

990

Return of Organization Exempt From Income Tax

OMB No. 1545-

0047 2023

Open to Public Inspection

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations) Do not enter social security numbers on this form as it may be made public.

Go to www.irs.gov/Form990 for instructions and the latest information.

Department of the Treasury Internal Revenue Service

A For the 2023 calendar year, or tax year beginning 01-01-2023, and ending 12-31-2023

- B Check if applicable: Address change, Name change, Initial return, Final return/terminated, Amended return, Application pending

C Name of organization: INSTITUTE FOR FREE SPEECH. Doing business as. Number and street (or P.O. box if mail is not delivered to street address) Room/suite: 1150 CONNECTICUT AVENUE NW 801. City or town, state or province, country, and ZIP or foreign postal code: WASHINGTON, DC 20036

D Employer identification number: 20-3676886. E Telephone number: (202) 301-3300. G Gross receipts \$ 15,642,162

F Name and address of principal officer: DAVID KEATING, 1150 CONNECTICUT AVENUE NW 801, WASHINGTON, DC 20036

H(a) Is this a group return for subordinates? No. H(b) Are all subordinates included? No. H(c) Group exemption number

I Tax-exempt status: 501(c)(3)

J Website: WWW.IFS.ORG

K Form of organization: Corporation

L Year of formation: 2005. M State of legal domicile: VA

Part I Summary

Activities & Governance

1 Briefly describe the organization's mission or most significant activities: PRESERVATION OF FIRST AMENDMENT RIGHTS TO FREE POLITICAL SPEECH, PRESS, ASSEMBLY AND PETITION. 2 Check this box if the organization discontinued its operations or disposed of more than 25% of its net assets. 3 Number of voting members of the governing body (Part VI, line 1a) 6. 4 Number of independent voting members of the governing body (Part VI, line 1b) 5. 5 Total number of individuals employed in calendar year 2023 (Part V, line 2a) 23. 6 Total number of volunteers (estimate if necessary) 21. 7a Total unrelated business revenue from Part VIII, column (C), line 12 0. 7b Net unrelated business taxable income from Form 990-T, Part I, line 11 0.

Revenue

Table with 3 columns: Description, Prior Year, Current Year. Rows 8-12: Contributions and grants, Program service revenue, Investment income, Other revenue, Total revenue.

Expenses

Table with 3 columns: Description, Prior Year, Current Year. Rows 13-19: Grants and similar amounts paid, Benefits paid to or for members, Salaries, other compensation, Professional fundraising fees, Total fundraising expenses, Other expenses, Total expenses, Revenue less expenses.

Net Assets or Fund Balances

Table with 3 columns: Description, Beginning of Current Year, End of Year. Rows 20-22: Total assets, Total liabilities, Net assets or fund balances.

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here: Signature of officer DAVID KEATING PRESIDENT, Date 2024-10-07

Paid Preparer Use Only: Print/Type preparer's name, Preparer's signature, Date 2024-10-07, Check if self-employed, PTIN P01203950, Firm's name RENNER AND COMPANY CPA PC, Firm's EIN 54-1498950, Firm's address 700 NORTH FAIRFAX STREET SUITE 400, ALEXANDRIA, VA 22314, Phone no. (703) 535-1200

May the IRS discuss this return with the preparer shown above? See Instructions. Yes No

Part III Statement of Program Service Accomplishments

Check if Schedule O contains a response or note to any line in this Part III

1 Briefly describe the organization's mission:

THROUGH STRATEGIC LITIGATION, COMMUNICATION, ACTIVISM, TRAINING, RESEARCH AND EDUCATION, THE INSTITUTE WORKS TO PROMOTE AND DEFEND THE POLITICAL RIGHTS TO FREE SPEECH, PRESS, ASSEMBLY, AND PETITION GUARANTEED BY THE FIRST AMENDMENT.

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ? Yes No

If "Yes," describe these new services on Schedule O.

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? Yes No

If "Yes," describe these changes on Schedule O.

4 Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses. Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported.

4a (Code:) (Expenses \$ **1,909,621** including grants of \$ **5,156**) (Revenue \$ **380,722**)
 THE LITIGATION PROGRAM OF THE INSTITUTE FOR FREE SPEECH PURSUES STRATEGIC LITIGATION AND FILES AMICUS BRIEFS TO DEFEND THE FIRST AMENDMENT RIGHTS TO FREE POLITICAL SPEECH, PRESS, ASSEMBLY AND PETITION.

4b (Code:) (Expenses \$ **536,778** including grants of \$) (Revenue \$)
 THE INSTITUTE FOR FREE SPEECH EDUCATES ITS SUPPORTERS AND THE PUBLIC AT LARGE OF THE BENEFITS OF FIRST AMENDMENT RIGHTS TO FREE POLITICAL SPEECH, PRESS, ASSEMBLY AND PETITION AND THE IMPORTANCE OF THESE RIGHTS TO OUR SYSTEM OF GOVERNMENT. IT COMMUNICATES THIS INFORMATION THROUGH PUBLISHED ARTICLES IN NEWSPAPERS, WEBSITES AND MAGAZINES, BRIEFINGS OF AND INTERVIEWS WITH JOURNALISTS, APPEARANCES ON TELEVISION AND RADIO, NEWSLETTERS, AND SOCIAL MEDIA, AND AN EXTENSIVE WEBSITE AND BLOG.

4c (Code:) (Expenses \$ **460,690** including grants of \$) (Revenue \$)
 THE INSTITUTE FOR FREE SPEECH PUBLISHES RESEARCH ON THE EFFECTS OF LAWS AND REGULATIONS ON THE FIRST AMENDMENT RIGHTS TO FREE POLITICAL SPEECH, PRESS, ASSEMBLY AND PETITION. THE INSTITUTE ALSO TRACKS AND ANALYZES PROPOSED LEGISLATION AND REGULATIONS AT THE FEDERAL AND STATE LEVEL THAT COULD AFFECT THESE FIRST AMENDMENT RIGHTS.

(Code:) (Expenses \$ including grants of \$) (Revenue \$ **17,788**)
 OTHER AWARDS AND INCOME WERE PROVIDED FOR VARIOUS ACTIVITIES OF THE INSTITUTE RELATED TO ITS MISSION.

4d Other program services (Describe in Schedule O.)
 (Expenses \$ including grants of \$) (Revenue \$ **17,788**)

4e **Total program service expenses** **2,907,089**

Part IV Checklist of Required Schedules

Table with 3 columns: Question number, Question text, Yes, No. Rows include questions 1 through 21 regarding organizational requirements and reporting.

Part IV Checklist of Required Schedules (continued)

Table with 3 columns: Question ID, Question Text, and Yes/No columns. Rows include questions 22 through 38 regarding tax-exempt bond issues, excess benefit transactions, and controlled entities.

Part V Statements Regarding Other IRS Filings and Tax Compliance

Check if Schedule O contains a response or note to any line in this Part V []

Table with 3 columns: Question ID, Question Text, and Yes/No columns. Rows include questions 1a, 1b, and 1c regarding Form 1096, Forms W-2G, and gaming winnings.

Part V Statements Regarding Other IRS Filings and Tax Compliance (continued)

Table with 10 columns: Question ID, Question Text, Sub-column 1, Sub-column 2, Sub-column 3, Sub-column 4, Sub-column 5, Sub-column 6, Sub-column 7, Sub-column 8. Rows include questions 2a through 17 regarding employee reporting, tax returns, business income, foreign accounts, prohibited transactions, contributions, and organizational activities.

Part VI Governance, Management, and Disclosure. For each "Yes" response to lines 2 through 7b below, and for a "No" response to lines 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O. See instructions. Check if Schedule O contains a response or note to any line in this Part VI



Section A. Governing Body and Management

Table with 3 columns: Question, Yes, No. Rows include: 1a (Voting members), 1b (Independent members), 2 (Family/Business relationships), 3 (Delegation of control), 4 (Changes to governing documents), 5 (Asset diversion), 6 (Members/stockholders), 7a (Election/appointment), 7b (Governance decisions), 8 (Meetings/actions), 8a (Governing body), 8b (Committees), 9 (Unreachable officers).

Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code.)

Table with 3 columns: Question, Yes, No. Rows include: 10a (Local chapters), 10b (Written policies), 11a (Form 990 distribution), 11b (Review process), 12a (Conflict of interest), 12b (Disclosure of interests), 12c (Compliance monitoring), 13 (Whistleblower policy), 14 (Document retention), 15a (CEO review), 15b (Other officers review), 16a (Joint ventures), 16b (Joint venture arrangements).

Section C. Disclosure

- 17 List the states with which a copy of this Form 990 is required to be filed (AL, AK, AR, CA, CT, FL, KY, MA, MI, MN, NH, NM, NC, OK, OR, SC, VA, GA, IL, KS, MD, MS, NJ, NY, PA, RI, TN, UT, WV, WI)
18 Section 6104 requires an organization to make its Form 1023 (1024 or 1024-A, if applicable), 990, and 990-T (section 501(c)(3)s only) available for public inspection. Indicate how you made these available. Check all that apply. [X] Own website [X] Another's website [X] Upon request [] Other (explain in Schedule O)
19 Describe in Schedule O whether (and if so, how) the organization made its governing documents, conflict of interest policy, and financial statements available to the public during the tax year.
20 State the name, address, and telephone number of the person who possesses the organization's books and records: THE ORGANIZATION 1150 CONNECTICUT AVENUE NW 801 WASHINGTON, DC 20036 (202) 301-3300

Part VII Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors

Check if Schedule O contains a response or note to any line in this Part VII

Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

1a Complete this table for all persons required to be listed. Report compensation for the calendar year ending with or within the organization's tax year.

- List all of the organization's **current** officers, directors, trustees (whether individuals or organizations), regardless of amount of compensation. Enter -0- in columns (D), (E), and (F) if no compensation was paid.
- List all of the organization's **current** key employees, if any. See the instructions for definition of "key employee."
- List the organization's five **current** highest compensated employees (other than an officer, director, trustee or key employee) who received reportable compensation (box 5 of Form W-2, box 6 of Form 1099-MISC, and/or box 1 of Form 1099-NEC) of more than \$100,000 from the organization and any related organizations.
- List all of the organization's **former** officers, key employees, or highest compensated employees who received more than \$100,000 of reportable compensation from the organization and any related organizations.
- List all of the organization's **former directors or trustees** that received, in the capacity as a former director or trustee of the organization, more than \$10,000 of reportable compensation from the organization and any related organizations.

See the instructions for the order in which to list the persons above.

Check this box if neither the organization nor any related organization compensated any current officer, director, or trustee.

(A) Name and title	(B) Average hours per week (list any hours for related organizations below dotted line)	(C) Position (do not check more than one box, unless person is both an officer and a director/trustee)						(D) Reportable compensation from the organization (W-2/1099-MISC/1099-NEC)	(E) Reportable compensation from related organizations (W-2/1099-MISC/1099-NEC)	(F) Estimated amount of other compensation from the organization and related organizations
		Individual trustee or director	Institutional Trustee;	Officer	Key employee	Highest compensated employee	Former			
(1) BRADLEY A SMITH CHAIRMAN	10.00	X		X			96,000	0	0	
(2) JOHN SNIDER SECRETARY AND TREASURER	1.00	X		X			0	0	0	
(3) EDWARD H CRANE DIRECTOR	1.00	X					0	0	0	
(4) CLETA MITCHELL DIRECTOR	1.00	X					0	0	0	
(5) STEPHEN MODZELEWSKI DIRECTOR	1.00	X					0	0	0	
(6) ERIC O'KEEFE DIRECTOR	1.00	X					0	0	0	
(7) DAVID KEATING PRESIDENT	40.00			X			187,742	0	18,258	
(8) ALAN GURA VICE PRESIDENT FOR LITIGATION	40.00				X		230,834	0	4,433	
(9) ENDEL KOLDE SENIOR ATTORNEY	40.00					X	190,563	0	10,287	
(10) CHARLES MILLER SENIOR ATTORNEY	40.00					X	124,418	0	3,351	
(11) BRETT NOLAN SENIOR ATTORNEY	40.00					X	139,080	0	8,733	
(12) RYAN MORRISON ATTORNEY	40.00					X	132,914	0	4,045	
(13) COURTNEY CORBELLO ATTORNEY	40.00					X	104,283	0	5,278	

Part VIII Statement of Revenue

Check if Schedule O contains a response or note to any line in this Part VIII

Table with 5 columns: (A) Total revenue, (B) Related or exempt function revenue, (C) Unrelated business revenue, (D) Revenue excluded from tax under sections 512 - 514. Rows include Contributions, Gifts, Grants, and Other Similar Amounts, and Federated campaigns through Total.

Table for Program Service Revenue with columns for Business Code, (A) Total revenue, (B) Related or exempt function revenue, (C) Unrelated business revenue, and (D) Revenue excluded from tax. Rows include ATTORNEY FEES and Total.

Table for Other Revenue with columns for (A) Total revenue, (B) Related or exempt function revenue, (C) Unrelated business revenue, and (D) Revenue excluded from tax. Rows include Investment income, Royalties, Gross rents, Net rental income, Gain or (loss) from sales of assets, and Net income or (loss) from fundraising events.

Table for Other Revenue Misc Amt with columns for Business Code, (A) Total revenue, (B) Related or exempt function revenue, (C) Unrelated business revenue, and (D) Revenue excluded from tax. Rows include MISCELLANEOUS INCOME and Total.

Part IX Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A).

Check if Schedule O contains a response or note to any line in this Part IX

Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.

