

# NEW YORK CITY BAR

## COMMITTEE ON DRUGS AND THE LAW

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United States Representative Ackerman  
United States Representative Meeks  
United States Representative Crowley  
United States Representative Nadler  
United States Representative Weiner  
United States Representative Towns  
United States Representative Owens  
United States Representative Velazquez  
United States Representative Fossella  
United States Representative Maloney  
United States Representative Rangel  
United States Representative Serrano  
United States Representative Engel

Dear United States Representatives of New York City:

The Committee on Drugs and The Law of the New York City Bar Association strongly urges you to vote in favor of H.R. 4213, the Elimination of Barriers for Katrina Act, introduced by Representative Scott of Virginia and cosponsored by nearly a dozen other legislators, including Representative Rangel.

Millions of Americans in Louisiana and elsewhere were displaced from their homes by Hurricanes Katrina and Rita, and many have still not been able to return. These people are in dire need of federal assistance and it is therefore not surprising that FEMA reports that 2.1 million people have already applied for such aid.

As you know, numerous federal statutes, such as the United States Housing Act of 1937, the Quality Housing and Work Responsibility Act of 1998, and the Higher Education Act of 1965, deny the worthwhile benefits they provide to persons with a drug conviction on their record. Thus, even after a drug offender has paid his "debt to society" by serving time in prison, making restitution, and complying with the terms of his parole, these federal laws continue to punish him and, in some cases, his family. Not only is this unfair, but it significantly undermines

**NEW YORK  
CITY BAR**

the ability of past drug offenders to become productive members of society by, for example, attending college or accessing public housing.


As a general matter, the Committee considers these provisions to be inequitable and unwise: there is no wisdom or theory of rehabilitation discernible in hindering past drug law offenders from reintegrating into society by, e.g., attending college or accessing public housing; instead these provisions appear to the Committee to be simply vindictive and irrationally punitive measures. As applied to persons who have lost their homes, property, and livelihood through this natural disaster, such exclusion from receipt of public benefits is unworthy of the people of the United States.

We strongly support H.R. 4213, which would allow all victims of Hurricane Katrina or Hurricane Rita, even those who have a prior drug conviction, to obtain important federal benefits, by temporarily suspending the drug-offender exclusions contained in certain federal statutes. This temporary suspension would only affect victims of these Hurricanes, and would only be in effect for three years. While the Committee would prefer total repeal of the drug-offender exclusions, we view H.R. 4213 as a step in the right direction.

The millions of Americans affected by these disasters are doing their best to rebuild the lives of themselves and their families. Congress should not permit past drug offenses to stand in the way of helping these people in their time of need. Please vote in favor of H.R. 4213.

Thank you.

Committee on Drugs and The Law  
The Association of the Bar of the City of New York

By:   
John H. Doyle, III  
Chair