

BY E-MAIL

February 26, 2016

Carl E. Bruce
Principal
[REDACTED] direct

Bernard J. Roan,
Chief Counsel
NASA Johnson Space Center
Legal Office
Mailcode AL
2101 NASA Road 1,
Houston, TX 77058

Re: *NASA's Prohibited Religious Viewpoint Discrimination*

Dear Mr. Roan:

Thank you for your letter of February 18, 2016. Our clients, the JSC Praise and Worship Club and its many members, greatly appreciate NASA's and your personal attention to the issues raised in my letter of February 8, 2016. As you might imagine, our clients were very concerned by Ms. Reed's initial admonition not to use the name "Jesus" in JSC Today announcements (*see Enclosure*). As we understand from your letter, NASA's policy, in fact, permits such religious expression. Your timely letter provides significant comfort for the Club and its members to know that the JSC Praise and Worship Club's rights aren't subrogated to those of others in the NASA community because of their Christian religious nature.

If this understanding of your letter is not correct, please promptly let us know and please provide a time when you are available to discuss these issues. If we do not hear from you, we will take that as confirmation of our understanding of NASA's policy and the matter resolved.

On a final note, the Club and its members appreciate NASA's mention of and encouragement for further dialog should issues arise in the future. Their hope is that there will be no need for such future conversations, but if the need should arise, they look forward to working with you.

Sincerely,



Carl E. Bruce

Enclosure.

Subject: FW: JSC P&W Club Announcement Legal Conversation
Date: Friday, June 5, 2015 at 7:12:09 AM Eastern Daylight Time
From: FitzPatrick, Michael J. (JSC-CI651)[SGT, INC]
To: [REDACTED]

From: Reed, Rebekah D. (JSC-AL111)
Sent: Wednesday, June 03, 2015 5:00 PM
To: FitzPatrick, Michael J. (JSC-CI651)[SGT, INC]
Cc: Shafer, Donna M. (JSC-AL111)
Subject: RE: JSC P&W Club Announcement Legal Conversation

Thank you for your note Mike.
No need to apologize, I understand that this is a sensitive issue and one about which you feel strongly.
I am happy to talk further if you decide you want to do so.
Rebekah

From: FitzPatrick, Michael J. (JSC-CI651)[SGT, INC]
Sent: Wednesday, June 03, 2015 3:59 PM
To: Reed, Rebekah D. (JSC-AL111)
Subject: RE: JSC P&W Club Announcement

Rebekah,

Since our conversation was verbal and things can easily get misconstrued I wanted to summarize what was discussed to insure we are both on the same page. Please correct me on any point that I missed or mis-stated.

- JSC Legal's position is that using the name "Jesus" in the JSC Today JSC Praise and Worship Club Announcement is sectarian (or denominational if that's the word you'd prefer) and would be in an objective observer's opinion a perceived government endorsement of one religious group over another and would violate the "Establishment Clause" and therefore I must stop using the name "Jesus" in the JSC Praise and Worship Club announcements
- I offered to put a disclaimer in the JSC Praise and Worship Club Announcement that this notice was from a private group and not endorsed by the government. However this was insufficient to resolve the issue in JSC Legal's opinion
- Previous notices of the JSC Praise and Worship club that did not use the name of "Jesus" (even though it was acknowledged by both myself and JSC Legal that these notices were obviously religious in nature and therefore indirectly distinguished between religious and non-religious) were generic enough to be acceptable and not violate the "Establishment Clause" in JSC Legal's opinion

- I acknowledged JSC Legal's opinion and while disagreeing with that opinion, agreed to keep the notices generic while pursuing other legal opinions, and after that pursuit I reserved the right to readdress this issue

Does this cover it?

I apologize if I was short or curt in any way. This is an issue that I'm passionate about and may not catch myself in the moment.

Thank you,

Mike F.

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