	(A) Total expenses	(B) Program service expenses	(C) Management and general expenses	(D) Fundraising expenses
1 Grants and other assistance to domestic organizations and domestic governments. See Part IV, line 21	5,156	5,156		
2 Grants and other assistance to domestic individuals. See Part IV, line 22				
3 Grants and other assistance to foreign organizations, foreign governments, and foreign individuals. See Part IV, lines 15 and 16.				
4 Benefits paid to or for members				
5 Compensation of current officers, directors, trustees, and key employees	441,266	410,651	6,935	23,680
6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)				
7 Other salaries and wages	1,584,608	1,474,622	24,870	85,116
8 Pension plan accruals and contributions (include section 401(k) and 403(b) employer contributions)	33,809	31,464	531	1,814
9 Other employee benefits	159,093	148,055	2,500	8,538
10 Payroll taxes	143,907	133,921	2,258	7,728
11 Fees for services (non-employees):				
a Management				
b Legal	45,886	40,374		5,512
c Accounting	19,832		19,832	
d Lobbying	31,669	31,669		
e Professional fundraising services. See Part IV, line 17				
f Investment management fees				
g Other (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Schedule O)	103,571	91,001	2,930	9,640
12 Advertising and promotion	11,742	5,886	903	4,953
13 Office expenses	4,449	4,142	70	237
14 Information technology	16,306	15,174	256	876
15 Royalties				
16 Occupancy	248,971	231,692	3,909	13,370
17 Travel	54,529	50,462	2,733	1,334
18 Payments of travel or entertainment expenses for any federal, state, or local public officials				
19 Conferences, conventions, and meetings	12,917	12,355	127	435
20 Interest				
21 Payments to affiliates				
22 Depreciation, depletion, and amortization	56,961	53,008	894	3,059
23 Insurance	6,645	6,393	252	
24 Other expenses. Itemize expenses not covered above (List miscellaneous expenses in line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 24e expenses on Schedule O.)				
a DUES AND SUBSCRIPTIONS	84,260	83,817	309	134
b MAILING POSTAGE AND PRI	53,105	50,314	89	2,702
c BANK AND PROCESSING FEE	11,480	10,683	181	616
d MISCELLANEOUS	9,886	9,200	155	531
e All other expenses	7,644	7,050	253	341
25 Total functional expenses. Add lines 1 through 24e	3,147,692	2,907,089	69,987	170,616
26 Joint costs. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. Check here <input type="checkbox"/> if following SOP 98-2 (ASC 958-720).				

Part X Balance Sheet

Check if Schedule O contains a response or note to any line in this Part IX

		(A)		(B)
		Beginning of year		End of year
Assets	1 Cash-non-interest-bearing	283,458	1	1,099,063
	2 Savings and temporary cash investments	1,557,507	2	250,844
	3 Pledges and grants receivable, net		3	
	4 Accounts receivable, net	499	4	119,899
	5 Loans and other receivables from any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons		5	
	6 Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), and persons described in section 4958(c)(3)(B)		6	
	7 Notes and loans receivable, net		7	
	8 Inventories for sale or use		8	
	9 Prepaid expenses and deferred charges	1,745	9	0
	10a Land, buildings, and equipment: cost or other basis. Complete Part VI of Schedule D	10a 488,578		
	b Less: accumulated depreciation	10b 224,718	315,030	10c 263,860
	11 Investments—publicly traded securities		11	
	12 Investments—other securities. See Part IV, line 11	4,951,030	12	6,119,476
	13 Investments—program-related. See Part IV, line 11		13	
	14 Intangible assets		14	
	15 Other assets. See Part IV, line 11	1,492,887	15	1,309,168
16 Total assets: Add lines 1 through 15 (must equal line 33)	8,602,156	16	9,162,310	
Liabilities	17 Accounts payable and accrued expenses	198,986	17	216,515
	18 Grants payable		18	
	19 Deferred revenue		19	
	20 Tax-exempt bond liabilities		20	
	21 Escrow or custodial account liability. Complete Part IV of Schedule D		21	
	22 Loans and other payables to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons		22	
	23 Secured mortgages and notes payable to unrelated third parties		23	
	24 Unsecured notes and loans payable to unrelated third parties		24	
	25 Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17 - 24). Complete Part X of Schedule D	2,018,936	25	1,800,911
	26 Total liabilities. Add lines 17 through 25	2,217,922	26	2,017,426
Net Assets or Fund Balances	Organizations that follow FASB ASC 958, check here <input checked="" type="checkbox"/> and complete lines 27, 28, 32, and 33.			
	27 Net assets without donor restrictions	6,384,234	27	7,144,884
	28 Net assets with donor restrictions		28	
	Organizations that do not follow FASB ASC 958, check here <input type="checkbox"/> and complete lines 29 through 33.			
	29 Capital stock or trust principal, or current funds		29	
	30 Paid-in or capital surplus, or land, building or equipment fund		30	
	31 Retained earnings, endowment, accumulated income, or other funds		31	
	32 Total net assets or fund balances	6,384,234	32	7,144,884
33 Total liabilities and net assets/fund balances	8,602,156	33	9,162,310	

Part XI Reconciliation of Net Assets

Check if Schedule O contains a response or note to any line in this Part XI

1	Total revenue (must equal Part VIII, column (A), line 12)	1	3,683,677
2	Total expenses (must equal Part IX, column (A), line 25)	2	3,147,692
3	Revenue less expenses. Subtract line 2 from line 1	3	535,985
4	Net assets or fund balances at beginning of year (must equal Part X, line 32, column (A))	4	6,384,234
5	Net unrealized gains (losses) on investments	5	224,665
6	Donated services and use of facilities	6	
7	Investment expenses	7	
8	Prior period adjustments	8	
9	Other changes in net assets or fund balances (explain in Schedule O)	9	0
10	Net assets or fund balances at end of year. Combine lines 3 through 9 (must equal Part X, line 32, column (A))	10	7,144,884

Part XII Financial Statements and Reporting

Check if Schedule O contains a response or note to any line in this Part XII

		Yes	No
1	Accounting method used to prepare the Form 990: <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Accrual <input type="checkbox"/> Other _____ If the organization changed its method of accounting from a prior year or checked "Other," explain on Schedule O.		
2a	Were the organization's financial statements compiled or reviewed by an independent accountant? If 'Yes,' check a box below to indicate whether the financial statements for the year were compiled or reviewed on a separate basis, consolidated basis, or both: <input type="checkbox"/> Separate basis <input type="checkbox"/> Consolidated basis <input type="checkbox"/> Both consolidated and separate basis		No
2b	Were the organization's financial statements audited by an independent accountant? If 'Yes,' check a box below to indicate whether the financial statements for the year were audited on a separate basis, consolidated basis, or both: <input checked="" type="checkbox"/> Separate basis <input type="checkbox"/> Consolidated basis <input type="checkbox"/> Both consolidated and separate basis	Yes	
2c	If "Yes," to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant? If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O.	Yes	
3a	As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Uniform Guidance, 2 C.F.R. Part 200, Subpart F?		No
3b	If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits.		

Additional Data

Return to Form

Software ID:

Software Version:

Form 990, Special Condition Description:

Special Condition Description

SCHEDULE A
(Form 990)

Public Charity Status and Public Support

OMB No. 1545-0047

2023

Open to Public Inspection

Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.
▶ Attach to Form 990 or Form 990-EZ.
▶ Go to www.irs.gov/Form990 for instructions and the latest information.

Department of the Treasury
Internal Revenue Service

Name of the organization
INSTITUTE FOR FREE SPEECH

Employer identification number
20-3676886

Part I Reason for Public Charity Status (All organizations must complete this part.) See instructions.

The organization is not a private foundation because it is: (For lines 1 through 12, check only one box.)

- 1 A church, convention of churches, or association of churches described in **section 170(b)(1)(A)(i).**
- 2 A school described in **section 170(b)(1)(A)(ii).** (Attach Schedule E (Form 990).)
- 3 A hospital or a cooperative hospital service organization described in **section 170(b)(1)(A)(iii).**
- 4 A medical research organization operated in conjunction with a hospital described in **section 170(b)(1)(A)(iii).** Enter the hospital's name, city, and state:
- 5 An organization operated for the benefit of a college or university owned or operated by a governmental unit described in **section 170(b)(1)(A)(iv).** (Complete Part II.)
- 6 A federal, state, or local government or governmental unit described in **section 170(b)(1)(A)(v).**
- 7 An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in **section 170(b)(1)(A)(vi).** (Complete Part II.)
- 8 A community trust described in **section 170(b)(1)(A)(vi).** (Complete Part II.)
- 9 An agricultural research organization described in **170(b)(1)(A)(ix)** operated in conjunction with a land-grant college or university or a non-land grant college of agriculture. See instructions. Enter the name, city, and state of the college or university:
- 10 An organization that normally receives: (1) more than 33 1/3% of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions—subject to certain exceptions, and (2) no more than 33 1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See **section 509(a)(2).** (Complete Part III.)
- 11 An organization organized and operated exclusively to test for public safety. See **section 509(a)(4).**
- 12 An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in **section 509(a)(1)** or **section 509(a)(2).** See **section 509(a)(3).** Check the box on lines 12a through 12d that describes the type of supporting organization and complete lines 12e, 12f, and 12g.
 - a **Type I.** A supporting organization operated, supervised, or controlled by its supported organization(s), typically by giving the supported organization(s) the power to regularly appoint or elect a majority of the directors or trustees of the supporting organization. **You must complete Part IV, Sections A and B.**
 - b **Type II.** A supporting organization supervised or controlled in connection with its supported organization(s), by having control or management of the supporting organization vested in the same persons that control or manage the supported organization(s). **You must complete Part IV, Sections A and C.**
 - c **Type III functionally integrated.** A supporting organization operated in connection with, and functionally integrated with, its supported organization(s) (see instructions). **You must complete Part IV, Sections A, D, and E.**
 - d **Type III non-functionally integrated.** A supporting organization operated in connection with its supported organization(s) that is not functionally integrated. The organization generally must satisfy a distribution requirement and an attentiveness requirement (see instructions). **You must complete Part IV, Sections A and D, and Part V.**
 - e Check this box if the organization received a written determination from the IRS that it is a Type I, Type II, Type III functionally integrated, or Type III non-functionally integrated supporting organization.
 - f Enter the number of supported organizations _____
 - g Provide the following information about the supported organization(s).

(i) Name of supported organization	(ii) EIN	(iii) Type of organization (described on lines 1- 10 above (see instructions))	(iv) Is the organization listed in your governing document?		(v) Amount of monetary support (see instructions)	(vi) Amount of other support (see instructions)
			Yes	No		
Total						

Part II Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)
 (Complete only if you checked the box on line 5, 7, or 8 of Part I or if the organization failed to qualify under Part III. If the organization failed to qualify under the tests listed below, please complete Part III.)

Section A. Public Support

Calendar year (or fiscal year beginning in) ▶	(a) 2018	(b) 2019	(c) 2020	(d) 2021	(e) 2022	(f) Total
1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grant.") . . .	2,486,518	2,832,692	3,231,497	3,157,682	3,110,649	14,819,038
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
3 The value of services or facilities furnished by a governmental unit to the organization without charge..						
4 Total. Add lines 1 through 3	2,486,518	2,832,692	3,231,497	3,157,682	3,110,649	14,819,038
5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f) . . .						3,333,902
6 Public support. Subtract line 5 from line 4.						11,485,136

Section B. Total Support

Calendar year (or fiscal year beginning in) ▶	(a) 2018	(b) 2019	(c) 2020	(d) 2021	(e) 2022	(f) Total
7 Amounts from line 4.	2,486,518	2,832,692	3,231,497	3,157,682	3,110,649	14,819,038
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources	70,542	102,248	57,212	137,669	161,162	528,833
9 Net income from unrelated business activities, whether or not the business is regularly carried on.						
10 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI.)	4,592	2,718	13,064	14,680	17,788	52,842
11 Total support. Add lines 7 through 10						15,400,713
12 Gross receipts from related activities, etc. (see instructions)					12	1,325,928
13 First 5 years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here						<input type="checkbox"/>

Section C. Computation of Public Support Percentage

14 Public support percentage for 2023 (line 6, column (f) divided by line 11, column (f))	14	74.580 %
15 Public support percentage for 2022 Schedule A, Part II, line 14	15	76.970 %
16a 33 1/3% support test—2023. If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization		<input checked="" type="checkbox"/>
b 33 1/3% support test—2022. If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization		<input type="checkbox"/>
17a 10%-facts-and-circumstances test—2023. If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part VI how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization		<input type="checkbox"/>
b 10%-facts-and-circumstances test—2022. If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part VI how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization		<input type="checkbox"/>
18 Private foundation. If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions		<input type="checkbox"/>

Part III Support Schedule for Organizations Described in Section 509(a)(2)

(Complete only if you checked the box on line 10 of Part I or if the organization failed to qualify under Part II. If the organization fails to qualify under the tests listed below, please complete Part II.)

Section A. Public Support

Table with 7 columns: (a) 2019, (b) 2020, (c) 2021, (d) 2022, (e) 2023, (f) Total. Rows include: 1 Gifts, grants, contributions, and membership fees received; 2 Gross receipts from admissions, merchandise sold or services performed; 3 Gross receipts from activities that are not an unrelated trade or business; 4 Tax revenues levied for the organization's benefit; 5 The value of services or facilities furnished by a governmental unit; 6 Total; 7a Amounts included on lines 1, 2, and 3 received from disqualified persons; 7b Amounts included on lines 2 and 3 received from other than disqualified persons; 8 Public support.

Section B. Total Support

Table with 7 columns: (a) 2019, (b) 2020, (c) 2021, (d) 2022, (e) 2023, (f) Total. Rows include: 9 Amounts from line 6; 10a Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources; 10b Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975; 11 Net income from unrelated business activities not included on line 10b; 12 Other income; 13 Total support; 14 First 5 years.

Section C. Computation of Public Support Percentage

Table with 2 columns: Description, Percentage. Row 15: Public support percentage for 2023 (line 8, column (f) divided by line 13, column (f)). Row 16: Public support percentage from 2022 Schedule A, Part III, line 15.

Section D. Computation of Investment Income Percentage

Table with 2 columns: Description, Percentage. Row 17: Investment income percentage for 2023 (line 10c, column (f) divided by line 13, column (f)). Row 18: Investment income percentage from 2022 Schedule A, Part III, line 17.

- 19a 33 1/3% support tests-2023. If the organization did not check the box on line 14, and line 15 is more than 33 1/3%, and line 17 is not more than 33 1/3%, check this box and stop here.
b 33 1/3% support tests-2022. If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33 1/3% and line 18 is not more than 33 1/3%, check this box and stop here.
20 Private foundation. If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions.

Part IV Supporting Organizations

(Complete only if you checked a box on line 12 of Part I. If you checked box 12a, of Part I, complete Sections A and B. If you checked box 12b, of Part I, complete Sections A and C. If you checked box 12c, of Part I, complete Sections A, D, and E. If you checked box 12d, of Part I, complete Sections A and D, and complete Part V.)

