

**American Civil Liberties Union of Southern California
Jewish War Veterans of the United States of America
Natural Resources Defense Council
Public Employees for Environmental Responsibility
Western Land Exchange Project**

April 24, 2003

Senator Dianne Feinstein
SH-331 Hart Senate Office Building
Washington, DC 20510-0504

Senator Barbara Boxer
SH-112 Hart Senate Office Building
Washington, DC 20510-0505

Dear Senators Boxer and Feinstein,

It is unusual that a group of organizations as diverse as ours should come together for a common purpose. Please be aware of efforts in the House of Representatives to attach a provision to upcoming appropriation acts that would evade the United States Constitution, set a bad precedent for our National Park System and dishonor by exclusion all of the veterans who have served this nation.

Congressman Jerry Lewis may attempt to include a provision in unrelated bills that would compel a land exchange to create a new in-holding in Mojave National Preserve in California. The provision, deceptively labeled as a bill to preserve a World War I Memorial, is a response to a Federal Court decision in June 2002 that ruled it unconstitutional to display a religious symbol—a cross—on Federal park land, particularly since the Park Service has prohibited anyone from placing any other symbol in the area, religious or otherwise. This provision makes an end-run around the court's decision by carving out the relevant section of land from Mojave National Preserve. The land involved has national significance as part of our National Park System, yet the bill would carve it out of Mojave without the slightest debate about the merits or any discussion of alternatives. A matter of this importance, involving a constitutional issue and land owned by all Americans, should not be legislated in this fashion.

No one doubts the appropriateness of memorializing those who fell in World War I, but in addition to violating a cornerstone of the Constitution, the Mojave Cross honors only a segment of those who served and sacrificed in that conflict. Over 3,000 Jewish-Americans also gave their lives in World War I, and many thousands more served. American veterans come in all creeds, a fact even more true today than a century ago. A sectarian symbol such as this simply does not belong in a National Preserve. The National Park Service has determined that the cross is not historically significant and is not subject to the National Historic Preservation Act of 1965. Congress should not adopt

the Lewis provision. If we can provide further information, please contact any one of the signatories listed below.

Sincerely,

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cc: Representatives Richard Pombo and Nick Rahall, House Resources Committee;
Senators Pete V. DoMenici and Jeff Bingaman, Senate Energy and Natural Resources
Committee

cc: California Democratic and Republican Congressional Delegations