

THE CONSTITUTION PROJECT



Safeguarding Liberty, Justice & the Rule of Law

TCP Joins Coalition Urging Secretary Clinton to Exercise Statutory Power to Promote Peacebuilding Activities Hindered by Material Support Laws

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WASHINGTON -The Constitution Project (TCP) is pleased to be among 45 signatories of a [letter](#) sent to Secretary of State Hillary Clinton on May 12th and released today, which calls on the State Department to exempt peacebuilding activities from overly broad laws prohibiting "material support" to terrorist organizations. Current law sweeps so broadly as to prohibit basic humanitarian aid to civilians, as well as efforts to promote peacebuilding and speech advocating only lawful, nonviolent activity as an alternative to terrorist acts. The State Department is statutorily authorized to exempt activities that the Secretary finds further only lawful, peaceful, and nonviolent activities. The letter calls upon Secretary Clinton to exercise this statutory power, noting that allowing peacebuilding groups to work with designated organizations to teach them to pursue peaceful resolution of disputes would actually promote, not hinder, our counterterrorism efforts. Today's release marks the one-year anniversary of the U.S. Supreme Court's decision in *Holder v. Humanitarian Law Project*, which upheld this overly broad interpretation of the material support laws.

TCP also joins today with the Charity and Security Network and a broad coalition of groups in releasing a ["Statement Supporting Reform of Security Laws that Hinder Charity."](#) This statement, signed by renowned conflict resolution experts, former public officials, former diplomats, and civil liberties experts, calls on the U.S. government to reform these overly broad laws governing "material support" to terrorist organizations. In today's statement, the coalition called upon the U.S. government to join us in working to update U.S. laws.

The following may be attributed to TCP Senior Counsel Sharon Bradford Franklin:

"On the anniversary of the Supreme Court's decision in the *Humanitarian Law Project* case, we call upon the U.S. government to rein in its overbroad interpretation of the material support laws, and to work with us in creating much needed reform. Not only must we protect constitutional rights, but peacebuilding efforts and basic humanitarian aid in conflict-ridden regions can only help our counterterrorism efforts."

In its November 2009 report, ["Reforming the Material Support Laws: Constitutional Concerns Presented by Prohibitions on Material Support to "Terrorist Organizations,"](#) TCP's Liberty and Security Committee proposed reforms to remedy the serious constitutional concerns created by existing material support laws.

About The Constitution Project

Established in 1997, The Constitution Project (TCP) is known for its ability to bring together unlikely allies-experts and practitioners from across the political spectrum-in order to promote and safeguard America's founding charter. TCP is working to reform the nation's broken criminal justice system and to strengthen the rule of law by undertaking scholarship, consensus policy reforms, advocacy and public education. TCP was born out of the belief that we must cast aside the labels that divide us, in order to keep our Constitution and our democracy strong.