

MARK POCAN
2ND DISTRICT, WISCONSIN

COMMITTEE ON THE BUDGET

COMMITTEE ON EDUCATION
AND THE WORKFORCE

ASSISTANT WHIP



10 EAST DOTY STREET, SUITE 405
MADISON, WI 53703
(608) 258-9800

313 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-2906

POCAN.HOUSE.GOV

UNITED STATES
HOUSE OF REPRESENTATIVES

February 18, 2015

The Reverend Patrick J. Conroy, Chaplain,
U.S. House of Representatives
U.S. Capitol, Room HB25
Washington, DC 20515-6655

Dear Reverend Conroy;

I write to request Daniel Barker be given consideration as a guest chaplain for morning invocation at the House of Representatives. Mr. Barker is currently serving as President of the nonprofit Freedom From Religion Foundation, which works to uphold the Constitution, located in my district in Madison, Wisconsin. Mr. Barker intends to offer the House of Representatives a hopeful invocation focusing on leading a happy, loving, moral, and purpose-filled life.

Daniel holds a certificate of ordination from the Standard Christian Center. He intends for his invocation to be secular, but will respectfully emphasize the importance of our shared humanity and the urgency of working towards the common good as a legislative body.

Thank you for your consideration of this request. If you have any questions or concerns, please contact Alicia Molt (Alicia.Molt@mail.house.gov), a member of my staff.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Pocan'.

Mark Pocan
Member of Congress

**Invocation by Dan Barker
(draft)**

Celebrating the wondrous fact that the sovereign authority of our great nation is not a monarch, lord, supreme master or any power higher than “We, the people of these United States,” and recognizing that we Americans, a proudly rebellious people, fought a Revolutionary War to shatter the bonds of tyranny, let us rejoice in the inalienable liberty of conscience our forefathers and foremothers risked their lives to establish and our country continues to defend against those enemies who despise freedom of religion, freedom of speech, and freedom of thought.

An invocation is meant to invoke the assistance and guidance of someone outside of ourselves. In the United States, our “higher power” is the authority the electorate has provisionally bestowed upon the guidance of our representatives, who work not for a king or dictator, but for the public good.

Representing tens of millions of good Americans who are not religious and millions of patriotic citizens who do not believe in a god, I cannot invoke a spirit or supernatural agency before this esteemed body.

But I *can* invoke the “spirit” of the founding patriot Thomas Paine, a nonChristian deist who argued for Common Sense over dogma.

I can invoke the “spirit” of Thomas Jefferson, another nonChristian deist, who stated that our Constitution “erects a wall of separation between church and state” creating the first nation in history to dissolve the formal bonds between religion and government.

I can invoke the “spirit” of James Madison, who stated that “being under the direction of reason and conviction only, not of violence or compulsion, all men are entitled to the full and free exercise of [religion], according to the dictates of conscience.”

I can invoke the courage of revolutionary leaders who strove to create a nation where the pursuit of human happiness is unhampered by imposed tradition or coerced doctrine, declaring that “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.”

I can invoke the bravery and compassion of Ernestine L. Rose, the first canvasser for women’s rights in America who was denied the opportunity to speak before Congress simply because she did not believe in God.

I can invoke the tenacity and empathy of the atheist Elizabeth Cady Stanton who battled for fifty years for women’s rights and who, with her agnostic friend Susan B. Anthony, wrote the Nineteenth Amendment that now affirms the once-radical principle that *all* citizens can participate in their own democracy. Their close friend, the abolitionist Frederick Douglass said, “I prayed for twenty years but received no answer until I prayed with my legs.”

But mainly, today, I invoke the people’s choice, we know that laws should be based on fairness, not ancient codes. That policy should be based on reason, not privilege. That ethics should be aimed at wellbeing, to reduce real violence in the real world, not to appease a deity or flatter a lord. I invoke the “higher power” of *human* wisdom to solve natural problems in the natural world, the only world we have.

When it comes to government, it doesn’t matter who is right or wrong in matters of religion. We are all free to think for ourselves. As the great nineteenth-century agnostic orator Robert Green Ingersoll said, let’s agree to take it “one world at a time.”

