

Congress of the United States
House of Representatives
Washington, DC 20515

April 7, 2014

Lt. Gen. Michelle D. Johnson
Superintendent, U.S. Air Force Academy
2304 Cadet Drive, Suite 3300
U.S. Air Force Academy, CO 80840-5001

Dear Lt. Gen. Johnson:

It has come to our attention that a quotation of scripture was recently removed from an Air Force Academy cadet's personal whiteboard, which was located outside his dorm room. According to the Academy's official response, a cadet within the squadron "observed the quote, recognized that it may be inappropriate and notified the enlisted military trainer." Subsequently, "the cadet chain of command along with the Air Officer Commanding, became involved." This was then used as "a teaching moment," after which the student reportedly "voluntarily" removed the quote. According to the official Air Force response, the posting of the verse was inappropriate "in light of leadership principles."

This was indeed an opportunity for a teaching moment—an opportunity to teach cadets that the casual expression of a religious viewpoint does not harm effective leadership. We all must learn to appreciate that we are part of a diverse country, with individuals representing countless different perspectives. Observing a leader that lives by his or her beliefs and convictions, even where those beliefs may differ from our own, can actually inspire confidence and respect among subordinates.

The Supreme Court has strongly responded to government actions restricting speech on the basis of the viewpoint that is being expressed: "It is axiomatic that the government may not regulate speech based on its substantive content or the message it conveys. . . . Discrimination against speech because of its message is presumed to be unconstitutional." *Rosenberger v. Rector*, 515 U.S. 819, 715-16 (1995). In short, viewpoint discrimination is unconstitutional.

The Academy's actions indicate that while personal expression is acceptable, topics of religious import are *per se* inappropriate. The Academy concedes that the white boards are frequently used for personal expression, stating, "Cadets often use these boards to display items, quotes or other things that reflect their personality or from which they draw inspiration."

In response to the statement provided to us from the Air Force Liaison, we respectfully request an immediate and thorough response to the following questions no later than April 25, 2014:

1. Is it the Academy's position that the verse on the cadet's whiteboard was inappropriate? If it is your position that the quote was inappropriate, why was it inappropriate?
2. Is it the Academy's position that the posting of any Bible verse by a cadet would be inappropriate?
3. Would the Academy have ordered the cadet to remove the quote had he not done so without an order?
4. In numerous offices in the United State House of Representatives, including the Speaker's office, the office of many chairmen of committees, and on the House floor, we find posted our national motto, "In God We Trust." Many individuals have filed lawsuits to try to prevent the posting of this motto and they have all failed. Would it be inappropriate for any cadet in the Academy to post our national motto on their personal white board? If it would not be, please explain how this differs from him posting a scripture verse.
5. The official statement concedes, "Cadets often use these boards to display items, quotes or other things that reflect their personality or from which they draw inspiration." Can you explain—in detail—the legal justification for how you consider providing a forum for cadets to express personal speech, but then silencing a particular category of speech, to be constitutional? Please particularly address how this is *not* viewpoint discrimination.
6. Why is it necessary for someone to suppress their religious convictions or their expression of religious faith in order to be an effective leader?
7. The Academy has gone to great pains to ensure that no cadet feels any pressure from command to accept a particular faith position. Why does the Academy not go to similar pains to ensure that this Cadet felt no pressure from command to not express his particular faith position?
8. Can you explain what Air Force "leadership principles" make the posting of a scripture verse inappropriate?
9. Does the Air Force believe that religious expression in the military does not extend to written or spoken speech? If yes, how do you justify this interpretation in light of the Constitution and the conscience protections that Congress passed in the National Defense Authorization Act (NDAA) in fiscal year (FY) 2013 and FY 2014?

Unfortunately, this was not an isolated incident. This is one more example of an increasingly disturbing trend that any expression of a religious belief is inappropriate if it may offend someone who disagrees. We do not question the necessity of maintaining unit cohesion, morale, and good order and discipline; a goal which involves a balancing—not a stripping—of constitutional rights. We do question the underlying implication of the Academy's response that it is better to remain silent and sweep constitutional rights under the rug rather than reasonably and respectfully express a religious point of view. Silence is a way to avoid leadership, not exert it. Encouraging silence is the easy way out.

Congress has repeatedly reinforced that effective military service does not and should not require the restriction of religious expression. That is why we passed conscience protections in the NDAA for FYs 2013 and 2014. The Armed Forces has a duty to accommodate the expressions of belief of all servicemembers.

In 1941, President Franklin D. Roosevelt penned a personal message to the American troops that appeared on the inside front cover of a New Testament and Psalms Bible that was distributed to military personnel. This message was displayed next to a picture of the church pennant hoisted over the American flag. It stated:

As Commander-in-Chief I take pleasure in commending the reading of the Bible to all who serve in the armed forces of the United States. Throughout the centuries men of many faiths and diverse origins have found in the Sacred Book words of wisdom, counsel and inspiration. It is a fountain of strength and now, as always, an aid in attaining the highest aspirations of the human soul.

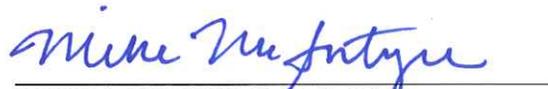
If the President of the United States—the Commander in Chief—can laud to his troops the strengthening virtues of the Bible, surely a cadet at the United States Air Force Academy can publically share a verse which he finds personally inspiring.

