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July 2, 2009

Barack Obama  
President of the United States  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear Mr. President,

We are writing as American nonprofit organizations to thank you for the comments in your Cairo speech that recognized the problems current rules for charitable giving create for American Muslims, and for your commitment to correct the situation. We are seeking a meeting with you and the appropriate representatives of your administration to provide background information on how current national security rules create problems for all U.S. charities and to provide recommendations for change.

Our network is a broad based effort of faith-based charities, including Muslim organizations, grantmaking foundations, humanitarian aid and development groups and civil liberties advocates. We have joined forces to promote sensible long-term solutions to problems created by the continuation of emergency measures that are ill-suited in the charitable context.

It is our hope that U.S. rules can be brought into alignment with the State Department's December 2006 *Guiding Principles on Non-Governmental Organizations*, which recognize that NGOs "are essential to the development and success of free societies and that they play a vital role in ensuring accountable, democratic government."

We believe the roots of terrorism are complex, involving the hopelessness of poverty, anger at injustice, and frustration at being shut out of the political process. To reduce the influence of these factors, U.S. charities are striving to meet basic needs, provide opportunities and engage with people in peaceful political participation. But national security regulatory and policy barriers have restricted such efforts.

For example, the Department of the Treasury has refused all attempts to release frozen charitable funds, which includes zakat donations, for humanitarian purposes. It has also resisted calls to withdraw its problematic guidelines for U.S. organizations, despite consistent and widespread criticism from foundations and charities. This is counterproductive to the goals of the U.S. charitable community and national security policy.

We are confident that new approaches that reflect the mission and expertise of the U.S. charitable community are not only possible, but essential to the success of your national security and public

diplomacy strategies. We formed this network to work toward that goal. Such changes would benefit U.S. organizations, our international NGO partners and the people we serve around the world.

To succeed we believe new rules governing charitable giving and operations must address systemic problems in order to achieve the following benchmarks:

- Provide clear standards for permissible charitable and development activity that are consistent with long-standing norms for humanitarian operations, such as the *Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief*.
- Provide a fair opportunity for charities accused of supporting terrorism to defend themselves.
- Protect charitable assets from indefinite freezing and allow these resources to further the charitable mission donors intended to support.
- Withdraw the Treasury Department's *Anti-Terrorist Financing Guidelines: Voluntary Best Practices for U.S.-based Charities*.

We look forward to working with you toward the common goal of protecting the work of American charities and the intent of their donors. We can be contacted through Kay Guinane, Charity and Security Network Program Manager at [kguinane@charityandsecurity.org](mailto:kguinane@charityandsecurity.org) or at the address above.

Yours truly,

ACLU Washington Office Washington Legislative Office	Caroline Fredrickson Director	Washington, DC
American Friends Service Committee	Geri Sicola, Associate General Secretary International Programs	Philadelphia, PA
American Jewish World Service	Bess Rothenberg, <i>Associate Director of Grants</i>	New York, NY
Bill of Rights Defense Committee	Shahid Buttar, Executive Director	Northampton, MA
Defending Dissent Foundation	Sue Udry, Director	Silver Spring, MD
Freedom and Justice Foundation	Mohamed Elibiary, President	Carrollton, TX
Global Fund for Women	Dale Needles, Chief Operations Officer	San Francisco, CA
Grassroots International	Nikil Aziz, Executive Director	Boston, MA
Kinder USA	Laila Al-Marayati, MD, Chair	Dallas, TX
Life for Relief and Development	Dr. Mujahid Al-Fayadh, CEO	Southfield, MI

Moriah Fund	Mary Ann Stein, President	Washington, DC
Muslim Advocates	Akil Vohra, Counsel, Muslim Charity Works Campaign	San Francisco, CA
Muslim American Society, Founder Islamic Relief	Ahmad El Bendary, President	Alexandria, VA
Muslim Legal Fund of America	Khalil Meek, President	Richardson, TX
Muslim Public Affairs Council	Salaam Al-Marayati, Executive Director	Los Angeles, CA
OMB Watch	Lee Mason, Director, Nonprofit Speech Rights	Washington, DC

cc:

Melody Barnes, Assistant to the President and Director of the Domestic Policy Council,

Josh DuBois, Executive Director of the White House Office of Faith-Based and Neighborhood Partnerships

James L. Jones, National Security Advisor, National Security Council

Paul Montero, Deputy Director of Religious Affairs for the White House Office of Public Liaison

Sonal Shah, White House Office of Social Innovation and Civic Participation

Gayle Smith, National Security Council