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Congress of the United States

House of Representatives

Washington, DC 20515-1804

July 3rd, 2013

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Holder,

This letter is to request your immediate action on a matter of great importance to the citizens of Louisiana and to the protection of our fundamental freedoms safeguarded by the Constitution and laws of the United States.

As detailed in the attached letter by Sheriff Julian C. Whittington, of the Parish of Bossier, Louisiana, federal grant funding for two very successful youth education and service programs has been terminated because an auditor from the Office for Civil Rights of the U.S. Department of Justice (DOJ) opined that a mention of God and the allowance of participant-led, voluntary prayer in the programs violates federal regulations. A review of the relevant facts shows the (DOJ) auditor was clearly wrong and thus the decision should be reversed so the partial funding received through the federal Juvenile Accountability Block Grant (JABG) may be immediately restored.

The first program at issue, the Bossier Sheriff's Young Marines Program, is sanctioned by the United States Marine Corps, and is a community-based physical education and character-building course designed to teach young men and women, ages 8 to 18, the core values of discipline, leadership, teamwork, commitment, honesty, integrity and respect. Fully endorsed by state and local law enforcement, school officials, and the judiciary, this voluntary and free local program has graduated more than 1,000 youths since its inception in 2002.

Based upon the great success of the Young Marines Program, the Bossier Parish Sheriff's Office was encouraged by local officials last fall to create a new and separate Bossier Youth Diversion Program to serve juveniles who would otherwise be sentenced to jail when found guilty of committing minor crimes. In December 2012, a JABG funding request was submitted for this new project.

During a recent annual DOJ audit visit of the Louisiana Commission on Law Enforcement (LCLE), which administers the JABG funding in our state, the DOJ auditor took issue with what she described as "inherently religious" references in the Young Marines Program. Specifically, the auditor objected to the participants' recital of the Young Marines Obligation and the allowance of a moment of silence or voluntary prayer before class sessions.

In response to the auditor, the Bossier Sheriff's Office clarified with regard to the prayer that its leaders are fully aware their programs cannot involve religious worship or "inherently religious activities or instruction that would lead to the proselytization of our recruits." As it was further explained: "Students are provided time at the opening of each class session in which they may choose to pray or honor the faith they believe in, or they just bow their heads in a moment of

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silence.” The Bossier Sheriff’s Office showed that any prayer is always a student-led, student-initiated occurrence, and is never mandatory.

With regard to the Young Marines Obligation, the Sheriff has shown that the statement recited by local participants is the same as that recited by the more than 10,000 other youths that are involved in the 300 other Young Marines chapters nationwide. It reads simply: “*From this day forward, I sincerely promise, I will set an example for all other youth to follow and I shall never do anything that would bring disgrace or dishonor upon God, my Country and its flag, my parents, myself or the Young Marines. These I will honor and respect in a manner that will reflect credit upon them and myself. Semper Fidelis.*” As you know, this language is not unlike that which is included in the oaths of enlistment and commissioning into the United States Armed Forces, which conclude with the time-honored phrase, “*So help me God.*”

The First Amendment of the United States Constitution ensures that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” This language safeguards religious liberty, and while it “requires the state to be a neutral in its relations with . . . religious believers and non-believers; it does not require the state to be their adversary.” *Everson v. Bd. of Educ.*, 330 U.S. 1, 18 (1947); *see also Capitol Square Rev. & Advisory Bd. v. Pinette*, 515 U.S. 753, 760 (1995) (noting that religious speech is not a “First Amendment orphan”). No federal office can require the silencing of a citizen’s voluntary religious expression, and our historic military oaths and statements of allegiance to God are constitutionally protected as a “tolerable acknowledgment of beliefs widely held among the people of this country.” *Marsh v. Chambers*, 463 U.S. 783, 192 (1983). We hope you will agree that to mandate religious censorship as a condition to the receipt of the federal funding at issue here would be as outrageous as it is unlawful.

On this 237th anniversary of the declaration of our inalienable rights, we implore you to intervene in the matter at hand, correct the decision of your DOJ auditor, and clarify that the funding requests for these invaluable youth programs may be summarily granted without further delay. Thank you in advance for your time and attention to this important matter.

Sincerely,



John Fleming, M.D.
United States Representative



David Vitter
United States Senator