Section A. All Supporting Organizations

		Yes	No
1	Are all of the organization's supported organizations listed by name in the organization's governing documents? If "No," describe in Part VI how the supported organizations are designated. If designated by class or purpose, describe the designation. If historic and continuing relationship, explain.		
2	Did the organization have any supported organization that does not have an IRS determination of status under section 509(a)(1) or (2)? If "Yes," explain in Part VI how the organization determined that the supported organization was described in section 509(a)(1) or (2).		
3a	Did the organization have a supported organization described in section 501(c)(4), (5), or (6)? If "Yes," answer lines 3b and 3c below.		
b	Did the organization confirm that each supported organization qualified under section 501(c)(4), (5), or (6) and satisfied the public support tests under section 509(a)(2)? If "Yes," describe in Part VI when and how the organization made the determination.		
c	Did the organization ensure that all support to such organizations was used exclusively for section 170(c)(2)(B) purposes? If "Yes," explain in Part VI what controls the organization put in place to ensure such use.		
4a	Was any supported organization not organized in the United States ("foreign supported organization")? If "Yes" and if you checked box 12a or 12b in Part I, answer lines 4b and 4c below.		
b	Did the organization have ultimate control and discretion in deciding whether to make grants to the foreign supported organization? If "Yes," describe in Part VI how the organization had such control and discretion despite being controlled or supervised by or in connection with its supported organizations.		
c	Did the organization support any foreign supported organization that does not have an IRS determination under sections 501(c)(3) and 509(a)(1) or (2)? If "Yes," explain in Part VI what controls the organization used to ensure that all support to the foreign supported organization was used exclusively for section 170(c)(2)(B) purposes.		
5a	Did the organization add, substitute, or remove any supported organizations during the tax year? If "Yes," answer lines 5b and 5c below (if applicable). Also, provide detail in Part VI , including (i) the names and EIN numbers of the supported organizations added, substituted, or removed; (ii) the reasons for each such action; (iii) the authority under the organization's organizing document authorizing such action; and (iv) how the action was accomplished (such as by amendment to the organizing document).		
b	Type I or Type II only. Was any added or substituted supported organization part of a class already designated in the organization's organizing document?		
c	Substitutions only. Was the substitution the result of an event beyond the organization's control?		
6	Did the organization provide support (whether in the form of grants or the provision of services or facilities) to anyone other than (i) its supported organizations, (ii) individuals that are part of the charitable class benefited by one or more of its supported organizations, or (iii) other supporting organizations that also support or benefit one or more of the filing organization's supported organizations? If "Yes," provide detail in Part VI .		
7	Did the organization provide a grant, loan, compensation, or other similar payment to a substantial contributor (defined in section 4958(c)(3)(C)), a family member of a substantial contributor, or a 35% controlled entity with regard to a substantial contributor? If "Yes," complete Part I of Schedule L (Form 990).		
8	Did the organization make a loan to a disqualified person (as defined in section 4958) not described on line 7? If "Yes," complete Part I of Schedule L (Form 990).		
9a	Was the organization controlled directly or indirectly at any time during the tax year by one or more disqualified persons, as defined in section 4946 (other than foundation managers and organizations described in section 509(a)(1) or (2))? If "Yes," provide detail in Part VI .		
b	Did one or more disqualified persons (as defined on line 9a) hold a controlling interest in any entity in which the supporting organization had an interest? If "Yes," provide detail in Part VI .		
c	Did a disqualified person (as defined on line 9a) have an ownership interest in, or derive any personal benefit from, assets in which the supporting organization also had an interest? If "Yes," provide detail in Part VI .		
10a	Was the organization subject to the excess business holdings rules of section 4943 because of section 4943(f) (regarding certain Type II supporting organizations, and all Type III non-functionally integrated supporting organizations)? If "Yes," answer line 10b below.		
b	Did the organization have any excess business holdings in the tax year? (Use Schedule C, Form 4720, to determine whether the organization had excess business holdings).		

Part IV Supporting Organizations (continued)

	Yes	No
11 Has the organization accepted a gift or contribution from any of the following persons?		
a A person who directly or indirectly controls, either alone or together with persons described on lines 11b and 11c below, the governing body of a supported organization?		
11a		
b A family member of a person described on 11a above?		
11b		
c A 35% controlled entity of a person described on line 11a or 11b above? <i>If "Yes" to 11a, 11b, or 11c, provide detail in Part VI</i>		
11c		

Section B. Type I Supporting Organizations

	Yes	No
1 Did the officers, directors, trustees, or membership of one or more supported organizations have the power to regularly appoint or elect at least a majority of the organization's directors or trustees at all times during the tax year? <i>If "No," describe in Part VI how the supported organization(s) effectively operated, supervised, or controlled the organization's activities. If the organization had more than one supported organization, describe how the powers to appoint and/or remove directors or trustees were allocated among the supported organizations and what conditions or restrictions, if any, applied to such powers during the tax year.</i>		
1		
2 Did the organization operate for the benefit of any supported organization other than the supported organization(s) that operated, supervised, or controlled the supporting organization? <i>If "Yes," explain in Part VI how providing such benefit carried out the purposes of the supported organization(s) that operated, supervised or controlled the supporting organization.</i>		
2		

Section C. Type II Supporting Organizations

	Yes	No
1 Were a majority of the organization's directors or trustees during the tax year also a majority of the directors or trustees of each of the organization's supported organization(s)? <i>If "No," describe in Part VI how control or management of the supporting organization was vested in the same persons that controlled or managed the supported organization(s).</i>		
1		

Section D. All Type III Supporting Organizations

	Yes	No
1 Did the organization provide to each of its supported organizations, by the last day of the fifth month of the organization's tax year, (i) a written notice describing the type and amount of support provided during the prior tax year, (ii) a copy of the Form 990 that was most recently filed as of the date of notification, and (iii) copies of the organization's governing documents in effect on the date of notification, to the extent not previously provided?		
1		
2 Were any of the organization's officers, directors, or trustees either (i) appointed or elected by the supported organization(s) or (ii) serving on the governing body of a supported organization? <i>If "No," explain in Part VI how the organization maintained a close and continuous working relationship with the supported organization(s).</i>		
2		
3 By reason of the relationship described in line 2 above, did the organization's supported organizations have a significant voice in the organization's investment policies and in directing the use of the organization's income or assets at all times during the tax year? <i>If "Yes," describe in Part VI the role the organization's supported organizations played in this regard.</i>		
3		

Section E. Type III Functionally-Integrated Supporting Organizations

1 Check the box next to the method that the organization used to satisfy the Integral Part Test during the year (see instructions):

- a** The organization satisfied the Activities Test. Complete **line 2** below.
- b** The organization is the parent of each of its supported organizations. Complete **line 3** below.
- c** The organization supported a governmental entity. Describe in **Part VI** how you supported a government entity (see instructions)

2 Activities Test. **Answer lines 2a and 2b below.**

	Yes	No
a Did substantially all of the organization's activities during the tax year directly further the exempt purposes of the supported organization(s) to which the organization was responsive? <i>If "Yes," then in Part VI identify those supported organizations and explain how these activities directly furthered their exempt purposes, how the organization was responsive to those supported organizations, and how the organization determined that these activities constituted substantially all of its activities.</i>		
2a		
b Did the activities described on line 2a, above constitute activities that, but for the organization's involvement, one or more of the organization's supported organization(s) would have been engaged in? <i>If "Yes," explain in Part VI the reasons for the organization's position that its supported organization(s) would have engaged in these activities but for the organization's involvement.</i>		
2b		

3 Parent of Supported Organizations. **Answer lines 3a and 3b below.**

a Did the organization have the power to regularly appoint or elect a majority of the officers, directors, or trustees of each of the supported organizations? <i>If "Yes" or "No", provide details in Part VI.</i>		
3a		
b Did the organization exercise a substantial degree of direction over the policies, programs and activities of each of its supported organizations? <i>If "Yes," describe in Part VI. the role played by the organization in this regard.</i>		
3b		

Part V Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations

- 1** Check here if the organization satisfied the Integral Part Test as a qualifying trust on Nov. 20, 1970 (*explain in Part VI*). See instructions. All other Type III non-functionally integrated supporting organizations must complete Sections A through E.

Section A - Adjusted Net Income

(A) Prior Year

(B) Current Year
(optional)

- | | | | |
|---|----------|--|--|
| 1 Net short-term capital gain | 1 | | |
| 2 Recoveries of prior-year distributions | 2 | | |
| 3 Other gross income (see instructions) | 3 | | |
| 4 Add lines 1 through 3 | 4 | | |
| 5 Depreciation and depletion | 5 | | |
| 6 Portion of operating expenses paid or incurred for production or collection of gross income or for management, conservation, or maintenance of property held for production of income (see instructions) | 6 | | |
| 7 Other expenses (see instructions) | 7 | | |
| 8 Adjusted Net Income (subtract lines 5, 6 and 7 from line 4) | 8 | | |

Section B - Minimum Asset Amount

(A) Prior Year

(B) Current Year
(optional)

- | | | | |
|--|-----------|--|--|
| 1 Aggregate fair market value of all non-exempt-use assets (see instructions for short tax year or assets held for part of year): | 1 | | |
| a Average monthly value of securities | 1a | | |
| b Average monthly cash balances | 1b | | |
| c Fair market value of other non-exempt-use assets | 1c | | |
| d Total (add lines 1a, 1b, and 1c) | 1d | | |
| e Discount claimed for blockage or other factors (<i>explain in detail in Part VI</i>): | | | |
| 2 Acquisition indebtedness applicable to non-exempt use assets | 2 | | |
| 3 Subtract line 2 from line 1d | 3 | | |
| 4 Cash deemed held for exempt use. Enter 0.015 of line 3 (for greater amount, see instructions). | 4 | | |
| 5 Net value of non-exempt-use assets (subtract line 4 from line 3) | 5 | | |
| 6 Multiply line 5 by 0.035 | 6 | | |
| 7 Recoveries of prior-year distributions | 7 | | |
| 8 Minimum Asset Amount (add line 7 to line 6) | 8 | | |

Section C - Distributable Amount

Current Year

- | | | |
|--|----------|--|
| 1 Adjusted net income for prior year (from Section A, line 8, Column A) | 1 | |
| 2 Enter 85% of line 1 | 2 | |
| 3 Minimum asset amount for prior year (from Section B, line 8, Column A) | 3 | |
| 4 Enter greater of line 2 or line 3 | 4 | |
| 5 Income tax imposed in prior year | 5 | |
| 6 Distributable Amount. Subtract line 5 from line 4, unless subject to emergency temporary reduction (see instructions) | 6 | |

- 7** Check here if the current year is the organization's first as a non-functionally-integrated Type III supporting organization (see instructions)

Part V Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations

(continued)

Section D - Distributions		Current Year
1 Amounts paid to supported organizations to accomplish exempt purposes	1	
2 Amounts paid to perform activity that directly furthers exempt purposes of supported organizations, in excess of income from activity	2	
3 Administrative expenses paid to accomplish exempt purposes of supported organizations	3	
4 Amounts paid to acquire exempt-use assets	4	
5 Qualified set-aside amounts (prior IRS approval required - provide details in Part VI)	5	
6 Other distributions (describe in Part VI). See instructions	6	
7 Total annual distributions. Add lines 1 through 6.	7	
8 Distributions to attentive supported organizations to which the organization is responsive (provide details in Part VI). See instructions	8	
9 Distributable amount for 2023 from Section C, line 6	9	
10 Line 8 amount divided by Line 9 amount	10	

Section E - Distribution Allocations (see instructions)	(i) Excess Distributions	(ii) Underdistributions Pre-2023	(iii) Distributable Amount for 2023
1 Distributable amount for 2023 from Section C, line 6			
2 Underdistributions, if any, for years prior to 2023 (reasonable cause required-- explain in Part VI). See instructions.			
3 Excess distributions carryover, if any, to 2023:			
a From 2018.			
b From 2019.			
c From 2020.			
d From 2021.			
e From 2022.			
f Total of lines 3a through e			
g Applied to underdistributions of prior years			
h Applied to 2023 distributable amount			
i Carryover from 2018 not applied (see instructions)			
j Remainder. Subtract lines 3g, 3h, and 3i from line 3f.			
4 Distributions for 2023 from Section D, line 7:			
a Applied to underdistributions of prior years			
b Applied to 2023 distributable amount			
c Remainder. Subtract lines 4a and 4b from line 4.			
5 Remaining underdistributions for years prior to 2023, if any. Subtract lines 3g and 4a from line 2. If the amount is greater than zero, explain in Part VI . See instructions.			
6 Remaining underdistributions for 2023. Subtract lines 3h and 4b from line 1. If the amount is greater than zero, explain in Part VI . See instructions.			
7 Excess distributions carryover to 2024. Add lines 3j and 4c.			
8 Breakdown of line 7:			
a Excess from 2019.			
b Excess from 2020.			
c Excess from 2021.			
d Excess from 2022.			
e Excess from 2023.			

Part VI Supplemental Information. Provide the explanations required by Part II, line 10; Part II, line 17a or 17b; Part III, line 12; Part IV, Section A, lines 1, 2, 3b, 3c, 4b, 4c, 5a, 6, 9a, 9b, 9c, 11a, 11b, and 11c; Part IV, Section B, lines 1 and 2; Part IV, Section C, line 1; Part IV, Section D, lines 2 and 3; Part IV, Section E, lines 1c, 2a, 2b, 3a and 3b; Part V, line 1; Part V, Section B, line 1e; Part V Section D, lines 5, 6, and 8; and Part V, Section E, lines 2, 5, and 6. Also complete this part for any additional information. (See instructions).

Facts And Circumstances Test

Return Reference	Explanation

Additional Data

Return to Form

Software ID:

Software Version:

Schedule B

Schedule of Contributors

OMB No. 1545-0047

(Form 990)
Department of the Treasury
Internal Revenue Service

▶ Attach to Form 990, 990-EZ, or 990-PF.
▶ Go to www.irs.gov/Form990 for the latest information.

