the Pledge Protection Act of 2005, which the House passed by a vote of 260 to 167. The measure would deny federal courts jurisdiction to hear cases relating to whether the Pledge of Allegiance is constitutional. Herger made the following comment after House passage:

"I strongly support the Pledge Protection Act because Congress must not stand idle and let activist judges remove 'under God' from our Pledge," Herger stated. "The Pledge is now the prime target of those aiming to do away with any mention of religion in the public sphere. This legislation ensures that activist federal judges won't be able to undermine the Pledge."

Herger continued, "Our nation's religious heritage dates back to the early explorers who sought religious freedom in the New World. Our founding fathers hired paid chaplains for Congress and routinely acknowledged the 'indispensable' importance of religion in American life. Adding 'under God' to the Pledge during the early days of the Cold War paid tribute to our nation's embrace of the virtues of religion, standing in sharp contrast to the Soviet Union's campaign to discredit religion and undermine religious freedom. As such, I believe our founders, and generations that followed them, would be shocked and dismayed at the claim that the Pledge of Allegiance offends our Constitution."

The legislation became necessary after the U.S. Ninth Circuit Court ruled in 2002 that the phrase "under God" in the Pledge violated the Constitution. The Supreme Court subsequently dismissed that ruling based on a technicality. Just last year, however, another federal court ruled that voluntary recitation of the Pledge in public schools is unconstitutional. Absent the Pledge Protection Act, the matter could return to the Supreme Court.

Herger concluded, "We're one activist Supreme Court decision away from the Pledge being banned in our schools. I urge the Senate to follow the House and promptly pass this bill to ensure that this does not happen."

For more information, log on to <http://www.house.gov/herger> on the Internet!