



February 29, 2012

Lieutenant General Frank G. Helmick
Commanding General
Headquarters, XVIIIth Airborne Corps and Fort Bragg
2175 Reilly Road, Stop A
Fort Bragg, North Carolina 28310-5000

Re: Notice That Anti-Christian Bigot to Address the “Rock Beyond Belief” Event

Dear General Helmick:

By way of introduction, the American Center for Law and Justice (ACLJ) is a non-profit organization dedicated to defending constitutional liberties secured by law. ACLJ attorneys have successfully argued numerous free speech and religious freedom cases before the Supreme Court of the United States.¹

It has come to our attention that the United States Army and Army officials at Fort Bragg are co-sponsoring an event on March 31, 2012, called “Rock Beyond Belief” and that a well-known anti-Christian bigot, Mr. Michael L. “Mikey” Weinstein, President and Founder of the Military Religious Freedom Foundation (MRFF), has been scheduled to participate in the event.² Mr. Weinstein has a well-known history of making scurrilous, bigoted comments about those with whom he disagrees. By means of this letter, we are putting Fort Bragg authorities on notice about the types of comments that they can expect from Mr. Weinstein were he to address the Rock Beyond Belief gathering. We also desire to remind Fort Bragg officials that, *as co-sponsors* of Rock Beyond Belief, they will be associated with any bigoted remarks Mr. Weinstein makes. In order to avoid the event’s degenerating into an anti-Christian/anti-religion event, we demand that Army officials strongly reaffirm and enforce the parameters required of participants at the previously-held “Rock the Fort” gathering, to wit, that *all speakers* at Rock

¹See, e.g., *Pleasant Grove City v. Summum*, 129 S. Ct. 1125 (2009) (unanimously holding that the Free Speech Clause does not require the government to accept other monuments merely because it has a Ten Commandments monument on its property); *McConnell v. FEC*, 540 U.S. 93 (2003) (unanimously holding that minors enjoy the protection of the First Amendment); *Lamb’s Chapel v. Center Moriches Sch. Dist.*, 508 U.S. 384 (1993) (unanimously holding that denying a church access to public school premises to show a film series on parenting violated the First Amendment); *Bd. of Educ. v. Mergens*, 496 U.S. 226 (1990) (holding by an 8-1 vote that allowing a student Bible club to meet on a public school’s campus did not violate the Establishment Clause); *Bd. of Airport Comm’rs v. Jews for Jesus*, 482 U.S. 569 (1987) (unanimously striking down a public airport’s ban on First Amendment activities).

²*Lineup*, ROCK BEYOND BELIEF, <http://rockbeyondbelief.com/lineup/> (last visited Feb. 27, 2012).



Beyond Belief keep their comments “low key” and make “no statements that are critical of other religions” and that *all musicians* “share encouraging music.” Regarding the “share-encouraging-music” parameter, we bring to your attention that some musical groups invited to participate in Rock Beyond Belief are known to sing songs with intentionally offensive, anti-Christian lyrics.³ Once again, *as co-sponsors of the event*, Fort Bragg officials will be associated with any offensive lyrics sung at the event.

**MR. WEINSTEIN FREQUENTLY ATTACKS SPEAKERS
WITH VIEWS HE DISLIKES AND DEMANDS THAT THEY
NOT BE ALLOWED TO ADDRESS MILITARY AUDIENCES**

Mr. Weinstein is a self-described opponent of so-called “Dominionist Christians” in the military. He has repeatedly claimed that he is fighting “a subset of Evangelical Christianity that goes by a long technical name . . . Pre-Millennial, Dispensational, Reconstructionist, Dominionist, Fundamentalist, Evangelical Christianity.”⁴ Moreover, how Mr. Weinstein describes his organization, the Military Religious Freedom Foundation (MRFF), also says much about his beliefs and how he approaches those with whom he disagrees. His description of the MRFF is both enlightening and a bit disturbing. He describes the MRFF as follows: “We are a weapon. We’re a militant organization. Our job is to kick ass, take names, lay down a withering field of fire, and leave sucking chest wounds on this unconstitutional heart of darkness, if you will, this imperious fascistic contagion of unconstitutional triumphalism.”⁵ He has demonstrated open and continuing hostility to Evangelical Christians and their message and admits that he is willing to do whatever it takes to achieve his ends: “*I don’t want to be on the losing side knowing that I didn’t use every last diatribe and embellishment and wild-eyed, hair-on-fire, foaming-at-the-mouth harangue to get my point across . . .* What’s required now is Attila the Hun.”⁶ So much for his oft-stated goal of religious tolerance!