2023

Name of the organization INSTITUTE FOR FREE SPEECH	Employer identification number 20-3676886
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Organization type (check one):

Filers of:

Section:

- Form 990 or 990-EZ
 - 501(c)() (enter number) organization
 - 4947(a)(1) nonexempt charitable trust **not** treated as a private foundation
 - 527 political organization
- Form 990-PF
 - 501(c)(3) exempt private foundation
 - 4947(a)(1) nonexempt charitable trust treated as a private foundation
 - 501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule**.
Note: Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions.

General Rule

- For an organization filing Form 990, 990-EZ, or 990-PF that received, during the year, contributions totaling \$5,000 or more (in money or other property) from any one contributor. Complete Parts I and II. See instructions for determining a contributor's total contributions.

Special Rules

- For an organization described in section 501(c)(3) filing Form 990 or 990-EZ that met the 33¹/₃% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), that checked Schedule A (Form 990 or 990-EZ), Part II, line 13, 16a, or 16b, and that received from any one contributor, during the year, total contributions of the greater of (1) \$5,000 or (2) 2% of the amount on (i) Form 990, Part VIII, line 1h, or (ii) Form 990-EZ, line 1. Complete Parts I and II.
- For an organization described in section 501(c)(7), (8), or (10) filing Form 990 or 990-EZ that received from any one contributor, during the year, total contributions of more than \$1,000 *exclusively* for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals. Complete Parts I, II, and III.
- For an organization described in section 501(c)(7), (8), or (10) filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions *exclusively* for religious, charitable, etc., purposes, but no such contributions totaled more than \$1,000. If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose. Don't complete any of the parts unless the **General Rule** applies to this organization because it received *nonexclusively* religious, charitable, etc., contributions totaling \$5,000 or more during the year ▶ \$ _____

Caution: An organization that isn't covered by the General Rule and/or the Special Rules doesn't file Schedule B (Form 990, 990-EZ, or 990-PF), but it **must** answer "No" on Part IV, line 2, of its Form 990; or check the box on line H of its Form 990-EZ or on its Form 990PF, Part I, line 2, to certify that it doesn't meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF).

Name of organization
INSTITUTE FOR FREE SPEECH

Employer identification number
20-3676886

Part I **Contributors** (see instructions). Use duplicate copies of Part I if additional space is needed.

(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
RESTRICTED		\$ RESTRICTED	<input type="checkbox"/> Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash (Complete Part II for noncash contributions.)
-		\$	<input type="checkbox"/> Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash (Complete Part II for noncash contributions.)
-		\$	<input type="checkbox"/> Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash (Complete Part II for noncash contributions.)
-		\$	<input type="checkbox"/> Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash (Complete Part II for noncash contributions.)
-		\$	<input type="checkbox"/> Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash (Complete Part II for noncash contributions.)
-		\$	<input type="checkbox"/> Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash (Complete Part II for noncash contributions.)

Name of organization
 INSTITUTE FOR FREE SPEECH

Employer identification number
 20-3676886

Part II **Noncash Property** (see instructions). Use duplicate copies of Part II if additional space is needed.

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions)	(d) Date received
-	_____ _____ _____	_____ \$	_____
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions)	(d) Date received
-	_____ _____ _____	_____ \$	_____
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions)	(d) Date received
-	_____ _____ _____	_____ \$	_____
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions)	(d) Date received
-	_____ _____ _____	_____ \$	_____
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions)	(d) Date received
-	_____ _____ _____	_____ \$	_____
(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions)	(d) Date received
-	_____ _____ _____	_____ \$	_____

Name of organization
 INSTITUTE FOR FREE SPEECH

Employer identification number
 20-3676886

Part III Exclusively religious, charitable, etc., contributions to organizations described in section 501(c)(7), (8), or (10) that total more than \$1,000 for the year from any one contributor. Complete columns (a) through (e) and the following line entry. For organizations completing Part III, enter the total of exclusively religious, charitable, etc., contributions of \$1,000 or less for the year. (Enter this information once. See instructions.) ► \$ _____
 Use duplicate copies of Part III if additional space is needed.

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held
	_____ _____	_____ _____	_____ _____
(e) Transfer of gift			
Transferee's name, address, and ZIP 4		Relationship of transferor to transferee	
	_____ _____	_____ _____	
(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held
	_____ _____	_____ _____	_____ _____
(e) Transfer of gift			
Transferee's name, address, and ZIP 4		Relationship of transferor to transferee	
	_____ _____	_____ _____	
(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held
	_____ _____	_____ _____	_____ _____
(e) Transfer of gift			
Transferee's name, address, and ZIP 4		Relationship of transferor to transferee	
	_____ _____	_____ _____	
(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held
	_____ _____	_____ _____	_____ _____
(e) Transfer of gift			
Transferee's name, address, and ZIP 4		Relationship of transferor to transferee	
	_____ _____	_____ _____	

Additional Data

Return to Form

Software ID:

Software Version:

Political Campaign and Lobbying Activities
For Organizations Exempt From Income Tax Under section 501(c) and section 527

▶ **Complete if the organization is described below. ▶ Attach to Form 990 or Form 990-EZ.**
▶ **Go to www.irs.gov/Form990 for instructions and the latest information.**

If the organization answered "Yes" on Form 990, Part IV, Line 3, or Form 990-EZ, Part V, line 46 (Political Campaign Activities), then

- Section 501(c)(3) organizations: Complete Parts I-A and B. Do not complete Part I-C.
- Section 501(c) (other than section 501(c)(3)) organizations: Complete Parts I-A and C below. Do not complete Part I-B.
- Section 527 organizations: Complete Part I-A only.

If the organization answered "Yes" on Form 990, Part IV, Line 4, or Form 990-EZ, Part VI, line 47 (Lobbying Activities), then

- Section 501(c)(3) organizations that have filed Form 5768 (election under section 501(h)): Complete Part II-A. Do not complete Part II-B.
- Section 501(c)(3) organizations that have NOT filed Form 5768 (election under section 501(h)): Complete Part II-B. Do not complete Part II-A.

If the organization answered "Yes" on Form 990, Part IV, Line 5 (Proxy Tax) (see separate instructions) or Form 990-EZ, Part V, line 35c (Proxy Tax) (see separate instructions), then

- Section 501(c)(4), (5), or (6) organizations: Complete Part III.

Name of the organization INSTITUTE FOR FREE SPEECH	Employer identification number 20-3676886
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Part I-A Complete if the organization is exempt under section 501(c) or is a section 527 organization.

- Provide a description of the organization's direct and indirect political campaign activities in Part IV. See instructions for definition of "political campaign activities."
- Political campaign activity expenditures. See instructions ▶ \$ _____
- Volunteer hours for political campaign activities. See instructions

Part I-B Complete if the organization is exempt under section 501(c)(3).

- Enter the amount of any excise tax incurred by the organization under section 4955 \$ _____
- Enter the amount of any excise tax incurred by organization managers under section 4955 \$ _____
- If the organization incurred a section 4955 tax, did it file Form 4720 for this year? Yes No
- a Was a correction made? Yes No
- b If "Yes," describe in Part IV.

Part I-C Complete if the organization is exempt under section 501(c), except section 501(c)(3).

- Enter the amount directly expended by the filing organization for section 527 exempt function activities \$ _____
- Enter the amount of the filing organization's funds contributed to other organizations for section 527 exempt function activities ▶ \$ _____
- Total exempt function expenditures. Add lines 1 and 2. Enter here and on Form 1120-POL, line 17b..... \$ _____
- Did the filing organization file **Form 1120-POL** for this year? Yes No
- Enter the names, addresses and employer identification number (EIN) of all section 527 political organizations to which the filing organization made payments. For each organization listed, enter the amount paid from the filing organization's funds. Also enter the amount of political contributions received that were promptly and directly delivered to a separate political organization, such as a separate segregated fund or a political action committee (PAC). If additional space is needed, provide information in Part IV.

(a) Name	(b) Address	(c) EIN	(d) Amount paid from filing organization's funds. If none, enter -0-.	(e) Amount of political contributions received and promptly and directly delivered to a separate political organization. If none, enter -0-.
1				
2				
3				
4				
5				
6				

Part II-A Complete if the organization is exempt under section 501(c)(3) and filed Form 5768 (election under section 501(h)).

- A** Check if the filing organization belongs to an affiliated group (and list in Part IV each affiliated group member's name, address, EIN, expenses, and share of excess lobbying expenditures).
- B** Check if the filing organization checked box A and "limited control" provisions apply.

Limits on Lobbying Expenditures (The term "expenditures" means amounts paid or incurred.)	(a) Filing organization's totals	(b) Affiliated group totals												
1a Total lobbying expenditures to influence public opinion (grass roots lobbying)														
b Total lobbying expenditures to influence a legislative body (direct lobbying)	37,916													
c Total lobbying expenditures (add lines 1a and 1b)	37,916													
d Other exempt purpose expenditures	3,109,776													
e Total exempt purpose expenditures (add lines 1c and 1d)	3,147,692													
f Lobbying nontaxable amount. Enter the amount from the following table in both columns.	307,385													
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:35%; text-align:left;">If the amount on line 1e, column (a) or (b) is:</th> <th style="width:65%; text-align:left;">The lobbying nontaxable amount is:</th> </tr> </thead> <tbody> <tr> <td>Not over \$500,000</td> <td>20% of the amount on line 1e.</td> </tr> <tr> <td>Over \$500,000 but not over \$1,000,000</td> <td>\$100,000 plus 15% of the excess over \$500,000.</td> </tr> <tr> <td>Over \$1,000,000 but not over \$1,500,000</td> <td>\$175,000 plus 10% of the excess over \$1,000,000.</td> </tr> <tr> <td>Over \$1,500,000 but not over \$17,000,000</td> <td>\$225,000 plus 5% of the excess over \$1,500,000.</td> </tr> <tr> <td>Over \$17,000,000</td> <td>\$1,000,000.</td> </tr> </tbody> </table>	If the amount on line 1e, column (a) or (b) is:	The lobbying nontaxable amount is:	Not over \$500,000	20% of the amount on line 1e.	Over \$500,000 but not over \$1,000,000	\$100,000 plus 15% of the excess over \$500,000.	Over \$1,000,000 but not over \$1,500,000	\$175,000 plus 10% of the excess over \$1,000,000.	Over \$1,500,000 but not over \$17,000,000	\$225,000 plus 5% of the excess over \$1,500,000.	Over \$17,000,000	\$1,000,000.		
If the amount on line 1e, column (a) or (b) is:	The lobbying nontaxable amount is:													
Not over \$500,000	20% of the amount on line 1e.													
Over \$500,000 but not over \$1,000,000	\$100,000 plus 15% of the excess over \$500,000.													
Over \$1,000,000 but not over \$1,500,000	\$175,000 plus 10% of the excess over \$1,000,000.													
Over \$1,500,000 but not over \$17,000,000	\$225,000 plus 5% of the excess over \$1,500,000.													
Over \$17,000,000	\$1,000,000.													
g Grassroots nontaxable amount (enter 25% of line 1f)	76,846													
h Subtract line 1g from line 1a. If zero or less, enter -0-	0													
i Subtract line 1f from line 1c. If zero or less, enter -0-	0													
j If there is an amount other than zero on either line 1h or line 1i, did the organization file Form 4720 reporting section 4911 tax for this year?		<input type="checkbox"/> Yes <input type="checkbox"/> No												

4-Year Averaging Period Under Section 501(h)
(Some organizations that made a section 501(h) election do not have to complete all of the five columns below. See the separate instructions for lines 2a through 2f.)

Lobbying Expenditures During 4-Year Averaging Period

Calendar year (or fiscal year beginning in)	(a) 2019	(b) 2020	(c) 2021	(d) 2022	(e) Total
2a Lobbying nontaxable amount	272,652	286,625	301,840	307,385	1,168,502
b Lobbying ceiling amount (150% of line 2a, column(e))					1,752,753
c Total lobbying expenditures	3,667	19,332	24,833	37,916	85,748
d Grassroots nontaxable amount	68,163	71,656	75,460	76,846	292,125
e Grassroots ceiling amount (150% of line 2d, column (e))					438,188
f Grassroots lobbying expenditures					

Part II-B Complete if the organization is exempt under section 501(c)(3) and has NOT filed Form 5768 (election under section 501(h)).

For each "Yes" response on lines 1a through 1i below, provide in Part IV a detailed description of the lobbying activity.

	(a)		(b)
	Yes	No	Amount
1 During the year, did the filing organization attempt to influence foreign, national, state or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of:			
a Volunteers?			
b Paid staff or management (include compensation in expenses reported on lines 1c through 1i)?			
c Media advertisements?			
d Mailings to members, legislators, or the public?			
e Publications, or published or broadcast statements?			
f Grants to other organizations for lobbying purposes?			
g Direct contact with legislators, their staffs, government officials, or a legislative body?			
h Rallies, demonstrations, seminars, conventions, speeches, lectures, or any similar means?			
i Other activities?			
j Total. Add lines 1c through 1i			
2a Did the activities in line 1 cause the organization to be not described in section 501(c)(3)?			
b If "Yes," enter the amount of any tax incurred under section 4912			
c If "Yes," enter the amount of any tax incurred by organization managers under section 4912			
d If the filing organization incurred a section 4912 tax, did it file Form 4720 for this year?			

Part III-A Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6).

	Yes	No
1 Were substantially all (90% or more) dues received nondeductible by members?	1	
2 Did the organization make only in-house lobbying expenditures of \$2,000 or less?	2	
3 Did the organization agree to carry over lobbying and political expenditures from the prior year?	3	

Part III-B Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6) and if either (a) BOTH Part III-A, lines 1 and 2, are answered "No" OR (b) Part III-A, line 3, is answered "Yes."

1 Dues, assessments and similar amounts from members	1	
2 Section 162(e) nondeductible lobbying and political expenditures (do not include amounts of political expenses for which the section 527(f) tax was paid).		
a Current year	2a	
b Carryover from last year	2b	
c Total	2c	
3 Aggregate amount reported in section 6033(e)(1)(A) notices of nondeductible section 162(e) dues .	3	
4 If notices were sent and the amount on line 2c exceeds the amount on line 3, what portion of the excess does the organization agree to carryover to the reasonable estimate of nondeductible lobbying and political expenditure next year?	4	
5 Taxable amount of lobbying and political expenditures. See Instructions	5	

Part IV Supplemental Information

Provide the descriptions required for Part I-A, line 1; Part I-B, line 4; Part I-C, line 5; Part II-A (affiliated group list); Part II-A, lines 1 and 2 (see instructions), and Part II-B, line 1. Also, complete this part for any additional information.