This was a missed teaching moment. We are counting on you to set an example for our cadets on how to engage in respectful and robust discussion and acknowledgement of the viewpoints of others, and not to respond to such situations by shutting down conversation altogether. We all must learn to engage with, lead, and be led by those with whom we may disagree.

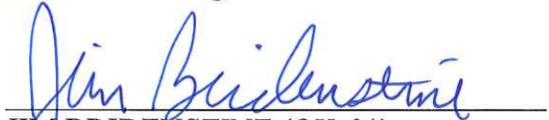
Sincerely,



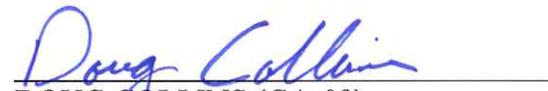
J. RANDY FORBES (VA-04)
Member of Congress



MIKE MCINTYRE (NC-07)
Member of Congress



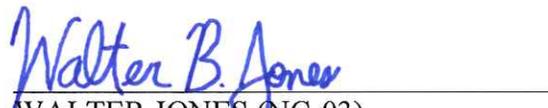
JIM BRIDENSTINE (OK-01)
Member of Congress



DOUG COLLINS (GA-09)
Member of Congress



MIKE CONAWAY (TX-11)
Member of Congress



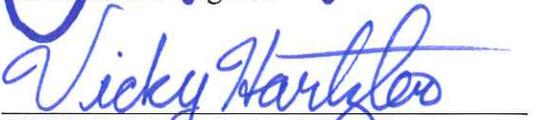
WALTER JONES (NC-03)
Member of Congress



JEFF MILLER (FL-01)
Member of Congress



JOHN KLINE (MN-02)
Member of Congress



VICKY HARTZLER (MO-04)
Member of Congress



JOHN FLEMING (LA-04)
Member of Congress



JOE WILSON (SC-02)
Member of Congress



ROB WITTMAN (VA-01)
Member of Congress



MIKE TURNER (OH-10)
Member of Congress



ROB BISHOP (UT-01)
Member of Congress



TRENT FRANKS (AZ-08)
Member of Congress

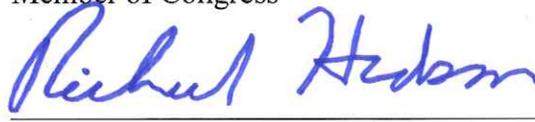


STEVEN PALAZZO (MS-04)
Member of Congress



BRADLEY BYRNE (AL-01)
Member of Congress

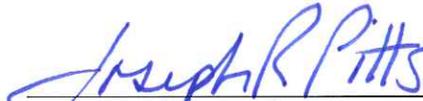
M.C.



RICHARD HUDSON (NC-08)
Member of Congress



BOB GOODLATTE (VA-06)
Member of Congress



JOE PITTS (PA-16)
Member of Congress



JACK KINGSTON (GA-01)
Member of Congress



JAMES LANKFORD (OK-05)
Member of Congress



TIM HUELSKAMP (KS-01)
Member of Congress



RANDY NEUGEBAUER (TX-19)
Member of Congress



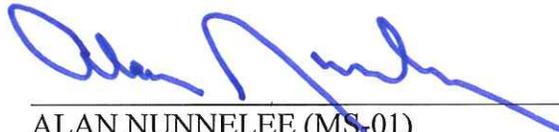
LOUIE GOHMERT (TX-01)
Member of Congress



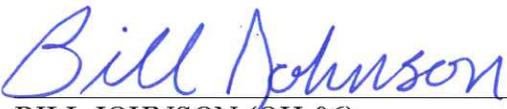
DOUG LAMALFA (CA-01)
Member of Congress



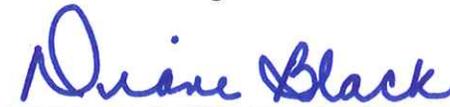
MIKE KELLY (PA-03)
Member of Congress



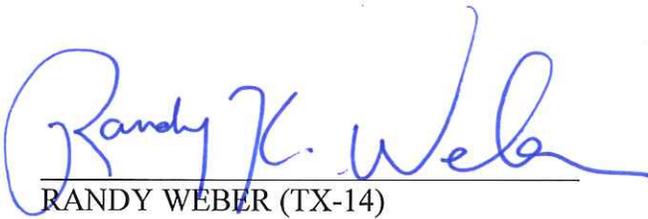
ALAN NUNNELEE (MS-01)
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BILL JOHNSON (OH-06)
Member of Congress



DIANE BLACK (TN-06)
Member of Congress



RANDY WEBER (TX-14)
Member of Congress



AUSTIN SCOTT (GA-08)
Member of Congress



TIM WALBERG (MI-07)
Member of Congress



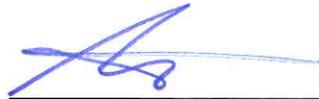
ROBERT ADERHOLT (AL-04)
Member of Congress



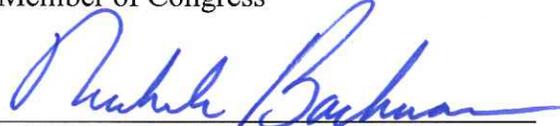
RANDY HULTGREN (IL-14)
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SCOTT GARRETT (NJ-05)
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RICK CRAWFORD (AR-01)
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