A few examples should suffice to demonstrate the nature of Mr. Weinstein’s beliefs and the approach he takes to those with whom he disagrees.

³One of the musical groups scheduled to provide entertainment at Rock Beyond Belief is a group called Aiden. One of the group’s songs (“Crusifiction” [sic]) has the following objectionable lyrics: “Fuck your god, Fuck your faith in the end, There’s no religion, Would you open your eyes already, Christ died for shit, and was a fucking cunt . . .” *Lyrics to Crusifiction*, LYRICSMANIA, http://www.lyricsmania.com/crusifiction_lyrics_aiden.html (last visited Feb. 27, 2012).

⁴Although Mr. Weinstein has frequently said that his attacks are aimed solely at a very small slice of Evangelical Christianity (as described in the foregoing text), that claim is belied by a presentation he gave at the United States Air Force Academy in April 2008 where he attempted to show a portion of a virulently anti-Catholic movie entitled *The Sword of Constantine*. Luchina Fisher, ‘Constantine’s Sword’ Cuts into Anti-Semitism, ABC NEWS (Apr. 20, 2008), <http://abcnews.go.com/Entertainment/story?id=4684837&page=1#.T0QKSIcgdcl>. By seeking to attack the Catholic Church as well, Mr. Weinstein demonstrated a broad-based hostility to Christianity in general, which no U.S. Government official should support and which should disqualify him from participating in any event co-sponsored by Army officials at Fort Bragg.

⁵Brian Kesge, *An Interview with Mikey Weinstein*, JEWS IN GREEN (Aug. 24, 2007), <http://www.jewsingreen.com/2007/08/an-interview-with-mikey-weinstein/>.

⁶MICHAEL WEINSTEIN & DAVIN SEAY, WITH GOD ON OUR SIDE 129 (2006) (emphasis added) [hereinafter WITH GOD ON OUR SIDE].

Mr. Weinstein frequently singles out those whose views he dislikes and demands that such persons be “disinvited” from activities sponsored by the military. For example, in April 2010, Mr. Weinstein demanded that Reverend Franklin Graham be disinvited from being the keynote speaker at the Pentagon National Day of Prayer prayer breakfast. Reverend Graham, son of Evangelist Billy Graham, is a well-known Evangelical religious figure whose ministry, Samaritan’s Purse, provides aid to needy persons, *irrespective of their religious faith*, around the globe.⁷ Mr. Weinstein accused Reverend Graham of being “an Islamophobe, an anti-Muslim bigot, and an international representative of the scourge of fundamentalist Christian supremacy and exceptionalism.”⁸ Mr. Weinstein’s complaint was not based on what Reverend Graham planned to say at the prayer breakfast, but instead on previous comments Reverend Graham had made concerning Islam and on Mr. Weinstein’s disapproval of Reverend Graham’s prior statements. Claims about other’s bigotry are commonplace with Mr. Weinstein and the MRFF.

Similarly, Mr. Weinstein recently demanded that retired Lieutenant General William Boykin be disinvited from speaking at a prayer breakfast at the United States Military Academy at West Point. Mr. Weinstein and his foundation’s letter to the Secretary of the Army “unequivocally condemn[ed] the outrageous and scandalous decision to invite the rabidly Islamophobic” General Boykin.⁹ Mr. Weinstein accused LTG Boykin of “backwards and disgusting hate speech,” and of being a “virulent anti-Muslim extremist[]” and a “notorious and noxious fundamentalist Christian supremacist.”¹⁰ Mr. Weinstein asserted that the United States military is “being transformed into a stomping ground for fundamentalist, Bible-thumping charlatans.”¹¹ Mr. Weinstein also accused LTG Boykin of being “an outspoken and unabashed representative of the lunatic fringe of anti-Muslim hysteria,”¹² and asserted that LTG Boykin’s “feverish brand of fundamentalist Christian militarism is ingrained with a virulent theological hostility towards the cherished blessings of democracy and religious freedom.”¹³ Mr. Weinstein equated LTG Boykin’s alleged beliefs with “militant Wahhabi-jihadist extremism.”¹⁴ As with Reverend Graham, Mr. Weinstein’s complaint was not based on what LTG Boykin planned to say at the prayer breakfast, but instead on prior comments he had made and on Mr. Weinstein’s personal interpretation and characterization of LTG Boykin’s religious beliefs and motivations.

