

Dear Mayor Street,

We, the undersigned residents of the Greater Philadelphia metropolitan region, laud the City for enacting a comprehensive Fair Practices statute (Philadelphia Charter and Code of Ordinances, Title 9, Chapter 9-1105, 668-669) prohibiting the use of public accommodations to any person or organization who would deny access “...because of his race, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, physical handicap or marital status, either directly or indirectly.”

We encourage the City of Philadelphia to apply the terms of this statute to the use of all its public properties and resources without bias or favor to any group or individual. We specifically encourage the City to hold the Cradle of Liberty Council of the Boy Scouts of America (CoLBSA), headquartered on City-owned land at North 22nd and Winter Streets rent and tax free since 1928, to the same standards required of any other beneficiary of public funding or real-estate access. We understand that City Solicitor the Honorable Nelson Diaz has made the same recommendation.

CoLBSA claims to serve “all boys” in the Greater Philadelphia metropolitan area, yet has practiced active discrimination against gay and Atheist scouts. We recognize that CoLBSA intends to take steps to ensure its future compliance with City law. We support all efforts by CoLBSA to do away with its practice of discrimination against gays, lesbians, bisexuals, transgender individuals, Atheists, and other non-theists so that this local Council of the Boy Scouts of America (BSA) can truly serve all law-abiding, tax-paying families in the metropolitan area.

Unfortunately, CoLBSA's recent attempt at enacting a non-discrimination policy was met with hostility from the national office of BSA and CoLBSA quickly withdrew the policy. We fully expect CoLBSA's future attempts to comply with Philadelphia's fair-practices standards to meet the same fate. BSA is a “down-the-line” private organization which does not permit individual Councils to make policy independent of the national office.

We recommend that the City also encourage CoLBSA to implement a genuine, testable non-discrimination policy as soon as possible.

The City of Philadelphia must issue a final deadline date for compliance with City law. Should the said date pass without BSA compliance, immediate termination of the lease agreement and eviction must be enacted.

The only other option available is to charge CoLBSA full market-value rent for the North 22nd and Winter Streets facility. We ask that any arrangement the City of Philadelphia may reach with CoLBSA that enables them to remain at the North 22nd and Winter Streets facility (or at any other City-owned property) be fully disclosed, in detail, to the public.

We contend that there are many other non-discriminatory youth development organizations located in the Greater Philadelphia metropolitan area. They struggle financially while providing great benefit to City and area children and families. Any non-discriminatory youth organizations could benefit from scarce public resources.

Providing those resources instead to a private organization that practices and teaches groundless prejudice is a disservice to the community and a grievous misuse of taxpayer dollars. CoLBSA needs to stop discriminating, pay rent to the City, or find another headquarters.

Finally, we submit that BSA, recognized by the Supreme Court of the United States as a “private organization” with discriminatory purpose on June 28, 2000 (see *Boy Scouts of America v. Dale*), ceased its claim to public funding on that date by choosing to act on its right to exclude people based on religious belief or sexual orientation.

It is the opinion of Scouting for All and the Freethought Society of Greater Philadelphia that from the date of June 28, 2000 forward, the City of Philadelphia is entitled and obligated to hold CoLBSA accountable for a regular-interval rental payment at full market value for use of the North 22nd and Winter Streets facility. Reimbursement of rent should be pursued promptly by the City of Philadelphia.

Respectfully,