



WASHINGTON
LEGISLATIVE OFFICE

February 26, 2008

“We Cannot Defend Freedom Abroad by Deserting it at Home”¹: Reject the “Semper Fi Act” and its Attack on Political Speech

Dear Members of Congress:

On behalf of the ACLU, a non-partisan organization with over half a million activists and members and 53 affiliates nationwide, we are writing to encourage you to reject the so-called “Semper Fi Act,” S. 2596 and H.R. 5222. The bills would rescind \$2.1 million in earmarks for Berkeley, California in retaliation for the city council’s opposition to the Iraq war. Last week, the city council reversed its vote to treat Marine Corps recruiters as “trespassers” on city property.

AMERICAN CIVIL
LIBERTIES UNION
WASHINGTON
LEGISLATIVE OFFICE
915 15th STREET, NW, 6th FL
WASHINGTON, DC 20005-2313
T/202.544.1681
F/202.546.0738
WWW.ACLU.ORG

Caroline Fredrickson
DIRECTOR

NATIONAL OFFICE
125 BROAD STREET, 18th FL.
NEW YORK, NY 10004-2400
T/212.549.2500

OFFICERS AND DIRECTORS
NADINE STROSSEN
PRESIDENT

ANTHONY D. ROMERO
EXECUTIVE DIRECTOR

RICHARD ZACKS
TREASURER

The “Semper Fi Act” is a message bill that deserves to go nowhere. The bill invites us to ignore the freedoms defended by our troops abroad by deserting them at home – a notion that an overwhelming bicameral and bipartisan majority should resoundingly reject. The bill accomplishes the opposite of what is advertised in its inaptly-named title, “semper fidelis,” which is Latin for “always faithful.” The Marine Corps adopted that motto in 1883 to reaffirm the commitment of every Marine to defending our country’s freedoms, including free speech. We applaud members who have remained “always faithful” to the First Amendment by opposing S. 2596 and H.R. 5222.

Disapproval of the Berkeley city council’s vote does not require trampling on speech or the council members’ right to petition their elected federal officials for redress of their grievances about the war. Thomas Jefferson wrote that “dissent is the highest form of patriotism.” Instead of suppressing that dissent, anyone who disagrees with it should simply respond with more speech. The fundamental right to political protest should be cherished, and not feared or suppressed as the two companion bills would do. As the Roman philosopher Seneca observed, “Laws do not persuade just because they threaten.”

We know you share our commitment to the First Amendment and encourage you to reject threats posed to it by bills like the “Semper Fi Act.”

Sincerely,

Michael W. Macleod-Ball
Chief Legislative/Policy Counsel

James Thomas Tucker
Policy Counsel

¹ Edward R. Murrow, *Report on Senator Joseph R. McCarthy*, CBS-TV, aired on March 9, 1954.