⁷See *About Us*, SAMARITAN’S PURSE, http://www.samaritanspurse.org/index.php/Who_We_Are/About_Us (last visited Feb. 21, 2012) (“The story of the Good Samaritan . . . gives a clear picture of God’s desire for us to help those in desperate need wherever we find them. After describing how the Samaritan rescued a hurting man whom others had passed by, Jesus told His hearers, ‘Go and do likewise.’ . . . For over 40 years, Samaritan’s Purse has done our utmost to follow Christ’s command by going to the aid of the world’s poor, sick, and suffering.”).

⁸MICHAEL WEINSTEIN & DAVIN SEAY, *NO SNOWFLAKE IN AN AVALANCHE* 169 (2012) (internal citation omitted) [hereinafter *NO SNOWFLAKE*]. See also *id.* at 165 (quoting Franklin Graham as saying “[T]here are millions of wonderful Muslim people. And I love them. I have friends that are Muslims and I work in those countries. But I don’t agree with the teachings of Islam and I find it to be a very violent religion.”).

⁹Letter from Michael L. “Mikey” Weinstein, Esq. to Sec’y of the Army John McHugh (Jan. 27, 2012), available at <http://www.militaryreligiousfreedom.org/2012/01/mrff-demands-that-pentagon-disinvite-islamophobic-retired-lt-gen-boykin-from-national-prayer-breakfast-at-west-point/>.

¹⁰*Id.*

¹¹*Id.*

¹²*Id.*

¹³*Id.*

¹⁴*Id.*

Mr. Weinstein's rhetorical attacks, though predominantly aimed at Christians, are not limited solely to Christians. For example, he has readily attacked Jews with whom he disagrees as well. For example, Mr. Weinstein attacked the Jewish War Veterans (JWV) and the Anti-Defamation League (ADL) as follows when they did not react as he thought they should have reacted regarding an assault on a Jewish recruit at Fort Benning, Georgia: "The JWV has no spine. . . . They haven't reached out at all; they seem to have no balls whatsoever. Somehow I think they and the ADL, Abe Foxman, have confused circumcision with castration. . . ." ¹⁵ Similarly, in reaction to the advice given by a civilian Jewish rabbi to a Jewish chaplain at Hunter Army Airfield with which he disagreed, Mr. Weinstein opined as follows concerning the rabbi who gave the advice: "Here's my response to Rabbi Lapp. First of all, that isn't his name. I'm changing his name officially to Rabbi Lapp-dog. He's a disgrace as an American citizen. He's a disgrace as a Jew. If I saw him, I'd spit in his face. The only thing I know that he can do is reflect light, circulate blood and breathe. . . . What he did with Rabbi Goldman, as far as I'm concerned, makes him like a *kapo* in Auschwitz." ¹⁶ Such language and vitriole are the norm in Mr. Weinstein's frequent tirades.

As one can see from the foregoing, Mr. Weinstein is rightly known for making bombastic, over-the-top statements about those—*Christians and non-Christians alike*—who disagree with his views and his personal ideas on what constitutes acceptable speech and conduct.

**FORT BRAGG OFFICIALS CAN EXPECT MR. WEINSTEIN
TO MAKE COMMENTS LIKE THE FOLLOWING AT THE
FORT BRAGG "ROCK BEYOND BELIEF" EVENT**

Mr. Weinstein and the MRFF routinely accuse others of making offensive and bigoted comments. Yet, Mr. Weinstein's comments are often *more extreme* than the comments he criticizes. For example, without citing a single example of any military leader in any U.S. Service who has espoused the view that the U.S. military should be controlled by any (much less by a particular) religious group, he compares the Christian believers with whom he disagrees to al-Qaeda and the Taliban: "We're fighting al-Qaeda, we're fighting the Taliban, and we're turning our own military into that exact same thing." ¹⁷ Mr. Weinstein continues: "[W]e've lost the Marine Corps, we've lost the Army, we've lost the Navy and the Air Force." ¹⁸ Assuming Mr. Weinstein's claims to be even remotely true, one wonders where all the forced conversions are that such a view implies?

Mr. Weinstein also accuses the U.S. military of favoring "Dominionist Christians" who, he claims, are guilty of "homophobia," "misogynism," "anti-Semitism," and "the great desire to subordinate the United States Constitution . . . to their particular worldview of the Gospel of

¹⁵Kesge, *supra* note 5.

