

# VFW Hopes Supreme Court Saves Mojave Desert Veterans Memorial

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**WASHINGTON** — Earlier this week, the U.S. Supreme Court announced that it will hear the case regarding the Mojave Desert Cross, a veterans' memorial erected by the VFW in 1934. The memorial was struck down by the Ninth Circuit Court of Appeals as a violation of the US Constitution, prompting the government to cover the memorial with a large plywood box. VFW leaders hope the Supreme Court will finally put an end to this long-contested legal dispute.

“The ACLU and 9th Circuit Court seem determined to remove a war memorial that has been in place for over 75 years,” said VFW National Commander Glen Gardner. “This is another example of the judiciary over-stepping its authority by attempting to usurp and thwart the legislative process.”

In 1934, the VFW erected a small wooden cross and plaque in what is now the Mojave National Preserve to honor the American “Dead of All Wars.” In 2001, the American Civil Liberties Union (ACLU), representing Frank Buono, filed suit in federal court arguing that the memorial violates the Constitution because of its religious symbolism. Congress has since designated the memorial as a national memorial and ordered the Secretary of the Interior to convey the memorial and the acre of land directly under it to the VFW, the original donors of the memorial, in exchange for five acres of land within the Preserve.

“The ACLU will not be satisfied with the removal of this one memorial,” continued Gardner. “If the Ninth Circuit’s decision is allowed to stand, countless other similar veterans memorials will be endangered.”

The VFW, joined by numerous other veterans groups, is filing an amicus brief with the Supreme Court to defend its memorial.

“The VFW hopes Solicitor General Kagan and the Obama administration will be equally tenacious with pressing ahead with the appeal as the Bush administration was,” said Gardner.

## NATIONAL HEADQUARTERS

406 W. 34th Street  
Kansas City, MO 64111

Office 816.756.3390  
Fax 816.968.1157

## WASHINGTON OFFICE

200 Maryland Ave., N.E.  
Washington, D.C. 20002

Office 202.543.2239  
Fax 202.543.6719

info@vfw.org  
www.vfw.org