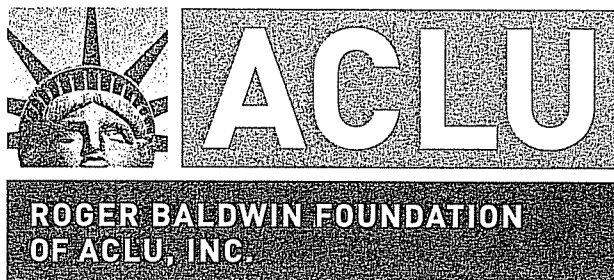


THE
ROGER
BALDWIN
FOUNDATION
OF ACLU,
INC.



SUITE 2300
180 NORTH MICHIGAN AVENUE
CHICAGO, ILLINOIS 60601-1287
(312) 201-9740
FAX (312) 201-9760
WWW.ACLU-IL.ORG

February 9, 2005

BY FACSIMILE (972/580-2502) AND U.S. MAIL

Roy L. Williams, Chief Scout Executive
Boy Scouts of America, National Council
P.O. Box 152079
Irving, Texas 75015

Re: Direct government sponsorship of Scouting

Dear Mr. Williams:

I write regarding charter agreements to operate Boy Scout Troops and Cub Scout Packs between the Boy Scouts of America ("BSA") and governmental units.

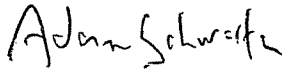
As you may know, the American Civil Liberties Union ("ACLU") of Illinois has filed lawsuits against three governmental units (the City of Chicago, the Chicago Board of Education, and the United States Department of Defense) regarding direct governmental sponsorship of Boy Scout Troops and Cub Scout Packs. All three of these governmental units entered settlement agreements with the ACLU that led to the termination of their respective charter agreements with the BSA. These settlement agreements reflect the irreconcilable conflict between (a) BSA policy requiring all chartering organizations to exclude atheists and require members to recite the Scout Oath, and (b) the First Amendment requirement that the government not exclude atheists from government benefits and not condition the receipt of government benefits upon an affirmation of belief in God. See, e.g., Torcaso v. Watkins, 367 U.S. 488 (1961).

It has come to our attention that some 300 local governmental units in the State of Illinois, and thousands more elsewhere in the United States, continue to directly sponsor Boy Scout Troops and Cub Scout Packs. This substantial violation of federal law greatly concerns the ACLU. We respectfully request that the BSA promptly act to remedy this situation. Specifically, we request that the BSA systematically, in Illinois and in all other states: (a) identify all BSA charters presently held by governmental units; (b) arrange for the transfer of these charters from governmental units to private entities, if the BSA is so inclined; and (c) decline in the future to renew or enter charter agreements with government sponsors. This course of action would avoid the need for further litigation in Illinois regarding direct government sponsorship of Scouting.

Roy L. Williams
February 9, 2005
Page 2

By March 11, 2005, please advise me in writing of your position on this matter. If I can be of any assistance, please feel free to call me at (312) 201-9740, extension 316.

Sincerely,

A handwritten signature in cursive script that reads "Adam Schwartz".

Adam Schwartz

cc: David Park
George A. Davidson