

Congress of the United States
Washington, DC 20515

January 6, 2011

The Honorable Eric Holder
U.S. Attorney General
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

The Honorable Robert Gates
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Attorney General Holder and Secretary Gates:

Given the recent disappointing decision by a three-judge panel of the Ninth Circuit declaring the Mount Soledad Veterans Memorial in San Diego, California, unconstitutional, we strongly urge you to continue to vigorously defend the Memorial in its entirety. In reaching its decision, the Ninth Circuit panel overturned a previous ruling identifying the Memorial as a secular symbol of military service and sacrifice. In recognition of the long history of the Mount Soledad Veterans Memorial and its undeniable existence as a war memorial, it is imperative that the Departments of Justice and Defense take immediate action to protect this revered landmark.

At the base of the Memorial's 43-foot cross are 2,700 black granite plaques engraved with the names and photos of war veterans, each telling a story of military service and shared sacrifice. The Memorial was originally dedicated as a Korean War Veterans Memorial in 1952, but has since evolved into a standing testament to all American war heroes and the unending commitment of our military to defend freedom. The Memorial includes uniformed members from all service branches, including the Coast Guard and Merchant Marines who served during World War II.

In his 2008 opinion for the U.S. District Court, Judge Larry Burns correctly stipulated that the cross represented only one element of a much larger memorial dedicated to our military. As a result of his opinion, the Memorial has remained intact and continued to honor the millions of men and women who have served in our armed forces.

The U.S. District Court's ruling was in response to a legal challenge following the enactment of P.L. 109-272, federal legislation passed in 2006 to provide the Department of Defense ownership of the Memorial. The Department of Defense, as the owner of the property, has an obligation to defend the monument, just as the Department of Justice holds the obligation to defend the federal government's interests as established by the Congress.

We are confident that as this legal action proceeds, including the option of consideration by the U.S. Supreme Court, any final decision will properly acknowledge the monument's long identified purpose for honoring generations of military service. It is important that the Departments of Justice and Defense work to preserve this legacy by ensuring the Mount Soledad

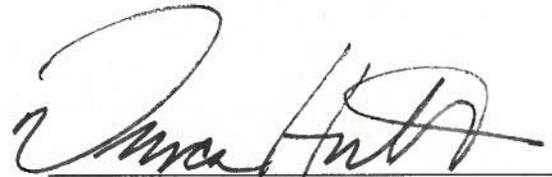
Veterans Memorial continues to stand as a symbol of commitment and sacrifice for both the San Diego community, which we represent, and the millions of Americans who have served in the armed forces.

We look forward to hearing from you on this matter and remain available to provide whatever assistance we can.

Sincerely,



Brian Bilbray, M.C.



Duncan Hunter, M.C.