¹⁶*Id.* Calling a Jew a "kapo" is the ultimate insult. "Kapos" were Jews who assisted the Nazis in controlling fellow inmates in concentration camps. *See Kapos*, JEWISH VIRTUAL LIBR., <http://www.jewishvirtuallibrary.org/jsource/Holocaust/kapos.html> (last visited Feb. 21, 2012).

¹⁷MIL. RELIGIOUS FREEDOM FOUND., http://www.militaryreligiousfreedom.org/Media_video/festival-of-books/index.html (last visited Feb. 27, 2012).

¹⁸Mike Weinstein, "Champion of the First Amendment" Award Acceptance Speech at the 29th Annual Convention of the Freedom from Religion Foundation (Oct. 7, 2006) (transcript available at <http://www.ffrf.org/publications/freethought-today/articles/The-Christianization-of-the-Military/>).

Jesus Christ.”¹⁹ Mr. Weinstein claims that “Dominionist Christians” take the fabric of American tolerance and “they rape it, they bludgeon it, they torture it, and they assault it so that out of their mouths what comes is intolerance for those of us in the majority.”²⁰

Not only are the above claims patent nonsense, they are also a direct (and, I should think, from the Army’s perspective, *improper*) public indictment of the civilian and uniformed leadership of the U.S. armed forces and of the Department of Defense. When Mr. Weinstein accuses the U.S. military of *favoring* “Dominionist Christians” who, he claims, desire “to subordinate the United States Constitution . . . to their particular worldview of the Gospel of Jesus Christ,” *he is directly accusing the civilian and uniformed leadership of the respective Services and of the Department of Defense of violating their oaths of office and the Constitution*. He is charging that the Chain of Command is knowingly engaging in unconstitutional conduct. As civilians, Mr. Weinstein and the MRFF are free to believe and say whatever they wish about the civilian and military chains of command, but Fort Bragg officials are on infirm ground when they co-sponsor such sentiments on a federal military installation, especially in light of the UCMJ prohibition on openly criticizing civilian and military leaders in the chain of command.

Among other things, Mr. Weinstein has accused the U.S. military of the “unconstitutional religious rape” of U.S. military personnel. He has asserted that there is “pernicious, perseverant, pervasive, persecution of non-Christians” in the U.S. armed forces. He has maintained that Fundamentalists are taking over the military and making a shambles of the Constitution. He referred to the Pentagon as the “Pentecostalgon,”²¹ an apparent reference to what he believes to be improper religious influence there.

Despite his pious declarations that he is fighting for religious tolerance, Mr. Weinstein is in reality a serial purveyor of religious intolerance who repeatedly propagates the despicable blood libel that Evangelical and Fundamentalist Christians “would willingly, even eagerly, condemn, ostracize and *even put to death* their fellow citizens for praying to the wrong god.”²² He even asserts: “I know that they will stop at literally nothing to achieve their ends. *That includes mass murder.*”²³ Mr. Weinstein claims that “fundamentalist dominionist Christians are willing to kill to achieve their twisted agenda.”²⁴ Such assertions are simply outrageous—and delusional. In support of his point that such Christians are “willing to kill” to achieve their agenda, Mr. Weinstein cites as examples the Holocaust and the Inquisition.²⁵ Yet, the Holocaust was triggered by Adolf Hitler, a lapsed *Catholic*, who rejected the Christian faith, practiced the occult, and actively sought to stamp out evangelical Christianity in Germany. Christians such as

¹⁹MIL. RELIGIOUS FREEDOM FOUND., <http://www.militaryreligiousfreedom.org/video/leo-baeck.html> (last visited Apr. 17, 2007) (since removed from the MRFF website). *See also* MIL. RELIGIOUS FREEDOM FOUND., http://www.militaryreligiousfreedom.org/press-releases/evangelical_coup.html (last visited Feb. 27, 2012).

²⁰MIL. RELIGIOUS FREEDOM FOUND., <http://www.militaryreligiousfreedom.org/video/leo-baeck.html> (last visited Apr. 17, 2007) (since removed from the web). *See also* Nathan Diebenow, *In the Name of the Constitution: Military Dad Fights Religious Right*, LONE STAR ICONOCLAST (Apr. 10, 2007), <http://iconocla.w02.winhost.com/AbsoluteNM/anmviewer.asp?a=1309>.

²¹*See, e.g.*, NO SNOWFLAKE, *supra* note 8, at 15.

²²*Id.* at 119 (emphasis added).

²³*Id.* at 178 (emphasis added).

²⁴*Id.* at 179.