Return Reference	Explanation

Additional Data

Return to Form

Software ID:
Software Version:

Supplemental Financial Statements

2022

Open to Public Inspection

Complete if the organization answered "Yes," on Form 990, Part IV, line 6, 7, 8, 9, 10, 11a, 11b, 11c, 11d, 11e, 11f, 12a, or 12b.

Attach to Form 990.

Go to www.irs.gov/Form990 for instructions and the latest information.

Department of the Treasury Internal Revenue Service

Name of the organization INSTITUTE FOR FREE SPEECH

Employer identification number

20-3676886

Part I Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts.

Complete if the organization answered "Yes" on Form 990, Part IV, line 6.

Table with 2 columns: (a) Donor advised funds, (b) Funds and other accounts. Rows include total number at end of year, aggregate value of contributions, grants, and end of year, and two yes/no questions about donor information.

Part II Conservation Easements.

Complete if the organization answered "Yes" on Form 990, Part IV, line 7.

Form for Part II Conservation Easements. Includes checkboxes for various types of easements, a table for 'Held at the End of the Year' with rows 2a-2d, and several text-based questions about monitoring and reporting.

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets.

Complete if the organization answered "Yes" on Form 990, Part IV, line 8.

Form for Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets. Includes questions about reporting art collections and amounts received or held.

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets (continued)

3 Using the organization's acquisition, accession, and other records, check any of the following that are a significant use of its collection items (check all that apply):

- a** Public exhibition
- b** Scholarly research
- c** Preservation for future generations
- d** Loan or exchange programs
- e** Other

4 Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIII.

5 During the year, did the organization solicit or receive donations of art, historical treasures or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection? . . . Yes No

Part IV Escrow and Custodial Arrangements.

Complete if the organization answered "Yes" on Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

1a Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X? Yes No

b If "Yes," explain the arrangement in Part XIII and complete the following table:

	Amount
c Beginning balance	1c
d Additions during the year	1d
e Distributions during the year	1e
f Ending balance	1f

2a Did the organization include an amount on Form 990, Part X, line 21, for escrow or custodial account liability? Yes No

b If "Yes," explain the arrangement in Part XIII. Check here if the explanation has been provided in Part XIII

Part V Endowment Funds.

Complete if the organization answered "Yes" on Form 990, Part IV, line 10.

	(a) Current year	(b) Prior year	(c) Two years back	(d) Three years back	(e) Four years back
1a Beginning of year balance					23,747
b Contributions					
c Net investment earnings, gains, and losses					
d Grants or scholarships					
e Other expenditures for facilities and programs					23,747
f Administrative expenses					
g End of year balance					

2 Provide the estimated percentage of the current year end balance (line 1g, column (a)) held as:

- a** Board designated or quasi-endowment ▶
- b** Permanent endowment ▶
- c** Term endowment ▶

The percentages on lines 2a, 2b, and 2c should equal 100%.

3a Are there endowment funds not in the possession of the organization that are held and administered for the organization by:

- (i)** Unrelated organizations
- (ii)** Related organizations

b If "Yes" on 3a(ii), are the related organizations listed as required on Schedule R?

	Yes	No
3a(i)		
3a(ii)		
3b		

4 Describe in Part XIII the intended uses of the organization's endowment funds.

Part VI Land, Buildings, and Equipment.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11a. See Form 990, Part X, line 10.

Description of property	(a) Cost or other basis (investment)	(b) Cost or other basis (other)	(c) Accumulated depreciation	(d) Book value
1a Land				
b Buildings				
c Leasehold improvements		380,653	147,824	232,829
d Equipment		107,925	76,894	31,031
e Other				

Total. Add lines 1a through 1e. (Column (d) must equal Form 990, Part X, column (B), line 10(c).) . . . ▶ 263,860

Part VII Investments - Other Securities.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11b. See Form 990, Part X, line 12.

Table with 3 columns: (a) Description of security or category, (b) Book value, (c) Method of valuation. Rows include Financial derivatives, Closely-held equity interests, Other, US TREASURY BONDS, GOVERNMENT MONEY MARKET FUNDS, and a Total row.

Part VIII Investments - Program Related.

Complete if the organization answered 'Yes' on Form 990, Part IV, line 11c. See Form 990, Part X, line 13.

Table with 3 columns: (a) Description of investment, (b) Book value, (c) Method of valuation. Rows numbered (1) through (9) and a Total row.

Part IX Other Assets.

Complete if the organization answered 'Yes' on Form 990, Part IV, line 11d. See Form 990, Part X, line 15.

Table with 2 columns: (a) Description, (b) Book value. Rows include SECURITY DEPOSIT, RIGHT OF USE ASSETS, and a Total row.

Part X Other Liabilities.

Complete if the organization answered 'Yes' on Form 990, Part IV, line 11e or 11f. See Form 990, Part X, line 25.

Table with 2 columns: (a) Description of liability, (b) Book value. Rows include Federal income taxes, OPERATING LEASE LIABILITIES, and a Total row.

2. Liability for uncertain tax positions. In Part XIII, provide the text of the footnote to the organization's financial statements that reports the organization's liability for uncertain tax positions under FIN 48 (ASC 740). Check here if the text of the footnote has been provided in Part XIII

Part XI Reconciliation of Revenue per Audited Financial Statements With Revenue per Return.

Complete if the organization answered 'Yes' on Form 990, Part IV, line 12a.

1	Total revenue, gains, and other support per audited financial statements		1	4,089,287
2	Amounts included on line 1 but not on Form 990, Part VIII, line 12:			
a	Net unrealized gains (losses) on investments	2a	224,665	
b	Donated services and use of facilities	2b	180,945	
c	Recoveries of prior year grants	2c		
d	Other (Describe in Part XIII.)	2d		
e	Add lines 2a through 2d		2e	405,610
3	Subtract line 2e from line 1		3	3,683,677
4	Amounts included on Form 990, Part VIII, line 12, but not on line 1 :			
a	Investment expenses not included on Form 990, Part VIII, line 7b	4a		
b	Other (Describe in Part XIII.)	4b		
c	Add lines 4a and 4b		4c	0
5	Total revenue. Add lines 3 and 4c . (This must equal Form 990, Part I, line 12.)		5	3,683,677

Part XII Reconciliation of Expenses per Audited Financial Statements With Expenses per Return.

Complete if the organization answered 'Yes' on Form 990, Part IV, line 12a.

1	Total expenses and losses per audited financial statements		1	3,328,637
2	Amounts included on line 1 but not on Form 990, Part IX, line 25:			
a	Donated services and use of facilities	2a	180,945	
b	Prior year adjustments	2b		
c	Other losses	2c		
d	Other (Describe in Part XIII.)	2d		
e	Add lines 2a through 2d		2e	180,945
3	Subtract line 2e from line 1		3	3,147,692
4	Amounts included on Form 990, Part IX, line 25, but not on line 1 :			
a	Investment expenses not included on Form 990, Part VIII, line 7b	4a		
b	Other (Describe in Part XIII.)	4b		
c	Add lines 4a and 4b		4c	0
5	Total expenses. Add lines 3 and 4c . (This must equal Form 990, Part I, line 18.)		5	3,147,692

Part XIII

Supplemental Information

Provide the descriptions required for Part II, lines 3, 5, and 9; Part III, lines 1a and 4; Part IV, lines 1b and 2b; Part V, line 4; Part X, line 2; Part XI, lines 2d and 4b; and Part XII, lines 2d and 4b. Also complete this part to provide any additional information.

Return Reference	Explanation
PART X, LINE 2:	IN ACCOUNTING FOR UNCERTAINTY IN INCOME TAXES, ACCOUNTING STANDARDS REQUIRE AN ENTITY TO RECOGNIZE THE FINANCIAL STATEMENT IMPACT OF A TAX POSITION WHEN IT IS MORE-LIKELY-THAN-NOT THAT THE POSITION WILL NOT BE SUSTAINED UPON EXAMINATION. MANAGEMENT EVALUATED THE INSTITUTE'S TAX POSITIONS AND CONCLUDED THERE ARE NO UNCERTAIN TAX POSITIONS THAT REQUIRE ADJUSTMENT TO THE FINANCIAL STATEMENTS TO COMPLY WITH THE PROVISIONS OF THIS GUIDANCE.

Additional Data

[Return to Form](#)

Software ID:
Software Version:

Note: To capture the full content of this document, please select landscape mode (11" x 8.5") when printing.

Schedule I (Form 990)

Grants and Other Assistance to Organizations, Governments and Individuals in the United States

OMB No. 1545-0047

2023

Open to Public Inspection

Department of the Treasury Internal Revenue Service

Complete if the organization answered "Yes," on Form 990, Part IV, line 21 or 22.

Attach to Form 990.

Go to www.irs.gov/Form990 for the latest information.

Name of the organization INSTITUTE FOR FREE SPEECH

Employer identification number

20-3676886

Part I General Information on Grants and Assistance

- 1 Does the organization maintain records to substantiate the amount of the grants or assistance, the grantees' eligibility for the grants or assistance, and the selection criteria used to award the grants or assistance?
2 Describe in Part IV the organization's procedures for monitoring the use of grant funds in the United States.

Part II Grants and Other Assistance to Domestic Organizations and Domestic Governments. Complete if the organization answered "Yes" on Form 990, Part IV, line 21, for any recipient that received more than \$5,000. Part II can be duplicated if additional space is needed.

Table with 8 columns: (a) Name and address of organization or government, (b) EIN, (c) IRC section (if applicable), (d) Amount of cash grant, (e) Amount of non-cash assistance, (f) Method of valuation (book, FMV, appraisal, other), (g) Description of noncash assistance, (h) Purpose of grant or assistance. Rows 1-12.

- 2 Enter total number of section 501(c)(3) and government organizations listed in the line 1 table
3 Enter total number of other organizations listed in the line 1 table

Part III Grants and Other Assistance to Domestic Individuals. Complete if the organization answered "Yes" on Form 990, Part IV, line 22.

Part III can be duplicated if additional space is needed.

(a) Type of grant or assistance	(b) Number of recipients	(c) Amount of cash grant	(d) Amount of noncash assistance	(e) Method of valuation (book, FMV, appraisal, other)	(f) Description of noncash assistance
(1)					
(2)					
(3)					
(4)					
(5)					
(6)					
(7)					

Part IV Supplemental Information. Provide the information required in Part I, line 2; Part III, column (b); and any other additional information.

Return Reference	Explanation
PART I, LINE 2:	ONCE GRANT AWARDS ARE APPROVED AND PROVIDED TO THE RECIPIENT, THE FUNDS ARE EXPECTED TO BE UTILIZED FOR THE PURPOSE PROVIDED.

Additional Data

Return to Form

Software ID:
Software Version:

Schedule J
(Form 990)

Compensation Information

OMB No. 1545-0047

For certain Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

- ▶ **Complete if the organization answered "Yes" on Form 990, Part IV, line 23.**
- ▶ **Attach to Form 990.**
- ▶ **Go to www.irs.gov/Form990 for instructions and the latest information.**

2023

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

Name of the organization
INSTITUTE FOR FREE SPEECH

Employer identification number

20-3676886

Part I Questions Regarding Compensation

1a Check the appropriate box(es) if the organization provided any of the following to or for a person listed on Form 990, Part VII, Section A, line 1a. Complete Part III to provide any relevant information regarding these items.

- | | |
|---|--|
| <input type="checkbox"/> First-class or charter travel | <input type="checkbox"/> Housing allowance or residence for personal use |
| <input type="checkbox"/> Travel for companions | <input type="checkbox"/> Payments for business use of personal residence |
| <input type="checkbox"/> Tax idemnification and gross-up payments | <input type="checkbox"/> Health or social club dues or initiation fees |
| <input type="checkbox"/> Discretionary spending account | <input type="checkbox"/> Personal services (e.g., maid, chauffeur, chef) |

b If any of the boxes on Line 1a are checked, did the organization follow a written policy regarding payment or reimbursement or provision of all of the expenses described above? If "No," complete Part III to explain

2 Did the organization require substantiation prior to reimbursing or allowing expenses incurred by all directors, trustees, officers, including the CEO/Executive Director, regarding the items checked on Line 1a?

3 Indicate which, if any, of the following the filing organization used to establish the compensation of the organization's CEO/Executive Director. Check all that apply. Do not check any boxes for methods used by a related organization to establish compensation of the CEO/Executive Director, but explain in Part III.

- | | |
|--|---|
| <input type="checkbox"/> Compensation committee | <input checked="" type="checkbox"/> Written employment contract |
| <input type="checkbox"/> Independent compensation consultant | <input type="checkbox"/> Compensation survey or study |
| <input type="checkbox"/> Form 990 of other organizations | <input checked="" type="checkbox"/> Approval by the board or compensation committee |

4 During the year, did any person listed on Form 990, Part VII, Section A, line 1a, with respect to the filing organization or a related organization:

- a** Receive a severance payment or change-of-control payment?
 - b** Participate in, or receive payment from, a supplemental nonqualified retirement plan?
 - c** Participate in, or receive payment from, an equity-based compensation arrangement?
- If "Yes" to any of lines 4a-c, list the persons and provide the applicable amounts for each item in Part III.

Only 501(c)(3), 501(c)(4), and 501(c)(29) organizations must complete lines 5-9.

5 For persons listed on Form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the revenues of:

- a** The organization?
 - b** Any related organization?
- If "Yes," on line 5a or 5b, describe in Part III.

6 For persons listed on Form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the net earnings of:

- a** The organization?
 - b** Any related organization?
- If "Yes," on line 6a or 6b, describe in Part III.

7 For persons listed on Form 990, Part VII, Section A, line 1a, did the organization provide any nonfixed payments not described in lines 5 and 6? If "Yes," describe in Part III.

8 Were any amounts reported on Form 990, Part VII, paid or accrued pursuant to a contract that was subject to the initial contract exception described in Regulations section 53.4958-4(a)(3)? If "Yes," describe in Part III.

9 If "Yes" on line 8, did the organization also follow the rebuttable presumption procedure described in Regulations section 53.4958-6(c)?