EXHIBIT

B

Office of the Chaplain
U.S. House of Representatives
Washington, DC 20515-6655

January 7, 2016

BY HAND DELIVERY

The Honorable Mark Pocan
U.S. House of Representatives
313 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Pocan:

On February 18, 2015, you wrote to me to recommend that I permit Daniel Barker, President of the Freedom from Religion Foundation (“Foundation”), to give a morning “invocation” in the United States House of Representatives. Your letter, a copy of which is attached, stated that Mr. Barker intended his proposed “invocation to be secular,” and it would “focus[] on leading a happy, loving, moral, and purpose-filled life.”

I write now regarding a letter, dated December 17, 2015, that I received recently from two attorneys for the Foundation. The letter, a copy of which is attached, requests that Mr. Barker’s “application to give an opening invocation before Congress be expeditiously approved.” Because the letter concerns your recommendation, and because it appears to have been written in contemplation of litigation arising out of your recommendation, I am responding to you.

As you are aware, as an elected officer of the House, my responsibilities are prescribed by the Rules of the House. House Rule II.5 provides that “[t]he Chaplain shall offer a prayer at the commencement of each day’s sitting of the House,” and House Rule XIV.1, which governs the daily order of business in the House, provides that the first order of business each day that the House is in session is a “Prayer by the Chaplain.”

As you also are aware, I, in keeping with the practices of House Chaplains who preceded me, from time-to-time have exercised my discretion to invite guest chaplains to fulfill these responsibilities by offering a prayer at the commencement of a session of the House, and to permit Members to recommend particular clergy for consideration as guest chaplains.

Leaving aside the questions of (i) whether the “secular invocation” that your February 18 letter indicated Mr. Barker proposed to deliver would constitute a “prayer” within the meaning of the House Rules, and (ii) if not, whether I could permit Mr. Barker to deliver such an invocation consistent with my responsibilities under the House Rules, I was unable to accede to your recommendation for a more basic, threshold reason.

EXHIBIT

C

The Honorable Mark Pocan
January 7, 2016
Page 2

As your staff was advised, one long-standing requirement for an individual recommended by a Member for consideration as a guest chaplain is that he/she be ordained by a recognized body in the faith in which he/she practices. This is a substantive requirement – not a mere mechanical or check-the-box requirement. For example, I do not invite Member-recommended individuals who have obtained an Internet-generated ordination to serve as guest chaplains, even if they hold deep and long-standing religious beliefs.

In Mr. Barker's case, you provided me with a copy of a 1975 certificate from the "Standard Christian Center" stating that Mr. Barker was a "Minister of Christ." A copy of this certificate is attached. However, the biographical statement concerning Mr. Barker that your staff also provided to my office, and a copy of which is attached, states that Mr. Barker "outgrew his religious beliefs," and "announced his atheism publicly in January, 1984." The Foundation's website repeats these statements; also describes Mr. Barker as a "Minister Turned Atheist"; and also states that Mr. Barker is the author of several books that concern his parting with his religious beliefs. In addition, a recent judicial decision states that Mr. Barker is not a minister of the gospel. See *Freedom From Religion Foundation, Inc. v. Lew*, 773 F.3d 815, 818 (7th Cir. 2014) ("Mr. Barker [and another Foundation co-president] are not ministers," and therefore did not exclude from their income for tax purposes certain income that "minister[s] of the gospel" are permitted to exclude pursuant to 26 U.S.C. § 107.); *id.* at 823 ("The only reason, they [Mr. Barker and the other Foundation co-president] argue, that they cannot take advantage of § 107(2) is that they are not 'ministers of the gospel.'"); see also Declaration of Dan Barker (July 25, 2013) (filed with lower court in *Freedom From Religion Foundation, Inc. v. Lew*, and making clear that Mr. Barker does not view himself as a religious clergyman), copy attached.

In short, the information you provided to me, along with Mr. Barker's own statements and other publicly available information, indicate that his certificate is not current or legitimate for purposes of my considering your recommendation that he be invited to offer an "opening invocation" in the House of Representatives. At best, the certificate represents a facet of Mr. Barker's life that is long past and which no longer has meaning for him.