²⁵*Id.*

Dietrich Bonhoeffer gave their lives opposing Nazi tyranny. And the Inquisition was not a product of evangelical Christianity either, but instead a campaign led by a long-defunct Catholic theocracy that the Catholic Church has since decisively rejected. Modern Evangelicals would have been victims of the Inquisition, not its perpetrators.²⁶ Finally, despite admitting that he has “doubts over the actual existence of God and an even more abiding skepticism about the claims of organized religion,”²⁷ Mr. Weinstein, *who is Jewish*, expects all of us to simply believe that *he* can speak *with authority* about what certain *Christians* believe. For example, *without citing any authoritative source whatsoever*, Mr. Weinstein claims that “Christian fundamentalist dominionists . . . believe that the Bible instructs them *to eradicate all nonbelievers* as a prerequisite for the Second Coming of Christ.”²⁸ Elsewhere, once again without citing any authority to back up his statement, he claims that “hardcore fundamentalist Christian elements within every branch of the military [are] intent on creating nothing less than an army of zombie zealots prepared to fight and die *to usher in* the dispensational reign of Jesus Christ on earth.”²⁹ Such assertions are simply incredible and show profound ignorance of the subject.

Mr. Weinstein’s religious hostility does not stop with simply misrepresenting Christian beliefs; it extends even to the open and notorious mocking of fundamental tenets of the Christian faith. Not only does such mockery go well beyond anything that even Mr. Weinstein and the MRFF have accused Reverend Graham and LTG Boykin of committing with respect to Islam, Mr. Weinstein’s mocking comments attack the beliefs of not just the Evangelicals/Fundamentalists he claims to oppose, but virtually *all* Christians who believe in the divinity of Jesus Christ and the triune nature of the one God. This reveals a much broader antipathy to Christianity in general than Mr. Weinstein will admit.

What follows is a transcript of Mr. Weinstein’s rendition of a conversation between himself and Jesus, openly mocking Christian beliefs concerning Who Jesus is (beliefs, coincidentally, which are held by virtually all Christians, including Fundamentalists, Evangelicals, Pentecostals, Charismatics, mainline Protestants, Roman Catholics, and Eastern Orthodox):

“Mikey, how you doin’?”

“I’m doing fine, Jesus.”

“Mikey, listen, nice speech tonight. I’m not happy about some of the things you said, but I’m going to need you to fall to your knees and accept me now, Jesus, as your sole Lord and Savior right now. Fall to your knees, Mikey.”

“Well, well, what, what do you mean, Jesus?”

“Now, look Mikey, I know that you come from a monotheistic faith, but, look, I’m going to tell you now that perhaps you have heard of John, my friend, and John 14:6 states that I am the only truth, and he states it correctly, the only way,

²⁶It appears that Mr. Weinstein ascribes to so-called “fundamentalist dominionist Christians” responsibility for virtually every evil occurrence in history, irrespective of who actually committed it. When it suits his purposes, as in the case of the Inquisition, Mr. Weinstein counts Roman Catholics as “fundamentalist dominionist Christians.” And, in the case of the Holocaust, he labels Nazi occultists as “fundamentalist dominionist Christians.” Such an elastic definition of “fundamentalist Christian dominionism” may satisfy Mr. Weinstein’s level of rigor, but it is of no help whatsoever to anyone seeking to validate the veracity of Mr. Weinstein’s numerous allegations.

²⁷NO SNOWFLAKE, *supra* note 8, at 31.

²⁸*Id.* at 197 (emphasis added).

²⁹*Id.* at 12 (emphasis added).

and the only life and *no one gets to my Father, who by the way is also me; I'm also this third God called the Holy Spirit.* No one gets to any of them, Mikey, unless they come through me.”

“Jesus, look, I appreciate everything, but ... can't we just be friends? . . . ”

“Well, thank you, Mikey, that would be Matthew 12:30, because in Matthew 12:30, Matthew correctly states me as saying that those who are not with me are against me.”

“Well, Jesus, I didn't say I was against you. I just said how much do I have to be with you?”

“Well, Mikey, that would be Matthew 10:37: If you love your sons and daughters and your husbands and wives more than me, you are not worthy of me.”

“Well, but Jesus, what are we here for?”

“Thank you, Mikey, that would be Matthew 10:34: Don't make the mistake of thinking that I came here to spread peace. I didn't come to spread peace; I came here to spread the sword.”

“Well, but what do we get if we do this, Jesus?”