	Yes	No
1b		
2		
4a		No
4b		No
4c		No
5a		No
5b		No
6a		No
6b		No
7		No
8		No
9		

Part II Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees. Use duplicate copies if additional space is needed.

For each individual whose compensation must be reported on Schedule J, report compensation from the organization on row (i) and from related organizations, described in the instructions, on row (ii). Do not list any individuals that are not listed on Form 990, Part VII.

Note. The sum of columns (B)(i)-(iii) for each listed individual must equal the total amount of Form 990, Part VII, Section A, line 1a, applicable column (D) and (E) amounts for that individual.

(A) Name and Title		(B) Breakdown of W-2, 1099-MISC compensation, and/or 1099-NEC			(C) Retirement and other deferred compensation	(D) Nontaxable benefits	(E) Total of columns (B)(i)-(D)	(F) Compensation in column (B) reported as deferred on prior Form 990
		(i) Base compensation	(ii) Bonus & incentive compensation	(iii) Other reportable compensation				
1 ALAN GURA VICE PRESIDENT FOR LITIGATION	(i)	230,834	0	0	2,350	2,083	235,267	0
	(ii)	0	0	0	0	0	0	0
2 DAVID KEATING PRESIDENT	(i)	187,742	0	0	6,000	12,258	206,000	0
	(ii)	0	0	0	0	0	0	0
3 ENDEL KOLDE SENIOR ATTORNEY	(i)	190,563	0	0	5,850	4,437	200,850	0
	(ii)	0	0	0	0	0	0	0

Part III Supplemental Information

Provide the information, explanation, or descriptions required for Part I, lines 1a, 1b, 3, 4a, 4b, 4c, 5a, 5b, 6a, 6b, 7, and 8, and for Part II. Also complete this part for any additional information.

Return Reference	Explanation
------------------	-------------

Additional Data

Return to Form

Software ID:

Software Version:

Schedule L
(Form 990)

Transactions with Interested Persons

OMB No. 1545-0047

Complete if the organization answered "Yes" on Form 990, Part IV, lines 25a, 25b, 26, 27, 28a, 28b, or 28c, or Form 990-EZ, Part V, line 38a or 40b.

Attach to Form 990 or Form 990-EZ.

Go to www.irs.gov/Form990 for instructions and the latest information.

2023

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

Name of the organization
INSTITUTE FOR FREE SPEECH

Employer identification number

20-3676886

Part I Excess Benefit Transactions (section 501(c)(3), section 501(c)(4), and section 501(c)(29) organizations only).

Complete if the organization answered "Yes" on Form 990, Part IV, line 25a or 25b, or Form 990-EZ, Part V, line 40b.

1	(a) Name of disqualified person	(b) Relationship between disqualified person and organization	(c) Description of transaction	(d) Corrected?	
				Yes	No

2 Enter the amount of tax incurred by the organization managers or disqualified persons during the year under section 4958. _____

3 Enter the amount of tax, if any, on line 2, above, reimbursed by the organization. . . . \$ _____

Part II Loans to and/or From Interested Persons.

Complete if the organization answered "Yes" on Form 990-EZ, Part V, line 38a, or Form 990, Part IV, line 26; or if the organization reported an amount on Form 990, Part X, line 5, 6, or 22

(a) Name of interested person	(b) Relationship with organization	(c) Purpose of loan	(d) Loan to or from the organization?		(e) Original principal amount	(f) Balance due	(g) In default?		(h) Approved by board or committee?		(i) Written agreement?	
			To	From			Yes	No	Yes	No	Yes	No
Total												

Part III Grants or Assistance Benefiting Interested Persons.

Complete if the organization answered "Yes" on Form 990, Part IV, line 27.

(a) Name of interested person	(b) Relationship between interested person and the organization	(c) Amount of assistance	(d) Type of assistance	(e) Purpose of assistance

Part IV Business Transactions Involving Interested Persons.

Complete if the organization answered "Yes" on Form 990, Part IV, line 28a, 28b, or 28c.

(a) Name of interested person	(b) Relationship between interested person and the organization	(c) Amount of transaction	(d) Description of transaction	(e) Sharing of organization's revenues?	
				Yes	No
(1) BRADLEY SMITH	BOARD CHAIRMAN	96,000	CONSULTING		No

Part V Supplemental Information

Provide additional information for responses to questions on Schedule L (see instructions).

Return Reference	Explanation
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Additional Data

[Return to Form](#)

Software ID:
Software Version:

SCHEDULE O
(Form 990)**Supplemental Information to Form 990 or 990-EZ**

OMB No. 1545-0047

**Complete to provide information for responses to specific questions on
Form 990 or 990-EZ or to provide any additional information.****2023****Attach to Form 990 or 990-EZ.****Open to Public
Inspection****Go to www.irs.gov/Form990 for the latest information.**Department of the Treasury
Internal Revenue ServiceName of the organization
INSTITUTE FOR FREE SPEECH

Employer identification number

20-3676886

Return Reference	Explanation
FORM 990, PART VI, SECTION A, LINE 8B	NO SUCH COMMITTEES EXISTED.
FORM 990, PART VI, SECTION B, LINE 11B	THE INSTITUTE'S AUDIT COMMITTEE REVIEWS A DRAFT OF THE 990 PRIOR TO FILING. A COPY OF THE FORM 990 IS ALSO PROVIDED TO THE INSTITUTE'S GOVERNING BODY BEFORE IT IS FILED.
FORM 990, PART VI, SECTION B, LINE 12C	EVERY YEAR BOTH THE BOARD OF DIRECTORS AND EVERY OFFICER REVIEWS THE CONFLICT OF INTEREST POLICY AND MUST DISCLOSE ANY CONFLICTS. THE BOARD OF DIRECTORS REVIEWS THE POLICY AT OR AROUND ITS FINAL MEETING OF THE YEAR AND EACH MEMBER PROVIDES WRITTEN ACKNOWLEDGMENT. EVERY EMPLOYEE ALSO RECEIVES AN ELECTRONIC COPY OF THE POLICY. ANY CONFLICTS OR POTENTIAL CONFLICTS ARE RESOLVED BY THE PRESIDENT OR OTHERWISE REPORTED BY THE PRESIDENT AND REVIEWED AND RESOLVED BY THE BOARD OF DIRECTORS. IN REVIEWING ANY CONFLICT OR POTENTIAL CONFLICT, ANY MEMBER OF THE BOARD OF DIRECTORS WHO MAY HAVE A CONFLICT IS RECUSED FROM RESOLVING THE CONFLICT OR POTENTIAL CONFLICT.
FORM 990, PART VI, SECTION B, LINE 15	THE BOARD RETAINS AN INDEPENDENT COMPENSATION CONSULTANT TO PROVIDE A REPORT TO THE BOARD ON THE RANGE OF COMPENSATION AT COMPARABLE ORGANIZATIONS FOR THE PRESIDENT AND THE CHAIRMAN. THE BOARD SETS THE COMPENSATION OF THE PRESIDENT AND THE CHAIRMAN. DURING DISCUSSIONS OF THE CHAIRMAN'S COMPENSATION, THE CHAIRMAN DEPARTS THE MEETING AND DOES NOT VOTE ON THE MATTER. COMPENSATION FOR EMPLOYEES IS APPROVED BY THE PRESIDENT.
FORM 990, PART VI, SECTION C, LINE 19	THE INSTITUTE'S FORM 990 IS AVAILABLE ON ITS WEBSITE AND IS AVAILABLE TO THE PUBLIC UPON REQUEST. THE AUDITED FINANCIAL STATEMENTS ARE AVAILABLE ON ITS WEBSITE. THE INSTITUTE DOES NOT MAKE ITS GOVERNING DOCUMENTS AND CONFLICT OF INTEREST POLICY AVAILABLE TO THE PUBLIC.
FORM 990, PART XII, LINE 2C	THE AUDIT COMMITTEE, COMPOSED OF MEMBERS OF THE BOARD OF DIRECTORS, IS RESPONSIBLE FOR THE SELECTION OF THE INDEPENDENT AUDITORS AND OVERSIGHT OF THE INDEPENDENT AUDIT.
CASES IN LITIGATION PART I	ALASKA POLICY FORUM V. ALASKA PUBLIC OFFICES COMMISSION (DISCLOSURE MANDATES) THIS CASE IS AN EXCELLENT EXAMPLE OF OUT-OF-CONTROL DONOR DISCLOSURE MANDATES. THE ALASKA POLICY FORUM (APF) SPENT LESS THAN \$1,000 ON FIVE MINOR COMMUNICATIONS ON ITS WEBSITE THAT DISCUSSED RANKED-CHOICE VOTING (RCV). EVEN THOUGH NONE OF THE COMMUNICATIONS MENTIONED A 2020 BALLOT MEASURE ON RCV, AND SEVERAL DIDN'T EVEN MENTION ALASKA OR THAT NOVEMBER'S ELECTION, THE ALASKA PUBLIC OFFICES COMMISSION (APOC) RULED THE COMMUNICATIONS WERE EXPRESS ADVOCACY AGAINST THE BALLOT QUESTION. APF WOULD HAVE TO DISCLOSE DONORS OR PAY AN \$8,000 FINE. WE ARE REPRESENTING THE GROUP IN AN APPEAL, FILED ON AUGUST 11, 2021, TO THE STATE COURT REGARDING THIS OUTRAGEOUS DECISION. IFS CONTINUES TO REPRESENT APF TODAY, THE MOST RECENT ACTION BEING AN APPEAL TO THE SUPREME COURT FOR THE STATE OF ALASKA ON JANUARY 5, 2023, AND ORAL ARGUMENT BEFORE THAT COURT ON SEPTEMBER 6, 2023. A VICTORY WOULD SECURE A KEY PRECEDENT TO LIMIT THE SCOPE OF ONE OF THE NATION'S WORST CAMPAIGN FINANCE DONOR DISCLOSURE LAWS AND HELP PRESERVE FIRST AMENDMENT RIGHTS TO ASSEMBLY AND ASSOCIATION.
CASES IN LITIGATION PART II	ALEXANDER, ET AL. V. SUTTON, ET AL. (SCHOOL BOARD CENSORSHIP) THE FIRST AMENDMENT DOES NOT ALLOW NEW YORK CITY'S DEPARTMENT OF EDUCATION TO FUNCTION AS A DEPARTMENT OF CONFORMITY. BUT THAT'S EXACTLY WHAT'S BEEN HAPPENING IN COMMUNITY EDUCATION COUNCIL (CEC) 14. THERE, CEC 14 LEADERS HAVE PUNISHED AND CHILLED THE SPEECH OF INDIVIDUALS WHO DO NOT CONFORM TO THE PERSONAL POLITICAL VIEWS OF THE BOARD'S LEADERS. AIDING THEM IN THIS EFFORT IS THE NEW YORK CITY DEPARTMENT OF EDUCATION'S (DOE) REGULATION D-210, WHICH GOVERNS THE SPEECH OF CEC MEMBERS AND MEMBERS OF SIMILAR CITYWIDE ADVISORY BOARDS. THE REGULATION PERMITS ANYONE TO FILE A COMPLAINT THAT THEN TRIGGERS AN INVESTIGATION AND POTENTIAL REMOVAL OF CEC MEMBERS FOR SPEECH THAT OTHERS FIND OFFENSIVE OR DISRESPECTFUL - EVEN SPEECH THAT MAY OCCUR OUTSIDE OF CEC MEETINGS. IN MARCH 2024, WE FILED A FEDERAL LAWSUIT IN THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK ON BEHALF OF THREE ELECTED PARENT LEADERS, CHALLENGING THE UNCONSTITUTIONAL CONDUCT OF CEC 14 OFFICIALS, AS WELL AS THE DOE'S UNCONSTITUTIONAL POLICIES. THE LAWSUIT CONTENDS THAT CEC 14 OFFICIALS HAVE UNLAWFULLY EXCLUDED INDIVIDUALS FROM PUBLIC MEETINGS AND BLOCKED CRITICS ON SOCIAL MEDIA, WEAPONIZING THEIR DISDAIN FOR ANYONE WHO MIGHT PUSH BACK AGAINST THEIR IDEOLOGICAL WORLDVIEW. CEC 14'S ACTIONS AND THE D-210 REGULATION HAVE CHILLED AND PUNISHED THE SPEECH OF PARENTS DEBORAH ALEXANDER, NOAH HARLAN, AND MAUD MARON, WHO SERVE AS ELECTED MEMBERS OF OTHER NEW YORK CITY EDUCATIONAL COMMITTEES. IN JUNE 2024, MARON WAS REMOVED FROM HER ELECTED CEC POSITION BY NYC DEPARTMENT OF EDUCATION CHANCELLOR DAVID BANKS, CITING THAT HER PUBLIC STATEMENTS TO THE NEW YORK POST PURPORTEDLY VIOLATED REGULATION D-210. A PRELIMINARY INJUNCTION MOTION HAS ALSO BEEN FILED TO PREVENT CHANCELLOR BANKS FROM FILLING MARON'S POSITION. A VICTORY IN THIS CASE WOULD PROTECT THE RIGHTS TO FREE SPEECH AND PETITION OF THE GOVERNMENT.
CASES IN LITIGATION PART III	BREVARD MOMS FOR LIBERTY V. BREVARD PUBLIC SCHOOLS (SCHOOL BOARD CENSORSHIP) WHEN BREVARD (FLORIDA) PUBLIC SCHOOLS (BPS) ADOPTED POLICIES THAT MANY PARENTS DISAGREED WITH, THE BREVARD MOMS FOR LIBERTY (M4L) DID WHAT ANY GROUP OF AMERICANS WOULD DO. THEY ORGANIZED MEMBERS OF THEIR COMMUNITY TO ATTEND