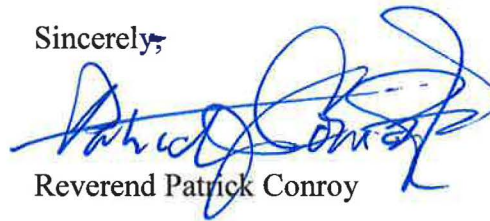
In closing, I note that the Foundation's letter contains several inaccuracies, some of which are factual in nature. While I will not attempt to itemize each, I wish to bring to your attention one particular misstatement because it concerns a conversation between the two of us that took place earlier this year on the floor of the House. The letter states that "at the Chaplain's Office's insistence, [the Foundation's attorneys] forwarded a copy of Barker's draft remarks" to me. Neither I nor my office requested, let alone insisted upon receiving, a draft of remarks that Mr. Barker may have wished to deliver, nor did I or my office ever state that he must "submit[] his remarks in advance for approval."

The Honorable Mark Pocan
January 7, 2016
Page 3

As I recall, I may have asked you, somewhat rhetorically, what a “prayer” from a man of Mr. Barker’s publicly professed beliefs might look like. Your staff subsequently voluntarily sent to my office a document entitled “Invocation by Dan Barker (draft),” a copy of which is attached. I did not take the draft into account in determining that I was unable to accede to your recommendation.

Thank you for your attention. I trust that, if appropriate, you will communicate the contents of this letter to Mr. Barker’s attorneys.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick Conroy", with a large, stylized flourish extending from the end of the signature.

Reverend Patrick Conroy

Enclosures

FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 · MADISON, WI 53701 · (608) 256-8900 · WWW.FFRF.ORG

Daniel Barker Biography

Prepared for House of Representatives Guest Chaplaincy request
December 10, 2014

Daniel Barker was ordained to the Christian ministry in 1975 and served as associate pastor in three California churches. He has a B.A. in religion from Azusa Pacific University. He spent 19 years as a pastor, missionary, evangelist, and Christian songwriter. Today he is co-President of the Freedom From Religion Foundation, an atheist, and a humanist promoting the good news of freethought. The American Humanists ordained Dan as a Humanist Officiant fifteen years ago. The United States Air Force Academy allowed Dan to officiate a freethought wedding at their chapel. Barker is a member of the Leni Lenape (Delaware Tribe) of Native Americans.

Dan is an author. His most recent book, *Life Driven Purpose: How an Atheist Finds Meaning* (2015), offers words of enrichment and inspiration, explaining to readers how millions of atheists lead happy, loving, moral, and purpose-filled lives. Dan has also written several children's books and *Losing Faith in Faith: From Preacher to Atheist* (1992), *Godless: How An Evangelical Preacher Became One of America's Leading Atheists* (2009), and *The Good Atheist: Living a Purpose-Filled Life Without God* (2011).

Dan is a talented composer and musician. He has released four albums including *Adrift on a Star* (2013), which includes a collaboration with Broadway icon and seven-time Tony winner, Charles Strouse (*Annie; Bye, Bye, Birdie*).

Dan is also an accomplished public speaker. He has appeared on countless television and radio shows discussing a meaningful life without god. His first public appearance as an atheist was on Oprah Winfrey's "A.M. Chicago" where he met his future wife, Annie Laurie Gaylor. Dan currently co-hosts a weekly radio show, "Freethought Radio," that is broadcast nationally. He travels the country speaking and advocating for FFRF, and has given more than 75 talks in the last two years.

