



ACLU Online

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ACLU Exposes New Government Spying on Innocent Americans

President Bush failed to adequately address serious questions about the warrantless domestic spying program conducted by the National Security Agency in his State of the Union address this Tuesday. Over the past two weeks, the White House spin machine has continued to mislead the public about the legality and necessity of this program.

Bush claimed last week that the NSA spying program is actually "designed to protect civil liberties." But the truth is that this warrantless spying is part of a wide-ranging pattern of abuses of power that include the monitoring of peaceful political protestors and government labeling of groups like Greenpeace and PETA as terrorist organizations.

In the wake of evidence revealing Pentagon surveillance of peace groups and protest activities, the ACLU and its affiliates across the country Wednesday filed multiple Freedom of Information Act requests seeking to uncover who is being spied on by the Pentagon and why.

"The Pentagon's monitoring of anti-war protesters is yet another example of a government agency using its powers to spy on law-abiding Americans who criticize U.S. policies," said ACLU staff attorney Ben Wizner. "How can we believe that the National Security Agency is intercepting only al Qaeda phone calls when we have evidence that the Pentagon is keeping tabs on Quakers in Fort Lauderdale?"

The ACLU filed Freedom of Information Act (FOIA) requests on behalf of the American Friends Service Committee, Veterans for Peace, United for

ACLU v. NSA Clients Respond to White House Claims

Clients in the ACLU's lawsuit against the NSA share their thoughts about the White House spin on its illegal spying program. [Play the audio or download the podcast.](#)

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>> News

ACLU OF NEW MEXICO SETTLES MILITARY RECRUITING LAWSUIT

In the first settlement of its kind, the ACLU of New Mexico announced that the Albuquerque Public Schools will no longer send students' contact information directly to military recruiters without properly notifying parents of their right to opt out of such information sharing.

The federal No Child Left Behind Act grants secondary school students and their parents the right to deny the military access to a student's name, address and telephone listing. Legal papers were filed by the ACLU when several local high schools failed to notify parents of this right until weeks, and in some cases, months, after those schools had already shared students' information with the Army, the Air Force and the Navy. Under the

Peace and Justice and Greenpeace, as well as dozens of local groups in Florida, Georgia, Rhode Island, Maine, Pennsylvania and California. The ACLU is seeking the disclosure of all documents maintained by the Department of Defense on the individual groups. Many of the groups involved in today's action have already learned that they are listed in the Pentagon's Threat and Local Observation Notice (TALON) database.

The TALON program was initiated by former Deputy Secretary Paul Wolfowitz in 2003 to track groups and individuals with possible links to terrorism. But according to portions of the database that were leaked to the media in December, the Pentagon has been collecting information on peaceful activists and monitoring anti-war and anti-military recruiting protests throughout the United States.

This latest series of FOIA requests is another step in the ACLU's multi-pronged effort to put an end to unwarranted domestic spying and curb the Bush Administration's abuse of power.

For more information, go to www.aclu.org/spyfiles

Patriot Act Update: House Extends Patriot Act to March 10, 2006

Wednesday, on a voice vote, the House extended the expiration date to March 10, 2006. The Senate is expected to adopt the same measure.

The Patriot Act was first extended in December after supporters of freedom in the Senate successfully filibustered the White House's version of the bill, sending a clear signal to President Bush that Americans demand genuine reform.

The ACLU is urging Congress to use the next six weeks to reform the invasive powers expanded by the Patriot Act to restore checks and balances and better protect the privacy and liberty of ordinary and innocent Americans.

Victory: Two Rulings Holding Federal Abortion Ban Unconstitutional

The National Abortion Federation (NAF) and the ACLU praised two rulings holding the "Partial Birth Abortion Ban Act of 2003" unconstitutional. The decisions came out of federal appeals courts in New York and California this week and join an Eighth Circuit decision holding the ban unconstitutional.

In the Second Circuit ruling in New York, the court affirmed that the ban requires a health exception and asked for further legal briefing to determine how to remedy the violation. The Ninth Circuit in California affirmed the lower court decision striking down the ban.

"Every court to have considered this ban has recognized that abortion laws must include protections for women's health," said Talcott Camp,

settlement agreement, Albuquerque Public Schools will adopt and implement a policy requiring the district to include information about the No Child Left Behind Act in the registration packet each secondary school mails to parents before registration. The materials will include a form parents may use to request that a student's name, address, and telephone listing not be released to military recruiters. Once parents have made such a request, it will remain in effect until it is changed in writing by the student or the parents.

The ACLU said it would consider bringing similar legal action against other non-complying school districts in the state.

To read more information on military recruitment under the No Child Left Behind Act, [go here](#).

MARYLAND COURT PROTECTS MARRIAGE RIGHTS FOR SAME-SEX COUPLES

It is a violation of the state constitution to deny same-sex couples the numerous protections provided to married couples, a Maryland circuit court ruled on January 20. The decision is an historic step toward the ability of same-sex couples to legally marry in the state.