Return Reference	Explanation
	<p>PUBLIC SCHOOL BOARD MEETINGS AND SPEAK OUT. BUT INSTEAD OF A FAIR HEARING, THEY RECEIVED A TORRENT OF ABUSE AND CENSORSHIP. NOW, M4L AND FOUR OF ITS MEMBERS ARE OUR CLIENTS IN THIS LAWSUIT AGAINST BPS. M4L MEMBERS HAVE BEEN PREVENTED FROM ADDRESSING SPECIFIC ACTIONS OR STATEMENTS BY BOARD MEMBERS, PROHIBITED FROM USING SPECIFIC WORDS AND PHRASES THAT MEMBERS OF THE BOARD DISLIKE, PREVENTED FROM PARTICIPATING IN MEETINGS ON THE SAME TERMS AS THE BOARD'S ALLIES, AND THREATENED BY BOARD OFFICIALS WITH FINES AND PENALTIES FOR SPEAKING. BOARD MEMBERS ARE ELECTED GOVERNMENT OFFICIALS, AND PARENTS HAVE A FIRST AMENDMENT RIGHT TO EXPRESS THEIR VIEWS DURING PUBLIC COMMENT PERIODS. YET UNDER BPS'S PUBLIC PARTICIPATION POLICY, SPEAKERS AT PUBLIC BOARD MEETINGS ARE PROHIBITED FROM ADDRESSING BOARD MEMBERS INDIVIDUALLY OR FROM MAKING "PERSONALLY DIRECTED OR "ABUSIVE" COMMENTS. BREVARD SCHOOL OFFICIALS ENFORCE THE POLICY UNEVENLY, ALLOWING FAVORED SPEAKERS AND THOSE WHO PRAISE THE BOARD TO IGNORE THE RULE. AT ONE MEETING, SEVEN DIFFERENT SPEAKERS PRAISED SCHOOL OFFICIALS BY NAME, A POLICY VIOLATION. YET WHEN COMMUNITY MEMBERS CRITICIZED THE ACTIONS OR VIEWS OF BOARD MEMBERS, THEY WERE CENSORED. OUR LAWSUIT, WHICH WAS FILED ON NOVEMBER 5, 2021, ASKS THE COURT TO DECLARE UNCONSTITUTIONAL THE PROHIBITIONS ON PERSONALLY ADDRESSING SCHOOL BOARD MEMBERS AND ON SPEECH DEEMED "PERSONALLY DIRECTED OR "ABUSIVE," AS WELL AS THE BOARD'S PRACTICE OF DISCRIMINATING BASED ON VIEWPOINT. IN JANUARY 2022, THE COURT DENIED OUR CLIENT'S MOTION FOR PRELIMINARY INJUNCTION. SINCE THEN, IFS HAS FILED AN APPEAL AND, ON JANUARY 23, 2024, PRESENTED ORAL ARGUMENTS TO THE ELEVENTH CIRCUIT COURT OF APPEALS. A VICTORY IN THIS CASE WOULD PROTECT THE FIRST AMENDMENT FREEDOM OF SPEECH AND THE RIGHT TO PETITION.</p>
<p>CASES IN LITIGATION PART IV</p>	<p>THE BUCKEYE INSTITUTE V. INTERNAL REVENUE SERVICE (FORCED DONOR DISCLOSURE) THE INSTITUTE FOR FREE SPEECH REPRESENTS THE BUCKEYE INSTITUTE, AN OHIO-BASED THINK TANK, IN A LAWSUIT CHALLENGING A DECADES-OLD TAX LAW THAT FORCES THE IRS TO DEMAND THAT NONPROFIT CHARITIES HAND OVER THE PRIVATE INFORMATION OF THEIR LARGEST DONORS EVERY YEAR. THE LAWSUIT SAYS THE LAW VIOLATES THE FIRST AMENDMENT, AND THE REQUIREMENT CHILLS FREE SPEECH AND ASSOCIATION. THE IRS ADMITS THAT IT DOES NOT NEED THESE DONOR RECORDS AND ISSUED A RULE IN 2020 TO STOP COLLECTING THE SAME FROM TAX-EXEMPT GROUPS THAT ARE NOT CLASSIFIED AS SECTION 501(C) (3) NONPROFIT CHARITIES. THE AGENCY ALSO NOTED IN THE RULEMAKING THAT COLLECTING THIS SENSITIVE PERSONAL DATA ON FORM 990 SCHEDULE B "POSES A RISK OF INADVERTENT DISCLOSURE" OF PRIVATE, NON-PUBLIC INFORMATION. EVEN THOUGH THE IRS HAS STATED IN RELATED CONTEXTS THAT IT WOULD PREFER NOT TO COLLECT THIS INFORMATION FROM CHARITIES, FEDERAL LAW STILL REQUIRES IT. THE LAWSUIT NOTES THAT BUCKEYE'S WORK "WOULD BE SIGNIFICANTLY DAMAGED" IF IT CAN'T MAINTAIN THE CONFIDENTIALITY OF ITS DONOR RELATIONSHIPS, AS BUCKEYE'S SUPPORTERS "RISK RETRIBUTION FROM SOME WHO OPPOSE ITS MISSION." THE RECENT LEAK TO PROPUBLICA OF "A VAST TROVE OF INTERNAL REVENUE SERVICE DATA ON THE TAX RETURNS OF THOUSANDS" OF INDIVIDUAL TAXPAYERS AND OTHER IRS LEAKS UNDERSTANDABLY GIVE FINANCIAL SUPPORTERS OF CERTAIN CHARITIES, INCLUDING BUCKEYE, JUSTIFIED PAUSE. THE U.S. SUPREME COURT HAS ALREADY STRUCK DOWN A SIMILAR DISCLOSURE MANDATE IN THE LANDMARK 2021 CASE AMERICANS FOR PROSPERITY FOUNDATION V. BONTA (APPF) BECAUSE THE GOVERNMENT MUST CONSIDER "THE POTENTIAL FOR FIRST AMENDMENT HARMS BEFORE REQUIRING THAT ORGANIZATIONS REVEAL SENSITIVE INFORMATION ABOUT THEIR MEMBERS AND SUPPORTERS." IN NOVEMBER 2023, THE JUDGE DENIED THE GOVERNMENT'S MOTIONS FOR SUMMARY JUDGMENT AND DISMISSAL. THE JUDGE AGREED WITH OUR ARGUMENTS THAT THE APPROPRIATE STANDARD IS EXACTING SCRUTINY UNDER APFF AND ORDERED A TRIAL TO RESOLVE DISPUTED FACTS IN THE CASE. THE JUDGE'S RULING THAT THE EXACTING SCRUTINY STANDARD APPLIES IN THE CASE SIGNIFICANTLY BOOSTS OUR CLIENT'S CHANCES OF WINNING. A VICTORY IN THIS CASE WOULD HELP PROTECT THE PRIVACY OF NONPROFIT DONORS AND THE RIGHT TO ASSEMBLE.</p>
<p>CASES IN LITIGATION PART V</p>	<p>FRESH VISION OP, INC., ET AL. V. SKOGLUND, ET AL. (DONOR DISCLOSURE AND VAGUE CAMPAIGN FINANCE LAW) IN JUNE 2024, WE FILED A FEDERAL LAWSUIT IN THE U.S. DISTRICT COURT FOR THE DISTRICT OF KANSAS TO PROTECT FRESH VISION OP'S RIGHT TO SPEAK WITHOUT FEAR OF PROSECUTION. FRESH VISION IS A GRASSROOTS NONPROFIT PROMOTING ITS ISSUE AGENDA IN OVERLAND PARK. THE LAWSUIT CHALLENGES TWO PROVISIONS OF KANSAS LAW. THE FIRST IS THE DEFINITION OF "POLITICAL COMMITTEE." STATE LAW IMPROPERLY EXTENDS THIS DEFINITION TO GROUPS FOR WHOM URGING VOTERS TO ELECT A CANDIDATE IS ONLY AN INCIDENTAL PURPOSE OF ITS ACTIVITIES RATHER THAN THE MAJOR PURPOSE OF THE GROUP. THE SECOND IS THE STATE'S EXTREMELY LOW \$100 THRESHOLD FOR TRIGGERING BURDENSOME REPORTING REQUIREMENTS, WHICH INCLUDES THE THREAT OF JAIL TIME FOR FAILURE TO COMPLY. EVEN A SMALL MAILING OR A FEW YARD SIGNS COULD EASILY SURPASS THE \$100 THRESHOLD. THAT WOULD EFFECTIVELY TRANSFORM A SMALL GROUP OF CITIZENS INTO A POLITICAL ACTION COMMITTEE AS FAR AS THE STATE IS CONCERNED. THE STATE CLAIMED THAT FRESH VISION WAS REQUIRED TO REGISTER AS A POLITICAL COMMITTEE AND COMPLY WITH A HOST OF ONEROUS REGULATIONS AND DONOR REPORTING REQUIREMENTS THAT WOULD HAVE THREATENED ITS EXISTENCE. FEARING FURTHER ENFORCEMENT ACTIONS, FRESH VISION SUSPENDED ITS ACTIVITIES. NOW, THE GROUP WANTS TO RESUME ITS COMMUNITY ADVOCACY BUT FEARS THAT DOING SO WILL TRIGGER A NEW THREAT OF HEFTY FINES AND JAIL TIME AND FORCE THE DISCLOSURE OF ITS DONORS' IDENTITIES. IN A DECISIVE EARLY RULING IN JULY 2024, A FEDERAL COURT GRANTED A TEMPORARY RESTRAINING ORDER (TRO) IN FAVOR OF OUR CLIENT BASED ON AN OVERLY BROAD DEFINITION OF "POLITICAL COMMITTEE." FOR NOW, THE TRO ALLOWS FRESH VISION OP TO RESUME ITS COMMUNITY ADVOCACY ACTIVITIES WITHOUT FEAR OF BEING REGULATED AS A POLITICAL COMMITTEE. THE TRO WILL REMAIN IN EFFECT UNTIL THE COURT RULES ON FRESH VISION OP'S MOTION FOR A PRELIMINARY INJUNCTION. A COMBINED HEARING ON THE PRELIMINARY INJUNCTION AND A TRIAL ON THE MERITS OF THE CASE IS SCHEDULED FOR OCTOBER 2024. THE LAWSUIT ASKS THE COURT TO DECLARE THE CHALLENGED LAWS UNCONSTITUTIONAL AND BLOCK THEIR ENFORCEMENT. A VICTORY IN THIS CASE WOULD PROTECT COMMUNITY ADVOCACY AND THE RIGHT TO FREE SPEECH.</p>
<p>CASES IN LITIGATION PART VI</p>	<p>GAYS AGAINST GROOMERS, ET AL. V. GARCIA, ET AL. (VIEWPOINT-BASED DISCRIMINATION) COLORADO LEGISLATORS' RECENT ACTIONS TO SUPPRESS AND CHILL SPEECH DURING PUBLIC COMMENT TIME ON HB24-1071, DUBBED "TIARA'S LAW," REPRESENT AN ALARMING ASSAULT ON FREE SPEECH. TRANS IDEOLOGY REQUIRES ADHERENTS TO USE A TRANS-IDENTIFYING PERSON'S PREFERRED PRONOUNS AND ADOPTED TRANS NAME. DOING OTHERWISE IS CALLED "MISGENDERING OR "DEADNAMING." DURING RECENT HEARINGS ON WHAT ITS SPONSORS CALL "TIARA'S LAW," CERTAIN LEGISLATORS REQUIRED THAT ALL SPEAKERS REFRAIN FROM MISGENDERING OR DEADNAMING AND ENGAGE ONLY IN "RESPECTFUL DISCOURSE." SPEAKERS WHO FAILED TO COMPLY WERE INTERRUPTED, CUT OFF, AND PREVENTED FROM EXPRESSING THEIR OPINIONS. IN APRIL 2024, WE FILED A FEDERAL LAWSUIT IN THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLORADO ON BEHALF OF THE GROUP GAYS AGAINST GROOMERS, THE ROCKY MOUNTAIN WOMEN'S NETWORK, AND INDIVIDUALS FROM THOSE GROUPS AFFECTED BY THIS ATTEMPT TO SHUT DOWN DEBATE OVER TRANSGENDER LEGISLATION. THE BILL WAS INFORMALLY NAMED FOR DUANE POWELL (A.K.A. DUANE KELLEY), WHO GOES BY THE TRANS NAME OF "TIARA LATRICE KELLEY." THE PLAINTIFFS SAY THAT POWELL IS A CONVICTED FELON WITH A LENGTHY</p>