EXHIBIT

D

CERTIFICATE OF ORDINATION

Standard Christian Center

TO ALL CHURCHES AND CHRISTIANS EVERYWHERE

Greetings

This will certify that our dearly beloved brother,

Daniel E. Barker

was set apart to the ministry of the gospel of Christ,
at *Standard, California*

*and is hereby cordially commended to the churches
and brethren everywhere as a*

Minister of Christ

By the order of *Christian Center* *at* *Standard, Ca.*

NAME OF CHURCH

LOCATION

Robert L. Wright, Pastor

Robert W. Stone

Betty J. Acker

Date *May 25, 1975*

Ernest L. Heegenroeder

CLERK OR OTHER AUTHORIZED SIGNATURE

From: Molt, Alicia Alicia.Molt@mail.house.gov
Subject: Call Follow Up
Date: December 10, 2015 at 4:44 PM
To: Andrew Seidel (aseidel@ffrf.org) aseidel@ffrf.org

Hi Andrew-

As Rep. Pocan mentioned a few minutes ago, the Chaplain's office was not able to provide a written document with these points, however, here are the sentences I copied down from my call with Elisa Angelico from the Chaplain's office explaining why the request was denied.

"Daniel Barker was ordained in a denomination in which he no longer practices."

"All guest chaplains have been practicing in the denomination in which they were ordained."

Alicia Molt
Legislative Director
Congressman Mark Pocan
313 Cannon HOB
Tel: (202) 225-2906
alicia.molt@mail.house.gov
[Twitter](#) | [Facebook](#) | [YouTube](#)

EXHIBIT

E

FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 | MADISON, WI 53701 | (608) 256-8900 | FFRF.ORG

December 17, 2015

Sent via U.S. Mail and Email to: Elisa.Aglieco@mail.house.gov
Karen.Bronson@mail.house.gov

Rev. Patrick Conroy
Chaplain, U.S. House of Representatives
Office of the Chaplain
HC-2, The Capitol
Washington, DC 20515

Re: Denial of equal treatment to Daniel Barker on basis of religion

Dear Reverend Conroy, Ms. Aglieco, and Ms. Bronson:

We're writing to you on behalf of Freedom From Religion Foundation Co-President Dan Barker, to request that his application to give an opening invocation before Congress, made by Representative Pocan, be expeditiously approved. Continually delaying and denying his invocation request is discrimination based on Mr. Barker's religious identification. Before we address the issues, we'd like to remind you of your own words from a few months ago: "I don't have any veto and I don't have any editorial rights. That's not my position. This belongs to the members of Congress,"¹ and point out that a member of Congress has asked for Mr. Barker to appear. Nothing else should matter. It's frankly surprising to see such disrespectful treatment of a Representative's request by an officer meant to serve all House members.

As you may remember, as staff attorneys for FFRF, we first raised the possibility of Mr. Barker delivering an invocation during a June 13, 2014 meeting with Ms. Aglieco and Ms. Bronson in the Chaplain's office. Though there are no written requirements that a guest chaplain must meet, Bronson and Aglieco explained that guests were allowed to give invocations if (1) they are sponsored by a member of the House, (2) they are ordained, and (3) they do not address the members of the House directly. We followed up this meeting with a June 18 email to confirm that Mr. Barker could meet criteria #2 and #3, including a link to more than 25 secular invocations. We never received the courtesy of a response.

On February 18, 2015, Rep. Pocan officially requested that Mr. Barker serve as a guest chaplain, completing all three requirements. By February 25, the Chaplain's Office had copies of Barker's ordination, biography, and contact information for a person to confirm that ordination. By June 22, at the Chaplain's Office's insistence, we forwarded a copy of Barker's draft remarks, which do not include a direct address to the members of the House.

¹ Rob Hotakainen, "Shall we pray? For Congress, it's a sensitive question," *Seattle Times*, March 20, 2015.
<http://www.seattletimes.com/seattle-news/shall-we-pray-for-congress-its-a-sensitive-question/>

EXHIBIT

F

We now understand that, despite meeting the three “requirements” (which are apparently not recorded or written down anywhere) and after submitting his remarks in advance for approval (something required of no other guest chaplains), this office is now attempting to deny Rep. Pocan’s request because: “Daniel Barker was ordained in a denomination in which he no longer practices. All guest chaplains have been practicing in the denomination in which they were ordained.” This new “requirement,” which is also not recorded anywhere, was imposed only after Mr. Barker clearly met the other requirements.

It is not clear on what basis the Chaplain’s Office asserts that Mr. Barker “no longer practices.” This determination by the Chaplain’s Office was made without any factual basis. Moreover, this justification for his denial rests on an intrusive inquiry, which a government office does not have the power to make. A religion, not the federal government, determines when a minister is “practicing” in accordance with the tenets of that religion.

