

November 20, 2003

The Honorable Frank R. Wolf  
Chairman  
Subcommittee on Commerce, Justice, State and Judiciary  
Committee on Appropriations  
H-309 United States Capitol  
Washington, DC 20515

The Honorable José E. Serrano  
Ranking Member  
Subcommittee on Commerce, Justice, State, and Judiciary  
Committee on Appropriations  
1016 Longworth House Office Building  
Washington, D.C. 20515

Dear Chairman Wolf and Congressman Serrano:

We write to thank you for your tremendous leadership on behalf of America's families by supporting increased funding for the Legal Services Corporation in the Fiscal Year 2004 Commerce, Justice, State, the Judiciary and Related Agencies Appropriations Bill introduced in your Subcommittee.

However, we also write to express our regret that for the past several years this bill has included a restriction that severely limits the manner in which independent civil legal aid programs funded by LSC can spend their own private, state and local funds.

This "private money" restriction annually encumbers more than \$300 million in non-federal money, and harms communities in two distinct ways. First, the restriction imposes costly government obstacles to private philanthropy. Second, the restriction closes the doors of justice to many low-income individuals and families unable to afford necessary legal representation in civil matters.

The undersigned groups write to express our support for amending the LSC appropriation in order to end this governmental interference with non-federal funding for legal aid nonprofits. We urge you to continue your tremendous leadership on behalf of America's families by guiding efforts to end this unfairness.

In particular, we hope you will support removal of the private money restriction because the restriction improperly interferes with the right of private philanthropies and other non-federal donors – including state and local governments – to determine the purposes for which their charitable donations will be used. In addition, the restriction interferes with the right of non-federal donors to select those local institutions best equipped to carry out the purposes of their charitable donations.

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By removing the private money restriction, but keeping intact restrictions that control activities financed with federal LSC funds, Congress would properly place independent LSC recipients in the same position as nonprofit grantees of other federal entities which are permitted to use their non-federal funds free of unwarranted restrictions. This would bolster the mission of LSC as a model public-private partnership dedicated to supporting independent and accountable local programs that set their own priorities based on community need.

Furthermore, Congress's removal of the LSC private money restriction may well encourage increased charitable donations to the more than 150 independent LSC recipients that serve the working poor, veterans, the elderly, victims of domestic violence, family farmers and people with disabilities in every county and Congressional District in the nation.

Thank you very much for your support and continued leadership on behalf of America's families.

Sincerely,

Brennan Center for Justice  
at NYU School of Law

National Council of La Raza

International Union, UAW

Council on Foundations

National Legal Aid and  
Defender Association

Independent Sector

Center for Law and Social Policy

National Council of Nonprofit Associations

National Organization of Legal Services  
Workers, UAW Local 2320

National Committee for Responsive  
Philanthropy

National Immigration Law Center

OMB Watch

Open Society Policy Center

Charity Lobbying in the Public Interest

Association of the Bar  
of the City of New York

Alliance for Justice

Community Service Society  
of New York

Nonprofit Coordinating Committee  
of New York