American Civil Rights Union

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September 5, 2002

Roy L. Williams
Chief Scout Executive
Boy Scouts of America
P.O. Box 152079
Irving, Texas 75015-2079

Dear Mr. Williams:

I am sorry to be late getting back to you, but your letter was sent to our former address in San Diego. You and I met at the Capitol Hill Club in Washington when Congressman Dana Rohrabacher introduced me to you and your Chief Deputy. We had entered friend of the court briefs in the Dale case backing the Boy Scouts' Constitutional right to set their own standards. Dana, a member of our Scouting Legal Defense Fund committee and Co-chairman of the Scout Caucus of the House of Representatives, and I are old friends from Reagan White House days.

Before receiving your letter a memo from United Way of America headquarters to its locals was leaked to us. In it they said that their "initial strategy" to get us to cease listing on our Scouting Legal Defense Fund website (www.defendscouting.com) local United Ways that discriminate against the Boy Scouts, was to have its President Brian Gallagher pressure you to ask that we discontinue our listings, that he had done so, and that you told him that you would write to us. In that memo headquarters also told local United Ways not to respond to our letters to them asking for confirmation that they were changing their policy regarding Boy Scout support. In Gallagher's letter to me, which is attached, he complained that we were not always accurate in our listings instead of telling me where we were not accurate. The number of his locals listed on our website is virtually the same number that you said discriminates in your letter to me. His website contains a much smaller number. He can't have it both ways, wanting accuracy and then telling his locals not to cooperate in our efforts to insure accuracy. Our views on getting and making available to the public the list of local United Ways that are reducing aid or otherwise hurting the Scouts are fully explained in my letter to Mr. Gallagher, a copy of which I have sent to you. As I explained to him, the troubles he is having with the media and the public is the fault of certain locals of the United Way and maybe the national office as well. It certainly is not our fault since we are striving for accuracy.

Locals are using various tricks to hide their discrimination including requirements for applications that the Scouts cannot meet. We have information that the national United Way office has been consulted by some locals about how to phrase their doctrine relating to sexual orientation. I believe that the national office of United Way has been cooperating with the anti-Scout locals. Why else would they tell them not to respond to our request for verification?

Most of us are Scouts. Dana and I are Eagle Scouts and Ed Meese is a Star Scout. We were all taught that we were Scouts for life. The inappropriate pressure put on you by the President of United Way of America, an organization from which you receive vital financial support, to get us to cease our listings is evidence that we must intensify our efforts as lifetime Scouts, not now officially a part of the Boy Scouts of America, to make public the discrimination against the Scouts by local and possibly the headquarters of the United Way. (Their memo to their locals and their "initial strategy" to put pressure on you demonstrates to us that United Way headquarters is part of the problem.) Contributors in areas where the United Way discriminates can therefore make contributions directly to local Scout Councils rather than to or through the United Way. On the other hand, if a local United Way is not on our list, as the vast majority of them are not, the contributor can rest assured that his or her United Way is not discriminating against the Scouts. We have found that when the public knows about the discrimination against the Boy Scouts and funding falls off sharply, the local United Way is under pressure to reconsider its policy. That is why you received the call from Brian Gallagher. If what he really wanted was accuracy on our part he would have instructed his local United Ways to cooperate with us, not the other way around. Instead he chose a strategy of "kill the messenger."

Chairman Ed Meese, Dana Rohrabacher and the other members of the Scouting Legal Defense Fund, a project of the American Civil Rights Union, will continue to support the Boy Scouts. We will not be intimidated by Brian Gallagher.

Sincerely,

Robert B. Carleson
Chairman

Board of Directors: Hon. Robert B. Carleson, Chairman; Hon. Edwin Meese III; Ronald A. Zumbrun, Esq.