Mr. Barker regularly uses his ordination to perform marriages. He has conducted marriages in California (where he was ordained), as well as more than a dozen in Dane County, Wisconsin, which Rep. Pocan represents, and other states. He most recently performed one in Minnesota earlier this fall, and the state recognized his ordination and the subsequent marriage. This should not be surprising because it is no business of any government, including a federally funded chaplain, whether or not a minister is practicing in accordance with a particular religion. The government does not get to make that type of intrusive inquiry or bar people from equal treatment because it deems them insufficiently compliant with denominational requirements. But that is precisely what the Office of the Chaplain is doing.

There are other serious problems with your treatment of Rep. Pocan’s request to invite Mr. Barker to give an invocation.

Disparate application of rules based on a citizen’s religion or message is discriminatory.

It is clear that Mr. Barker is being forced to meet requirements that other guests are not. The Chaplain’s Office has admitted as much:

...guest chaplains are sent guidelines for the prayer. According to Karen Bronson, the chaplain’s office liaison to staff, the guest chaplains are sent three points to keep in mind: Keep the prayer short, don’t get political and remember that the House constitutes a variety of faiths.

“And we sort of leave it at that,” Bronson said, explaining that the office has to walk a fine line between reminding guest chaplains of the variety of faiths in the House and respecting a person’s right to pray as he or she chooses.

“You wouldn’t ask a Muslim to pray without referencing Allah usually. Some Christians will argue that they can’t pray without mentioning Jesus. So we have to be sensitive to that,” Bronson said. “We also have to be sensitive to the Jewish staffers or Jewish members.”²

² Bridget Bowman, “Praying to Jesus on the House Floor,” *Roll Call.com* (June 7, 2015) <http://blogs.rollcall.com/hill-blotter/praying-to-jesus-on-the-house-floor/?dcz>

Requiring that Mr. Barker submit his remarks, which he has willingly done, is a double constitutional violation. First, this is not required of other guests. Disparate application of rules based on your perception of Mr. Barker's religion is illegal. Second, when the government allows invocation speakers to deliver remarks, the government cannot censor or approve invocations based on their content, as will be made clear below.

When the government allows invocation speakers to deliver remarks, government officials, including chaplains, cannot legally determine whether or not a message is 'religious enough' or approve the content of messages.

This was made clear in *Galloway*. Government officials cannot “act as supervisors and censors of religious speech” because doing so “would involve government in religious matters to a far greater degree than ... [either] editing or approving prayers in advance nor criticizing their content after the fact.” *Town of Greece, N.Y. v. Galloway*, 134 S. Ct. 1811, 1822, 188 L. Ed. 2d 835 (2014). Indeed, it seems that the Chaplain's office is aware that its attempt to police Mr. Barker's speech is impermissible: “The members [of Congress] then have to be reminded that the [Chaplain's] office cannot tell people how to pray.”³ Though some members of Congress already understand this rule, “We don't censor what they can say...”⁴

Put another way, the Court explicitly stated: “Our Government is prohibited from prescribing prayers to be recited in our public institutions. . . .” *Galloway*, 134 S. Ct. at 1822 (citing *Engel v. Vitale*, 370 U.S. 421, 430 (1962)). As a government office, the Office of the Chaplain cannot dictate what is said or not said by prayer givers.

Government officials, including chaplains, cannot legally determine whether or not a person is 'religious enough.'

The Supreme Court has explained that the purpose of the religion clauses of the First Amendment is “to prevent, as far as possible, the **intrusion** of either [the church or the state] into the precincts of the other.” *Lemon v. Kurtzman*, 403 U.S. 602, 614 (1971).

The Office of the Chaplain's suffocating oversight and systematic obstruction of Rep. Pocan's request on behalf of Mr. Barker amounts to an “intrusion of government in the constitutional sense” that may “result in establishment of religion.” *Id.* at 634 (“The intrusion of government into religio[n] ... through ... supervision, or surveillance may result in establishment of religion in the constitutional sense when what the State does enthrones a particular sect for overt or subtle propagation of its faith.”)

