



March 8, 2011

United States Senate
Washington, DC 20515

Dear Senator:

We write today to urge you to oppose H.R. 1, the House-passed bill that would provide continuing appropriations for the remainder of the current fiscal year. The House-passed bill in its current form imposes a narrow ideological agenda and restricts individual rights for many Americans, with a disproportionate impact among minorities and the poor. The American Civil Liberties Union (ACLU) is a non-partisan organization of over half a million members, countless additional activists and supporters, and 53 affiliates nationwide dedicated to the protection of individual rights and civil liberties under the U. S. Constitution and the Bill of Rights. We take no position on the Senate version of the funding bill. However, because of a number of constitutionally-suspect provisions, we strongly oppose adoption of the House bill and urge you to vote "NO" when it comes up for a vote – currently scheduled for later today.

H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, passed the House on February 17. We oppose the House bill because of the inclusion of the following measures:

- A government-wide ban on funding Guantanamo detainee transfers to the US for any reason, including prosecution in federal courts. This provision imposes such severe restrictions on the transfer of detainees to foreign countries that it would effectively end nearly all resettlement and repatriation of detainees in foreign countries. Another provision defunds the State Department office that identifies foreign countries willing to resettle Guantanamo detainees in their countries.
- A prohibition on the use of funds for Planned Parenthood Federation of America, Inc., and its affiliates. This provision is rooted in the proponents' opposition to the provision of constitutionally-protected abortion services – even though such services are provided with the organization's private, non-federal dollars.
- The elimination of funds for the critical Title X National Family Planning Program, which provides millions of many low-income families with access to essential reproductive health care services.
- The re-imposition of the global gag rule (or Mexico City policy). This provision would once again deny aid to foreign non-

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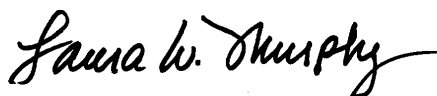
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- governmental organizations that use their own - not U.S. government - funds to advocate for safe and legal abortion care, to perform legal abortions in their own countries, or to counsel and refer women for abortions. The global gag rule has muzzled freedom of speech, limited civil society's participation in government, interfered with the doctor-patient relationship, and undermined the United States' ability to promote American values abroad.
- The elimination of funding for the Teen Pregnancy Prevention Program, which replaced the failed abstinence-only-until funding program and instead now provides young people with medically-accurate, evidence-based information.
- A bar on funding the FCC's implementation of recently adopted net neutrality rules. This anti-free speech provision makes it more likely that companies controlling the internet infrastructure will be able to restrict the kinds and content of communications individuals can send and receive.
- A complete ban on the use of federal funds for syringe services programs, as well as a prohibition on the District of Columbia's ability to use its own tax revenues for these programs. These restrictions would needlessly endanger the health of many Americans, and are contrary to the scientific and medical judgments of organizations including the National Academy of Sciences, the American Medical Association, the National Institute of Health (NIH), and the Centers for Disease Control and Prevention (CDC).
- An increase in funding for the DC voucher program, opening the program to new students, and lifting restrictions previously imposed on the program. Such programs often involve the use of public funds to support educational institutions advancing a particular religious viewpoint and, therefore, benefit one religion over another in contravention of core First Amendment protections
- A bar on funding to pay attorney fees and other costs to prevailing parties under the Equal Access to Justice Act in cases against the U.S. The EAJA program benefits those individuals who have been harmed by the federal government and who would otherwise have no recourse against the government. Beneficiaries include veterans, small businesses, and the elderly, among many others.

The House passed version of H.R. 1 imposes a narrow ideological agenda with the purported goal of reducing spending. Though we take no position on spending levels generally, we do believe that Congress can cut spending without making such a devastating impact on civil rights and civil liberties. We urge the Senate to oppose the House-passed bill when it comes to a vote.

Sincerely,



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