Deputy Director of the ACLU Reproductive Freedom Project. "Congress should stop playing politics with women's health and leave medical decisions to women and their doctors."

Congress passed the federal ban despite numerous court decisions, including a decision in 2000 by the Supreme Court in *Stenberg v. Carhart*, striking down similar state bans. Courts have consistently struck down the bans for two reasons: their broad language prohibits abortions as early as 13 weeks in pregnancy, and they lack exceptions to protect women's health.

To read more, [go here](#).

ACLU Mourns Coretta Scott King

The ACLU this week mourns the passing of Coretta Scott King, widow of the Rev. Dr. Martin Luther King, Jr. and a tireless advocate for social justice in her own right. She was an extraordinary person in every respect and in her own right.

Mrs. King rose from humble beginnings in the segregated South to become Dr. King's partner in the historic campaign to guarantee African-Americans and other voiceless minorities in America their civil rights and the equal protection of our laws and Constitution.

After Dr. King's death, Mrs. King continued the march. She took up his mantle, and fought ceaselessly for social justice, basic fairness and the values enshrined in the Bill of Rights for close to four decades.

Crucially, Mrs. King became more than a civil rights leader. She was a national advocate for the disenfranchised, regardless of race, religion, national origin, sexual orientation or ethnicity. She extended her campaign for social justice internationally, arguing forcefully for global peace. And she embodied a progressive vision for the world, a vision in which prejudice, hate and bigotry have no role in determining one's fate.

Real ID a Real Nightmare to Implement

State officials believe that federal legislation called the Real ID Act will require extensive changes to existing practices at motor vehicles departments, will be extremely difficult to implement by the act's deadline and will carry heavy expenses, according to recently uncovered documents. The act, passed by Congress last spring, imposes a federal standard on the design, issuance and management of state driver's licenses. The ACLU has criticized the law as a backdoor attempt to require Americans to carry a de facto national ID card.

"This survey shows that going through with this plan to impose a national identity card in our sprawling, diverse nation is not only contrary to our values, but would prove to be a bureaucratic train wreck," said Barry Steinhardt, director of the ACLU's Technology and Liberty Project. "Real ID will mean higher taxes and fees, longer lines, repeat visits to the DMV,

"This is such an exciting moment," said Lisa Polyak, who with her partner, Gita Deane, is one of the plaintiffs in the lawsuit filed by the ACLU. "Our participation in this lawsuit has always been about family protections for our children. We will rest a little easier knowing that those protections are within reach."

Baltimore City Circuit Court Judge Brooke Murdock found that denying same-sex couples the ability to marry violates the state constitution's Equal Rights Amendment, which protects against discrimination based on sex. She also found that there is not even a rational basis for denying same-sex couples the ability to marry.

The state is expected to appeal the decision. Maryland's highest court, the Court of Appeals, will almost certainly have the ultimate say over the issue. The case will likely continue for well over a year, perhaps much longer.

Biographical information on all of the plaintiffs, the legal documents and other background materials, including a set of FAQs about Deane and *Polyak v. Conaway*, are available [here](#).

bureaucratic snafus and, for a lot of people, the inability to obtain a license."

The survey, disclosed recently in a report by the Associated Press, was conducted by the American Association of Motor Vehicle Administrators, apparently to take a sounding of the states' challenges and readiness for tackling compliance with the federal Real ID mandate.

"These documents confirm just how real the problems with Real ID are," Steinhardt said. "They come straight from the horse's mouth: the people who would be charged with actually putting the legislation into effect. DMVs are the ones complaining today, but if Congress doesn't act, it will be citizens that we'll all be hearing from next -- and they will be hopping mad when they discover what's in store."

In often scathing responses to the AAMVA questionnaire, officials from states large and small expressed deep concerns about the cost and feasibility of the many requirements that the Real ID legislation imposes.

To read more, [go here](#).

What Will Your Legacy Be?

Accept the Legacy Challenge and leave your family a future of freedom.

Now, by including the ACLU Foundation in your will, you can help us qualify for additional funds that will go towards today's defense of civil liberties.

One of our supporters recently said, "Too often we focus on providing financial security to our family when we can leave them more than money. We can leave them a future. What a wonderful legacy to leave your family. The great thing about the Legacy Challenge is that everyone needs a will and the Challenge is a great incentive to get it done. It was easy to include a percentage for the ACLU."

The Legacy Challenge works like this:

- Write a bequest provision in your will or trust.
- Tell us about it.
- An immediate cash donation equal to 10% of your future bequest's value (up to \$10,000 per donor) will be made in your name.

No matter what size your estate is or your current estate plans, the Legacy Challenge can work for you.

If you have a will or trust, it's time to update it. The ACLU can provide you with the right language.

If you don't have a will or need estate planning information and tools, the ACLU website helps you get started.

If you need help on giving options or would like personal assistance,

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