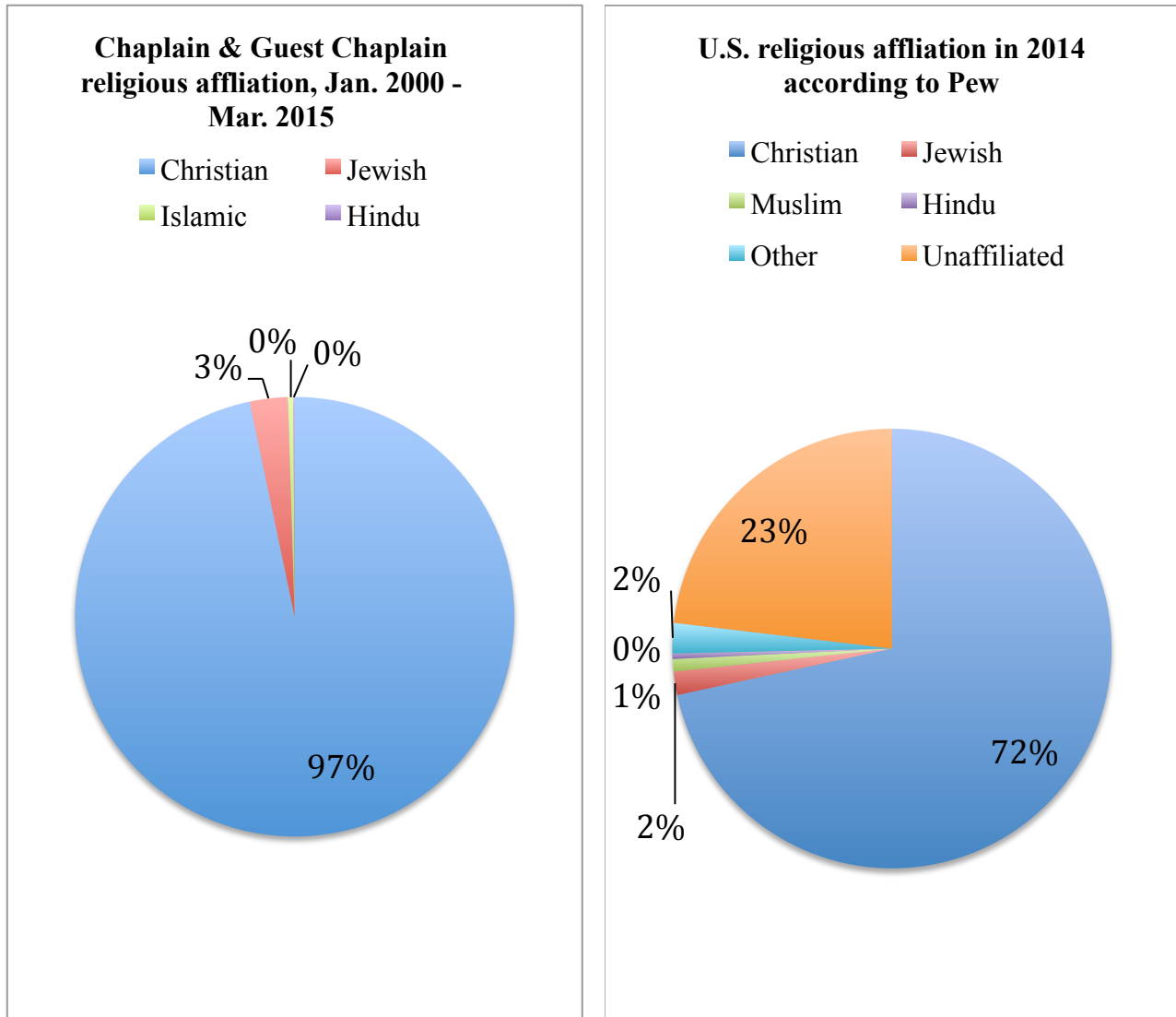
The Office of the Chaplain should be welcoming the opportunity to feature a non-Christian guest chaplain given the overwhelming favoritism showed toward Christianity and the Abrahamic religions in practice. From January of 2000 to March of 2015, the prayer givers were as follows:

97%	Christian	(1,971 prayers)
<3%	Jewish	(57 prayers)
<0.1%	Islamic	(2 prayers)
<0.05%	Hindu	(1 prayer)

³ Bowman, *supra* note 2.

