PERA SPEECH

I stand before you today as a (man) (woman) on a mission.

The American Legion is spearheading a nationwide effort to develop a grass roots groundswell to ensure passage of legislation in the 110th Congress: The Veterans' Memorials, Boy Scouts, Public Seals, and Other Public Expressions of Religion Protection Act of 2007. H.R. 725 in the House and S. 415 in the U.S. Senate.

Americans across the county are digging in to combat the secular cleansing of our American heritage through fanatical Establishment Clause lawsuits, for the same reason that George Washington and the first American soldiers, and Founding Fathers, were involved in combating the tyranny of their times – to safeguard and transmit to posterity America's freedom, and American values.

Without those values of the Founding Fathers, the America they created will be no more.

All across America we see fanatical litigation being brought by lawyers of the ACLU and other special interests.

They are attacking the Boy Scouts, public displays of the Ten Commandments and other symbols of our American religious history and heritage. This includes, for the first time in history, religious symbols at veterans' memorials in the precedent-setting Mojave Desert Veterans Memorial Case.

The values and religious symbols the Founding Fathers revered, lived by, and proclaimed are the very foundations of the American republic. They are being outlawed by modern lawyers and judges – under the Establishment Clause of the Constitution which the Founding Fathers wrote.

We are witnessing the rewriting of the Constitution - and the remaking of America - by judicial fiat - not by amending the Constitution as provided for by the Founding Fathers, or by elected bodies in the representative democratic processes of our republic.

Today, the lawyers of an increasingly tyrannical judiciary issue orders in Establishment Clause cases banning the Boy Scouts, banning the Ten Commandments, and banning religious symbols at veterans memorials.

They are banning the Pledge of Allegiance, banning historical religious symbols in the official seals of counties and cities, banning the Department of Defense from assisting the Boy Scouts, and then awarding millions of dollars to the ACLU and others in "attorney fees" in Establishment Clause cases to be paid by taxpayers, even though the ACLU in fact has no attorney fees, and "mascot" plaintiffs have no attorney fees, and have no real injury.

They claim to be “offended” at the sight of a religious symbol which is, in fact, a symbol of our American history and heritage.

Our republic was founded on the principle that “We, the People,” are sovereign, acting through democratically elected representatives.

That representative democracy is being distorted, crippled, rendered impotent, by lawyers exploiting our Civil Rights laws for a profit.

Cities, counties, other governmental entities surrender to the ACLU and remove or destroy religious symbols our American history and heritage from the public square for fear of imposition of massive attorney fee awards by court order, to be paid by taxpayers, should the ACLU prevail.

Our representative democracy is imperiled by threat of these judge-ordered attorney fees.

The lawyers of the modern judiciary have taken unto themselves a veto power over both the Legislative and Executive branches and usurped all authority to decide the most fundamental questions of life, and death, who we are and what kind of nation we are.

Thomas Jefferson, father of the Declaration of Independence, warned us against a judicial tyranny more than 200 years ago, when he wrote: “It is a dangerous doctrine, indeed, to consider the judges to be the ultimate arbiters of all constitutional questions. It will lead to a despotic oligarchy.”

Jefferson further warned: “The germ of dissolution of our federal government is in our federal judiciary; an irresponsible body, working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing in its noiseless step like a thief over the filed of jurisdiction, until all shall be usurped from the States, and the government of all be consolidated into one.”

Jefferson's prophecy has been realized in our times.

When the question was raised as to who, if not the lawyers, i.e., judges, would decide the ultimate constitutional questions of who we are and what kind of nation we are, the Founding Fathers were quick to answer, in the words of James Madison, Father of the Constitution: "The People, themselves."

We in the American Legion Family must and do take seriously the words of the Founding Fathers of our nation.

We American Legionnaires take seriously the oaths we took when we entered the military service in defense of the America the Founding Fathers created "…to defend the Constitution of the United States against all enemies, foreign and domestic."

We take seriously also the words of the Founders of our American Legion, ordinary GI's of WWI who created the American Legion in Paris in 1919 as they awaited repatriation back home.

"For God and Country" is the credo those GI's gave us at our founding.

"For God and Country" our credo today, it will be tomorrow, and forever.

At every meeting, we reaffirm our pledge to defend "God and Country."

We pledge again to live the ten precepts of the Preamble to our Constitution, including: "To foster and perpetuate a one hundred percent Americanism; "To inculcate a sense of individual obligation to the community, state, and nation"; and "To safeguard and transmit to posterity the principles of justice, freedom and democracy."

Simply stated, we Legionnaires – we Americans – cannot "safeguard and transmit to posterity" our American values and the America the Founding Fathers created if we stand back and allow the symbols of our American history and heritage, including the religious, to be banned from the public square and effectively wiped out of our history, our national consciousness, and our national character.

Most Americans are totally unaware that, as taxpayers, they have been paying millions of dollars in "attorney fee awards" annually to the ACLU in Establishment Clause lawsuits against the Boy Scouts, the Ten Commandments, and other Establishment Clause lawsuits, including against religious symbols at veterans memorials.

The Civil Rights Act, 42 U.S. Code Section 1988 was intended to help poor people obtain legal counsel in claims of real, tangible violation of Civil Rights.

It has been despicably exploited by the ACLU to enrich itself with millions of dollars in court-awarded, taxpayer-paid attorney fees when in fact ACLU has no actual attorney fees.

The Mojave Desert WWI Veterans Memorial Case in California is a very dangerous precedent: There are 9,000 Crosses and Stars of David at Normandy Beach. There are 22 National Cemeteries with veterans at rest beneath religious symbols.

There is nothing in the law to prevent the ACLU, or others, from filing Establishment Clause lawsuits against those sacred grounds, and then seeking and receiving taxpayer-paid attorney fees by order of judges for desecrating those places of honor reserved for veterans who defended the America the Founding Fathers created.

There is simply no reasonable basis to support the ACLU, or anyone else, profiting by attorney fee awards ordered by judges in Establishment Clause cases.

The very threat of those fees has made local elected bodies surrender to the ACLU's demands to secularly cleanse the public square, denuding it of any display of our American religious history and heritage.

We believe this issue crosses all ideological, religious, and party lines. It is an American issue that all Americans should support.

Further, veterans' memorials should be sacrosanct. Period.

Congress should exercise its authority under the Constitution to deny jurisdiction to the judicial branch over lawsuits against veterans' memorials under the Establishment Clause.

The American Legion does not intend to surrender to the ACLU, or anyone else, in defense of veterans' memorials, the Boy Scouts, or the public display of our American religious history and heritage.

We are involved, therefore, because we are veterans, because we are Legionnaires who served the nation when our country called, but most of all because we are Americans.

"For God And Country" is our credo, and both are in peril today.

In order to win the battle to safeguard and transmit to posterity the America the Founding Fathers created, it is clear what we must do: **We must walk in the footsteps of the founders.**

We, as individual Legionnaires, as Posts, Districts, States, and at the National Level through our highest officers, must work to close this dangerous loophole by insisting that Congress pass the Veterans' Memorials, Boy Scouts, Public Seals, and Other Public Expressions of Religion Protection Act of 2007.

Being involved in making the PERA, H.R. 725 and S.415, the law of the land, is one small, but extremely important step that must be taken.

Indeed, this is a crusade which we can, we should, we must win, if we are to walk in the footsteps of the Founders and safeguard and transmit to posterity the America they gave us by pledge and sacrifice of their lives, their fortunes, and their sacred honor.

We Americans of this generation can do no less for the America the Founding Fathers created and gifted upon us.

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