



OFFICE OF THE UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

PERSONNEL AND  
READINESS

MEMORANDUM FOR BOY SCOUT LEADERS:


Since Department of Defense (DoD) policy for private organizations operating on DoD installations falls within my organization, I would like to clarify DoD's support to the Boy Scouts of America.

DoD has a long tradition of support for BSA activities. As you are aware, the American Civil Liberties Union sued DoD and the Department of Housing and Urban Development, challenging various statutory authorizations for support to the BSA. The Department of Justice is defending against the lawsuit vigorously, and DoD is committed to assisting with that defense.

The Department of Justice and DoD concurrently entered a "partial settlement" in the litigation, which resolved a small component of the overall lawsuit but unfortunately resulted in a great deal of incorrect information in the press. DoD personnel are prohibited from endorsing or sanctioning non-federal organizations (which includes sponsoring or chartering) in their official capacity. Rather than continuing to litigate this issue, the Department agreed to ensure that its personnel, in their official capacity, do not sign documents that provide the legal charter for BSA troops. The partial settlement requires an administrative change at some installations as to how BSA organizations operating on DoD installations are legally chartered. This partial settlement does not affect current support provided to BSA under congressional authorizations and Department policy. Scouts will continue to have access to our installations.

In closing, DoD is not changing its relationship with the Boy Scouts of America. The Scouts are an important complement to our efforts to improve the quality of life of military families and we remain committed to supporting Scout activities on DoD installations. Thank you for the great work you continue to do.

Sincerely,

  
Michael A. Pachuta, Colonel, USAF  
Director, Morale, Welfare, and Recreation  
Military Community and Family Policy