



NATURAL RESOURCES DEFENSE COUNCIL

## FOR IMMEDIATE RELEASE

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### **Lawsuit: Scattershot Federal Terror Rule Ensnares Law-Abiding Charities**

**Baffling 'Watch List' Rule Puts Thousands of Lawful Organizations in Gov't Crosshairs; Undercuts Right of Military, Civilian Workers to Donate as They Choose**

WASHINGTON, D.C. (November 10, 2004) -- A diverse group of non-profit organizations filed suit today to block a government rule that turns the nation's leading charities into private investigators by requiring them to scrutinize their employee and expenditure rolls against an assortment of federal "watch lists." Groups that don't will be barred from a popular payroll deduction plan used by millions of federal civilian and military personnel to contribute to their choice of several thousand charities.

"Turning law-abiding charities into government agents imposes an illegitimate burden on civic and religious groups that weren't created for this sort of sleuthing. It does nothing to stop terrorism or protect our security," said Mitch Bernard, litigation director for NRDC (Natural Resources Defense Council). "These organizations that have no business and no reason to investigate thousands of employees."

NRDC is one of 13 charities filing suit in the U.S. District Court in the District of Columbia challenging the vaguely crafted rule, which applies to charities participating in the highly successful Combined Federal Campaign (CFC). The CFC raised \$249 million for wide variety non-profit causes last year. NRDC is also co-counsel in the case, along with the Brennan Center for Justice and the American Civil Liberties Union.

Bernard stressed that groups themselves are thoroughly screened before they can enroll in the CFC program. He said NRDC is laboring hard to comply with the rule until it is overturned.

The confusing regulation, issued by the Office of Personnel Management, orders participating charities to cross check all workers and certain expenditures against an assortment of lists compiled in secrecy by multiple government agencies. The lists often lack even the most basic information for screening out mismatches among common names.

The rule was not accompanied by any explanation or interpretation of how it is to be applied, or what specific steps an organization must take to be in compliance, creating a confusing, chaotic environment for the participating organizations.

"The government is passing the buck to church groups, to conservation groups, to animal rescue leagues based on no specific threat or suspicion," Bernard said. "It's simply not right."

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The Natural Resources Defense Council is a national, nonprofit organization of scientists, lawyers and environmental specialists dedicated to protecting public health and the environment. Founded in 1970, NRDC has more than 1 million members and e-activists nationwide, served from offices in New York, Washington, Santa Monica and San Francisco.