

July 13, 2006

The Honorable Richard C. Shelby
Chairman
Subcommittee on Commerce, Justice and Science
Committee on Appropriations
U.S. Capitol, Room S-146A
Washington, DC 20510

The Honorable Barbara A. Mikulski
Ranking Member
Subcommittee on Commerce, Justice and Science
Committee on Appropriations
Senate Dirksen Building, Room 144
Washington, DC 20510

Dear Chairman Shelby and Senator Mikulski:

Ministering to the poor, the persecuted, the disabled, the sick, and the oppressed is among the most important callings of evangelical Christians. With that responsibility in mind, the National Association of Evangelicals is deeply concerned about a federal appropriations law that interferes with privately financed activities of deep importance to our country's most vulnerable families.

The law – an appropriations rider attached annually to the Legal Services Corporation's federal funding – limits the work that independent civil legal aid programs can do with the more than \$300 million that they raise each year from non-federal sources. This "private money restriction" hurts the most vulnerable people in our society, erects unnecessary bureaucratic barriers to community-based services, and sets a dangerous precedent for public-private partnerships.

The law closes the doors of justice for many low-income individuals and families who simply cannot afford to hire a private lawyer to help them in civil matters. Without a helping hand from legal aid programs and the shared blessings of others, low-income families too often have no place else to turn for help. A legal aid advocate is often a lifeline for low-income families, victims of domestic violence and human trafficking, people preparing to reenter society from prison, immigrants, the elderly, and the disabled.

As you know, LSC has applied the private money restriction by requiring nonprofits that wish to spend their own funds on restricted categories of advocacy to first establish a physically separate office – with separate staff, office space, and equipment. This compulsory physical separation imposes unnecessary costs on financially strapped legal aid programs and creates costly obstacles to private philanthropy. The costs associated with this duplication often means the local and state LSC chapters cannot furnish that assistance at all because they do not have sufficient funds to pay for duplicate offices, staff and equipment.

I am also concerned that this physical separation model establishes a dangerous precedent, more generally, for a range of public-private partnerships. Currently, recipients of federal funds under the Faith-Based Initiative and Charitable Choice programs – like virtually all other federal grantees – are free to use non-federal, privately raised funds to finance a broad range of activities without stringent restrictions like those imposed on LSC grantees. But I am mindful that if the physical separation model for legal aid is imported into – or required to be applied to – faith-based settings (as may occur if the government continues to defend this model in litigation and policy debates), the result would likely undermine our efforts to foster partnerships between faith-based organizations and government to deliver services to low-income communities.

I greatly appreciate your support for civil legal aid and for its important role in empowering low-income families to resolve disputes and move forward with their lives. God measures societies by how they treat the people at the bottom, and He teaches us to care for the poor and oppressed among us. The services provided by LSC recipient programs are vital for this purpose and should not be unwisely restricted. Please continue your leadership on behalf of America's families by working to eliminate the LSC private money restriction.

Sincerely,



Rev. Richard Cizik
Vice President for Governmental Affairs
National Association of Evangelicals