⁴ *Id.*

In that same time frame, the House Chaplains gave 60% of the prayers (about 1239 prayers) and guests gave 40% (about 800 guest chaplain prayers). Here are those numbers in chart form, something we're happy to make available to you or the press.



This breakdown of prayers before Congress is not at all representative of the breakdown of the religious and secular beliefs in the country. It shows a clear bias in favor of Christianity over all minority faiths and over nonreligion.

The “addressing a higher power” and clergy requirements are discriminatory.

There are many religions—Shintoism, Jainism, Rastafarianism, Buddhism, Unitarian Universalism—that do not worship a higher power or have “clergy.” The Office of the Chaplain does not have the power to determine which religions are worthy enough to be presented to the House. The office’s unwritten rules effectively prohibit a considerable number of minority religions from taking part in the guest chaplaincy.

The chaplain office's unwritten rules are not only unconstitutional, but could lead to absurd results: "It is absurd to give the Church of Satan, whose high priestess avows that her powers derive from having sex with Satan, and the Universal Life Church, which sells credentials to anyone with a credit card, a preferred position over Buddhists, who emphasize love and peace." *Ctr. for Inquiry, Inc. v. Marion Circuit Court Clerk*, 758 F.3d 869, 875 (7th Cir. 2014). But that is precisely what your unwritten rules would mandate. Satanists have priests and priestesses that practice and believe in a higher power, while other religions the chaplain might be more comfortable with cannot meet those two criteria.

Once the government invites a guest to deliver an invocation, it cannot dictate how that guest chooses to direct his or her invocation. However, as we noted at our first meeting with this office nineteen months ago, and as we reiterated in our follow up email, and as Mr. Barker has shown, plenty of messages can address a "higher power" without addressing the Christian god. More than 75 have been delivered at government meetings all around the country—none of those bodies ceased to function because the prayer wasn't directed at the Christian god.

Delaying approval is discriminatory.

It is our understanding that upon request by a Representative, "the guest chaplain is assigned the earliest possible date."⁵ There can be no possible legitimate excuse for further delaying Rep. Pocan's request and Mr. Barker's opportunity.

In conclusion, we reiterate our request that the Office of the Chaplain immediately approve Representative Mark Pocan's request that Mr. Barker be a guest chaplain and work with us to schedule him for the next available invocation that is convenient to all parties.

We look forward to a written response from this office by Wednesday, January 13, 2015.

Sincerely,



Andrew L. Seidel
Staff Attorney
Freedom From Religion Foundation



Samuel T. Grover
Staff Attorney
Freedom From Religion Foundation

⁵ See, e.g., Rep. Cynthia Lummis's website, "Be a Guest Chaplain," at <http://lummis.house.gov/constituentservices/chaplain.htm>.

Policy**Praying to Jesus on the House Floor**

Conroy does not invoke Jesus' name on the House floor to be more inclusive to members of different faiths. (Tom Williams/CQ Roll Call File Photo)

Bridget Bowman (/author/bridgetbowmancqrollcall-com)

@Bridget Bowman (//www.twitter.com/bridgetbhc)

Posted at Jun 7, 2015 5:00 AM

Rev. Gregory Goethals of Los Angeles closed his House opening prayer on May 19 by saying, "We ask this in the name of your Son, Jesus Christ, our Lord."

The prayer was another example of guest chaplains invoking Jesus' name as the House began its day. For one Hill staffer, specific references to religion are alienating.

"It bothers me, not being a Christian, to hear that Jesus is our savior or we should be thankful to be here because of Jesus," the staffer, who asked to remain anonymous, recently told CQ Roll Call. "It bothers me more as an American."