“Well, Mikey, that is Matthew 3:36: Those who believe in me get, get never-ending life, and those who don't are pretty much screwed.”³⁰

Mr. Weinstein also mocked Christianity in his book, *With God on Our Side*: “I knew what Jesus said: ‘I am the way, the truth, and the life: no man cometh to the Father, but by me.’ The problem is, if you don't cometh [sic] to him, he's going to have to hurt you, really badly, like light you on fire for all eternity.”³¹

If Mr. Weinstein and the MRFF can claim that Messieurs Graham and Boykin are bigots for saying that Islam is a false, wicked and/or violent religion, it can reasonably be claimed that Mr. Weinstein has surpassed them both in bigotry by not only denouncing certain groups of Christians but also by openly and notoriously mocking teachings held by all Christians. Once again, do Fort Bragg officials, as co-sponsors of the Rock Beyond Belief event, desire to be associated with such notorious attacks on the Christian faith and its adherents?

In light of Mr. Weinstein's incendiary, anti-Christian statements and his mockery of Christian beliefs, it is difficult to fathom what legitimate role a religious bigot like Mr. Weinstein could play at Rock Beyond Belief. His tactics and language demonstrate that he is guilty of the very offense he claims to be fighting against—religious intolerance. Despite his outlandish allegations that so-called “Dominionist Christians” denigrate the faith of others and desire to compel others to believe as they do, it is Mr. Weinstein who openly and notoriously denigrates and mocks the faith of others and advocates forbidding religious expression with which he disagrees. Fort Bragg officials must seriously consider the effect that such comments will have on maintaining good order and discipline at Fort Bragg.

Mr. Weinstein's past open and notorious anti-Christian bigotry puts Fort Bragg officials on notice that there is a significant possibility that he will express similar sentiments at Rock

³⁰Warisforsuckers, *Michael Weinstein the Badass Part 06*, YOUTUBE (Aug. 21, 2007), <http://www.youtube.com/watch?v=EKKKGWVhsMU&feature=related> (beginning at 7:07) (emphasis added).

³¹WITH GOD ON OUR SIDE, *supra* note 6, at 94.

Beyond Belief on the Fort Bragg military reservation at an event co-sponsored by the United States Army and Fort Bragg officials.

CONCLUSION

Religious tolerance is not a one-way street. Given Mr. Weinstein's open and notorious hostility to Evangelical Christianity and his openly mocking Christian beliefs generally held by *most* Christian denominations, Fort Bragg officials are now on notice of the danger of their being associated with Mr. Weinstein's anti-Christian/anti-religion comments *in violation of the First Amendment's requirement for religious neutrality by Government officials.*

Further, *as co-sponsors of the Rock Beyond Belief event*, Fort Bragg officials are responsible to ensure that the event does not become an opportunity to bash any particular religion (or particular *religions*) or religion in general. Once again, as officials of the United States Government, Fort Bragg officials and Army officials are required by the First Amendment's Establishment Clause to maintain religious neutrality between religious faith groups as well as between religious adherents and non-adherents.³² Additionally, Fort Bragg officials may not sanction activities which single out religion or religious adherents for either favor or ridicule.³³

Given the nature of the Rock Beyond Belief event (as a reaction to a previous event strenuously opposed by supporters of Rock Beyond Belief³⁴), it falls upon officials at Fort Bragg, as Government officials co-sponsoring the event, to ensure that the event you are co-sponsoring does not degenerate into an opportunity to attack religious believers and openly mock their beliefs. Failure to do so makes you complicit in what occurs and opens you up to potential litigation and legal liability.

Respectfully yours,



Jay Alan Sekulow
Chief Counsel



Robert W. Ash
Senior Counsel

cc: The Honorable John McHugh, Secretary of the Army
General Raymond T. Odierno, Chief of Staff of the Army
Colonel Stephen J. Sicinski, Garrison Commander

³²See, e.g., *School District v. Schempp*, 374 U.S. 203, 226 (1963) (“In the relationship between man and religion, the State is firmly committed to a position of neutrality.”).

³³See, e.g., *Marsh v. Chambers*, 463 U.S. 783, 794–95 (1983) (noting that expression of religious sentiments at Government-sponsored events is fine so long as such expression is not used as an opportunity to advance one faith or disparage another faith).

³⁴*About*, ROCK BEYOND BELIEF, <http://rockbeyondbelief.com/about/> (“We are not interested in *just* being a counter-event to the offensive Rock the Fort concert.” (emphasis in original)) (last visited Feb. 27, 2012).