



## 2009 ACLU Legislative Priorities

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### Restoring Meaningful Checks on Executive Authority Preserving and Advancing Individual Rights

Three overarching principles define our legislative agenda for the 111<sup>th</sup> Congress: limiting government power, advancing freedom from discrimination and preserving free speech rights.

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#### Limiting government power

- **Interrogation and detention reform**
  - Repeal the Military Commissions Act that stripped away habeas rights; ban the use of extraordinary rendition and secret prisons.
  - Stop torture by applying the Army Field Manual on Intelligence Interrogations government-wide.
  - Create a special committee to learn the truth about unlawful activities by government officials in the post-9/11 era.
- **Surveillance reform**
  - Repeal the FISA Amendments Act of 2008.
- **PATRIOT Act reform**
  - Amend the National Security Letter provisions of the USA PATRIOT Act to expand court oversight of FBI document requests, require a mandatory showing of a connection to terrorist activity and rescind unconstitutional gag restrictions.
- **REAL ID Repeal**
  - Repeal REAL ID and replace it with the bipartisan plan for comprehensive negotiated rulemaking giving states a greater control over their own drivers' licenses and other forms of official identification.
- **Government database standards**
  - Protect medical privacy in health technology legislation.
  - Mandate minimum accuracy standards for watch lists.
  - Reject legislation mandating national implementation of flawed employee verification databases.

- Rescind laws mandating DNA collection from federal arrestees and reject bills encouraging states to do so.
- **State secrets reform**
  - Codify limitations on the use of the state secrets privilege.

## **Restore and Advance the Right to Live Free from Discrimination**

- **Drug sentencing reform**
  - Enact legislation to eliminate the disparity between crack and powder cocaine sentences by lowering those for crack to match those for powder.
- **Juvenile justice reform**
  - Reauthorize the Juvenile Justice and Delinquency Prevention Act and enact the Youth PROMISE Act to focus on prevention, not punishment, to keep kids out of the adult criminal justice system.
- **Stop racial profiling**
  - Enact the End Racial Profiling Act to stop racial profiling by federal law enforcement agencies and create an enforcement mechanism to ensure that anti-profiling policies are being followed.
- **Employment discrimination reform**
  - Enact the Employment Non-Discrimination Act in a form that includes workplace protections for sexual orientation and gender identity.
  - Enact the Lilly Ledbetter Fair Pay Restoration Act to extend the time for filing pay discrimination suits when a victim is not yet aware of the harm.
  - Enact the Paycheck Fairness Act to eliminate loopholes in combating wage discrimination.
- **Comprehensive sex education**
  - Stop all funding of misleading, inaccurate and censored abstinence-only programs.
  - Adopt legislation to support comprehensive sex education programs that teach both abstinence and contraceptive use.

## **Restore and Advance the Rights to Free Speech and a Free Press**

- **Restore online freedom**
  - Codify binding open Internet principles to discourage public and private online censorship, to assure online privacy and to pursue equal access free from discrimination.
- **Advance freedom of the press**
  - Enact a well-defined journalists' privilege that balances rights of the press and the rights of criminal defendants.