The staffer pointed to the notion of separation and church and state, which was at the center of a recent Supreme Court case surrounding legislative prayer. In May 2014, the Supreme Court endorsed prayer at the start of legislative meetings (<http://blogs.rollcall.com/wgdb/legislative-prayer-wins-broad-endorsement-from-supreme-court/?dcz=>), with Justice Anthony M. Kennedy writing that such prayer "has a permissible ceremonial purpose" and "is not an unconstitutional establishment of religion." The question of beginning with a prayer recently came up in Congress, when the Agriculture Committee began opening its meetings (<http://blogs.rollcall.com/hawkings/prayer-congress-agriculture-committee-conaway/?dcz=>) with a prayer.

For some in the Capitol, a prayer that kicks off the House session and refers to a specific religion can be off-putting. Nearly 18 percent of the prayers read at the beginning of each House session in this Congress have referred to Jesus, and all of those prayers have been given by guest chaplains.

Of the 29 guest chaplains who have addressed the House in the 114th Congress, 13 of them have made a specific religious reference, all of them to Jesus. All but one of the guest chaplains have been Christian.

Guest chaplains are nominated by members of the House, and, given that more than 90 percent of House members are Christian (<http://www.pewforum.org/2015/01/05/faith-on-the-hill/>), the probability that a guest chaplain is Christian is high, because members typically invite clergy from their home churches.

Once they are selected by House Chaplain Patrick J. Conroy, guest chaplains are sent guidelines for the prayer. According to Karen Bronson, the chaplain's office liaison to staff, the guest chaplains are sent three points to keep in mind: Keep the prayer short, don't get political and remember that the House constitutes a variety of faiths.

"And we sort of leave it at that," Bronson said, explaining that the office has to walk a fine line between reminding guest chaplains of the variety of faiths in the House and respecting a person's right to pray as he or she chooses.

"You wouldn't ask a Muslim to pray without referencing Allah usually. Some Christians will argue that they can't pray without mentioning Jesus. So we have to be sensitive to that," Bronson said. "We also have to be sensitive to the Jewish staffers or Jewish members."

Bronson said the phrasing pertaining to guest chaplains has been in place for at least 15 years, but every once in a while a member of Congress approaches Conroy about the subject. The members then have to be reminded that the office cannot tell people how to pray.

While invoking Jesus' name on the House floor may bother some members and staffers, others don't mind specific religious references.

"It is not something I really thought about a lot," said Rep. Alan Lowenthal, D-Calif., who is Jewish. "I respect that the vast majority of members are Christian and believe in it. I like the fact that when we have opening prayers we do have members of different faiths. ... We don't censor what they can say also."

The House chaplain has not made one reference to Jesus in the 44 prayers he has given in the 114th Congress. Conroy, who became the chaplain in 2011, consistently begins his prayers by referencing "eternal God" or "gracious God" and usually concludes them by saying, "May all that is done this day be for your greater honor and glory."

"I understand my responsibility is to offer prayers that all the members of the House can say 'Amen' to," Conroy said, "which is the difference in my mind between a chaplain and a pastor. A pastor is responsible for his or her denomination and nurturing their shared faith. So if that's Christian, you do pray in the name of Jesus. But if your congregation, so to speak, is inter-religious, I try to word it in such a way that everybody present can say, 'Amen.'"

Prayer in Congress: Not Just for House and Senate (<http://blogs.rollcall.com/hawkings/prayer-congress-agriculture-committee-conaway/?dcz=>)

Legislative Prayer Wins Broad Endorsement From Supreme Court (<http://blogs.rollcall.com/wgdb/legislative-prayer-wins-broad-endorsement-from-supreme-court/?dcz=>)

Supreme Court Invokes Senate Pages in Prayer Case (<http://blogs.rollcall.com/wgdb/supreme-court-invokes-senate-pages-in-prayer-case/>)

The 114th: CQ Roll Call's Guide to the New Congress (<http://info.cqrollcall.com/NewMemberGuide2014.html>)

Get breaking news alerts and more from Roll Call in your inbox (<http://www.rollcall.com/register/main.html?pos=rr>) or on your iPhone (<https://itunes.apple.com/us/app/roll-call-news/id433753469?mt=8>).