

Rodney Scott, Chief Patrol Agent, San Diego Sector
U.S. Customs and Border Protection
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Phone: (619) 216-4000
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June 21, 2018

Dear Chief Patrol Agent Rodney Scott,

As an organization dedicated to promoting free speech, including freedom of artistic expression, we were troubled to learn that United States Customs and Border Protection (USCBP) is considering the destruction of a mural situated on the border wall that divides San Diego and Tijuana. Prompted solely by its political message and viewpoint, the mural's removal would raise serious First Amendment concerns in addition to concerns relating to the destruction of a work of public art created by a recognized artist. We strongly advise USCBP to allow the mural to remain as is.

Painted five years ago by a group of deported US military veterans under the guidance of disabled United States Navy Veteran, community activist, and artist Amos Gregory, the mural depicts an upside-down flag—a military distress signal—to convey their ongoing struggle to return to the US. Despite being painted without permission on US Government property, the mural has remained on the site for five years without any objection expressed by your agency. Our understanding is that your current review of the work has been triggered by no other concern than complaints aimed at the work's political message.

Public artworks contribute innumerable benefits to local communities, including beautification and opportunities for civil discourse. As a public artwork with a message, the deported veterans' mural stimulates much-needed conversation as befits an area commonly referred to as "Friendship Circle." To paint over this mural so as to mitigate complaints against the viewpoint it expresses would effectively cover up a cogent reminder of deported veterans' plight, removing an opportunity for public debate around this important issue.

We understand that USCBP is still deliberating the fate of the mural, and that your office is currently reaching out to those involved in creating it. While we strongly encourage that conversation, we caution USCBP to consider the disturbing legal and policy implications of silencing veterans' voices, and strongly recommend you allow the mural to remain in place.

Sincerely,



Joy Garnett
Arts Advocacy Program Associate
National Coalition Against Censorship

Christopher Finan
Executive Director

NCAC PARTICIPATING ORGANIZATIONS

Actors' Equity Association
American Association of School Administrators
American Association of University Professors
American Association of University Women
American Booksellers for Free Expression
American Civil Liberties Union
American Ethical Union
American Federation of Teachers
American Jewish Committee
American Library Association
American Literary Translators Association
American Orthopsychiatric Association
American Society of Journalists & Authors
Americans United for Separation of Church & State
Association of American Publishers Authors Guild
Catholics for Choice
Children's Literature Association
College Art Association
Comic Book Legal Defense Fund
The Creative Coalition
Directors Guild of America
The Dramatists Guild of America
Dramatists Legal Defense Fund
Educational Book & Media Association
First Amendment Lawyers Association
Free Speech Coalition
International Literacy Association
Lambda Legal
Modern Language Association
National Center for Science Education
National Communication Association
National Council for the Social Studies
National Council of the Churches
National Council of Jewish Women
National Council of Teachers of English
National Education Association
National Youth Rights Association
The Newspaper Guild/CWA
PEN American Center
People For the American Way
Planned Parenthood Federation of America
Project Censored
SAG-AFTRA
Sexuality Information & Education Council of the U.S.
Society of Children's Book Writers & Illustrators
Student Press Law Center
Union for Reform Judaism
Union of Democratic Intellectuals
Unitarian Universalist Association
United Church of Christ
Office of Communication
United Methodist Church,
United Methodist Communications
Women's American ORT
Woodhull Sexual Freedom Alliance
Writers Guild of America, East
Writers Guild of America, West

Cc:

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