Return Reference	Explanation
	<p>CRIMINAL RECORD AND OPPOSED HB24-1071 BECAUSE IT WILL FACILITATE NAME CHANGES FOR TRANSGENDER FELONS LIKE POWELL. THE BILL SPARKED SIGNIFICANT PUBLIC DEBATE, AS NAME CHANGES CAN MAKE IT EASIER FOR FELONS TO HIDE THEIR CRIMINAL PAST AND MIGHT MAKE IT EASIER FOR THEM TO VICTIMIZE CHILDREN OR OTHER VULNERABLE POPULATIONS. DURING LEGISLATIVE COMMITTEE HEARINGS ON THE PROPOSED LAW, SOME SPONSORS OF THE BILL AND THEIR LEGISLATIVE ALLIES USED VIEWPOINT-BASED SPEECH RESTRICTIONS TO CENSOR THE SPEECH OF PLAINTIFFS DR. RICH GUGGENHEIM OF THE ORGANIZATION GAYS AGAINST GROOMERS AND CHRISTINA GOEKE OF THE ROCKY MOUNTAIN WOMEN'S NETWORK. A VICTORY WOULD PRESERVE THE RIGHT TO FREE SPEECH.</p>
<p>CASES IN LITIGATION PART VII</p>	<p>GILLEY V. STABIN (UNIVERSITY OF OREGON TWITTER BLOCK OF A PROFESSOR) PORTLAND STATE UNIVERSITY PROFESSOR BRUCE GILLEY FILED A FEDERAL LAWSUIT AGAINST AN OFFICER IN THE UNIVERSITY OF OREGON'S DIVISION OF EQUITY AND INCLUSION AFTER BEING BLOCKED BY THE DIVISION'S OFFICIAL TWITTER (NOW X) ACCOUNT, @UOEQUITY, FOR SEEMINGLY NO REASON OTHER THAN HIS VIEWPOINT. GILLEY HAD QUOTE-TWEETED A MESSAGE FROM @UOEQUITY PROMOTING A "RACISM INTERRUPTER AND CHIMED IN WITH HIS OWN: "ALL MEN ARE CREATED EQUAL." THAT, APPARENTLY, WAS ENOUGH TO EARN A BLOCK FROM THE ACCOUNT'S MANAGER. UNDER THE FIRST AMENDMENT, THE LAWSUIT BY OUR ATTORNEYS EXPLAINS THAT THE INTERACTIVE PORTIONS OF THE @UOEQUITY TWITTER ACCOUNT, WHERE USERS CAN POST REPLIES TO ITS TWEETS, ARE DESIGNATED PUBLIC FORUMS WHERE STATE ACTORS MAY NOT DISCRIMINATE BASED ON VIEWPOINT. THE DIVISION OF EQUITY AND INCLUSION ALSO HAS NO POLICY GOVERNING HOW USERS ARE BLOCKED FROM ITS SOCIAL MEDIA PAGES. IN A DECISIVE WIN FOR FREE SPEECH, THE U.S. DISTRICT COURT FOR THE DISTRICT OF OREGON GRANTED OUR REQUEST FOR A PRELIMINARY INJUNCTION IN JULY 2024, PROTECTING GILLEY'S RIGHT TO INTERACT WITH @UOEQUITY WITHOUT HIS SPEECH BEING BLOCKED, MUTED, OR CENSORED. THE COURT'S DECISION PREVENTS THE COMMUNICATIONS MANAGER OF THE UNIVERSITY OF OREGON'S DIVISION OF EQUITY AND INCLUSION FROM BLOCKING GILLEY OR HIDING HIS POSTS FOR BEING "HATEFUL," "RACIST," "OFFENSIVE, OR "OFF-TOPIC." THIS RULING COMES AFTER THE NINTH CIRCUIT VACATED A PREVIOUS DENIAL OF THE PRELIMINARY INJUNCTION IN MARCH 2024. THE COURT REJECTED THE UNIVERSITY OF OREGON'S ARGUMENTS THAT RECENT CHANGES IN STAFFING AND OVERSIGHT MADE AN INJUNCTION UNNECESSARY. INSTEAD, THE OPINION EMPHASIZED THE IMPORTANCE OF PREVENTING POTENTIAL FIRST AMENDMENT VIOLATIONS. A VICTORY IN THIS CASE WOULD PROTECT THE FIRST AMENDMENT RIGHT TO FREEDOM OF SPEECH.</p>
<p>CASES IN LITIGATION PART VIII</p>	<p>INSTITUTE FOR FREE SPEECH V. J.R. JOHNSON, ET AL. (BAN ON PRO BONO LITIGATION) THE U.S. SUPREME COURT HAS LONG RECOGNIZED THAT THE FIRST AMENDMENT ALLOWS PRO BONO LAWYERS TO ASSOCIATE WITH CLIENTS TO LITIGATE CIVIL RIGHTS CLAIMS AGAINST THE GOVERNMENT. IT SHOULDN'T MATTER WHETHER FREE LEGAL SERVICES HAPPEN TO BE OFFERED BY A NONPROFIT CORPORATION. UNFORTUNATELY, THE TEXAS ETHICS COMMISSION (TEC) DISAGREES. SO, WE'VE FILED A FEDERAL LAWSUIT AGAINST THE TEC'S COMMISSIONERS AND EXECUTIVE DIRECTOR OVER THE TEC'S BAN ON PRO BONO LEGAL SERVICES FOR CANDIDATES AND POLITICAL COMMITTEES WHO WISH TO CHALLENGE THE CONSTITUTIONALITY OF TEXAS CAMPAIGN FINANCE LAWS AND TEC REGULATIONS. THIS BAN STOPS ORGANIZATIONS LIKE THE INSTITUTE FOR FREE SPEECH FROM ADVOCATING FOR THE CIVIL RIGHTS OF SUCH CLIENTS, IMPOSING STIFF CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS. TEXAS LAW PROHIBITS CORPORATIONS - INCLUDING NONPROFITS LIKE OURS - FROM MAKING "IN-KIND CONTRIBUTIONS" TO CANDIDATES AND POLITICAL COMMITTEES. THE TEC RECENTLY INTERPRETED THIS BAN TO EXTEND TO PRO BONO LITIGATION SERVICES, EVEN WHEN SUCH SERVICES ONLY AIM TO CHALLENGE THE CONSTITUTIONALITY OF STATE LAWS. TEXAS ESSENTIALLY BARS THE COURTHOUSE DOORS TO GROUPS LIKE OURS AND THE CLIENTS WE SEEK TO REPRESENT, PREVENTING CHALLENGES TO UNCONSTITUTIONAL LAWS. IN ADDITION, FEDERAL LAW GUARANTEES A REMEDY FOR CIVIL RIGHTS VIOLATIONS. BUT THIS STATE-IMPOSED RULE INTERFERES WITH THAT FEDERAL LAW. A VICTORY IN THIS CASE WOULD SUPPORT THE FIRST AMENDMENT RIGHTS TO FREE SPEECH AND ASSOCIATION.</p>
<p>CASES IN LITIGATION PART IX</p>	<p>JOE MARKLEY AND ROB SAMPSON V. STATE ELECTIONS ENFORCEMENT COMMISSION (LIMITS ON CANDIDATE SPEECH) THE INSTITUTE'S CASE BEGAN IN THE RUN-UP TO THE 2014 CONNECTICUT ELECTION, WHEN THEN-STATE SENATOR JOE MARKLEY AND THEN-STATE REPRESENTATIVE ROB SAMPSON (NOW A STATE SENATOR) WERE BOTH RUNNING FOR REELECTION. THE TWO CANDIDATES, WHOSE DISTRICTS OVERLAPPED, DECIDED TO SEND OUT A SERIES OF STANDARD CAMPAIGN MAILERS HIGHLIGHTING THEIR POLICY POSITIONS IN OPPOSITION TO THOSE OF THE SITTING GOVERNOR, DANIEL MALLOY. THE CONNECTICUT STATE ELECTIONS ENFORCEMENT COMMISSION (SEEC) SAID THAT THESE COMMONPLACE PIECES OF CAMPAIGN LITERATURE WERE ILLEGAL. A COMPLAINT FILED BY REP. SAMPSON'S OPPONENT BEGAN THE INVESTIGATION INTO WHETHER THE FLIERS DISTRIBUTED BY SAMPSON AND MARKLEY VIOLATED CONNECTICUT CAMPAIGN FINANCE LAW. THE SEEC RULED THEY DID BECAUSE THE MAILERS IMPLICITLY BENEFITED GOVERNOR MALLOY'S OPPONENTS BY CRITICIZING THE GOVERNOR'S POLICIES. IN CONNECTICUT, THE COST OF ADS THAT SUPPORT MULTIPLE CANDIDATES MUST BE SPLIT EQUITABLY. WHILE THE MARKLEY/SAMPSON PAMPHLETS WERE PAID FOR BY THEIR RESPECTIVE COMMITTEES, THE SEEC ARGUED THAT BECAUSE THE MAILERS MENTIONED THE GOVERNOR, THESE WERE ALSO ADS IN OPPOSITION TO THE GOVERNOR. THEREFORE, SOMEONE RUNNING AGAINST MALLOY ALSO NEEDED TO SHARE THE COST OF THE AD. THE SEEC ULTIMATELY FINED SAMPSON \$5,000 AND MARKLEY \$2,000. WE REPRESENTED THEM IN AN APPEAL OF THE DECISION TO THE CONNECTICUT COURTS. IN 2018, WE ASKED A CONNECTICUT COURT TO DISMISS THE FINES AND DECLARE THE LAW UNCONSTITUTIONAL. AFTER THE STATE COURT RULED THAT IT COULD NOT RULE ON THE CASE BECAUSE TOO MUCH TIME HAD PASSED, OUR CLIENTS APPEALED. THE CONNECTICUT SUPREME COURT AGREED TO HEAR THE CASE BEFORE THE LOWER APPEALS COURT HAD EVEN RULED ON IT. THE SUPREME COURT REVERSED THE LOWER COURT AND RULED THAT DISMISSAL OF THE APPEAL WOULD "EFFECTIVELY PENALIZE THE PLAINTIFFS FOR THE COMMISSION'S MISTAKE" THAT DELAYED A JUDICIAL APPEAL. FINALLY, AFTER SIX YEARS OF LITIGATION, ON MAY 20, 2024, THE CONNECTICUT SUPREME COURT UNANIMOUSLY RULED IN FAVOR OF OUR CLIENTS, VINDICATING THE FIRST AMENDMENT RIGHTS OF CANDIDATES LIKE MARKLEY AND SAMPSON. THIS IS AN EXTREMELY IMPORTANT AND HARD-FOUGHT VICTORY FOR FREE POLITICAL SPEECH IN CONNECTICUT. THE CASE REMAINS OPEN SOLELY TO RESOLVE FINAL PROCEDURAL ISSUES BEFORE IT IS FORMALLY CLOSED.</p>
<p>CASES IN LITIGATION PART X</p>	<p>JOHNSON V. WATKIN (FORCED ALLEGIANCE TO AN IDEOLOGY) IN 2023, THE CALIFORNIA COMMUNITY COLLEGES BOARD OF GOVERNORS ISSUED A PERVASIVE SET OF GUIDELINES THAT FORCE FACULTY TO EMBRACE AN "ANTI-RACIST" IDEOLOGY, VIOLATING FUNDAMENTAL FIRST AMENDMENT RIGHTS. PARTICIPATION IN THE STATE'S ALL-ENCOMPASSING POLITICAL PROGRAM IS NOW REQUIRED "TO TEACH, WORK, OR LEAD WITHIN CALIFORNIA'S COMMUNITY COLLEGES;" COMPLETE WITH EXPLICIT DEMANDS BY THE STATE TO ENGAGE IN PROFESSIONAL PRACTICES THAT EMBRACE THIS IDEOLOGY. OUR CLIENT, PROFESSOR JOHNSON, IS A FULL-TIME PROFESSOR OF HISTORY AT BAKERSFIELD COLLEGE (BC). HE IS ALSO THE FACULTY LEAD FOR THE RENEGADE INSTITUTE FOR LIBERTY ("RIFL"), A GROUP OF BC FACULTY MEMBERS WHO VALUE GENUINE ACADEMIC FREEDOM, FREE SPEECH, AND CRITICAL THINKING. UNFORTUNATELY FOR PROFESSOR</p>

Return Reference	Explanation
	<p>JOHNSON AND HIS COLLEAGUES, THE BC ADMINISTRATION TREATS INDEPENDENT THOUGHT AS A PUNISHABLE OFFENSE. THE KERN COMMUNITY COLLEGE DISTRICT ("KCCD"), WHICH OPERATES BC, VIEWS THE EXPRESSION OF DISFAVORED VIEWPOINTS AS GROUNDS FOR TERMINATION AND HAS WEAPONIZED A BROAD "CIVILITY" REQUIREMENT AGAINST DISSENTING VOICES. AND BC HAS CLARIFIED THAT IT EXPECTS THE FACULTY TO ADHERE TO ITS "ANTI-RACISM" IDEOLOGY. THE COLLEGE DISTRICT'S BOARD OF TRUSTEES EXEMPLIFIED THIS TOXIC, ANTI-SPEECH ATMOSPHERE, WITH ONE OF THEM EVEN SAYING PUBLICLY OF THOSE WHO SPEAK OUT, "THEY'RE IN THAT FIVE PERCENT THAT WE HAVE TO CONTINUE TO CULL. GOT THEM IN MY LIVESTOCK OPERATION, AND THAT'S WHY WE PUT A ROPE ON SOME OF THEM AND TAKE THEM TO THE SLAUGHTERHOUSE." PROFESSOR JOHNSON DISAGREED WITH BC'S POLITICAL PREFERENCES WHEN HE QUESTIONED A COLLEAGUE'S ANTI-AMERICAN VIEWS ON RIFL'S FACEBOOK PAGE. THE EXCHANGE LED TO AN ADMINISTRATIVE COMPLAINT FOR "HARASSMENT AND "BULLYING" THAT NECESSITATED THE RESOLUTION OF 29 ALLEGATIONS. AFTER A FIVE-MONTH ORDEAL THAT REQUIRED PROFESSOR JOHNSON TO RETAIN LEGAL COUNSEL, THE ADMINISTRATION FINALLY CLEARED HIM, BUT WITH A WARNING THAT IT WOULD CONTINUE TO INVESTIGATE ALLEGED MISCONDUCT. BC ADMINISTRATORS HAVE SENT AN UNMISTAKABLE MESSAGE: ANYONE WHO DARES COMMIT WRONGTHINK AGAINST THE STATE-APPROVED IDEOLOGY - OR WHO CHALLENGES OTHER FACULTY WHO PROMOTE IT - CAN HAVE THEIR CAREERS SIDETRACKED OR RUINED. THAT'S WHAT HAPPENED TO PROFESSOR JOHNSON'S RIFL FACULTY LEAD PREDECESSOR, PROFESSOR MATTHEW GARRETT. THE ADMINISTRATION TERMINATED GARRETT AFTER HE SPOKE OUT PUBLICLY AGAINST BC'S PREFERRED VIEWS, INCLUDING WRITING AN OP-ED PUBLISHED IN THE LOCAL NEWSPAPER, APPEARING ON A RADIO SHOW, GIVING MEDIA INTERVIEWS, AND POSTING ONLINE COMMENTS. THE LAWSUIT ASKS THAT ADMINISTRATORS BE ENJOINED FROM INVESTIGATING OR DISCIPLINING PROFESSOR JOHNSON FOR OFFERING HIS VIEWPOINTS AND SEEKS TO PREVENT OFFICIALS FROM DEMANDING THAT FACULTY ADVANCE AND TEACH THE STATE'S OFFICIAL DEIA IDEOLOGY. THE LAWSUIT ALSO CHALLENGES THE CONSTITUTIONALITY OF THESE NEW STATEWIDE GUIDELINES TO HELP PROTECT THE RIGHTS OF JOHNSON AND OTHER FACULTY MEMBERS ACROSS CALIFORNIA FROM THESE NEW REQUIREMENTS. THE RULE AFFECTS ALL 116 CALIFORNIA COMMUNITY COLLEGES SERVING 1.9 MILLION STUDENTS. IN NOVEMBER 2023, MAGISTRATE JUDGE CHRISTOPHER D. BAKER ISSUED A REPORT AND RECOMMENDATION (R&R) SUPPORTING PROFESSOR JOHNSON'S LAWSUIT, IN WHICH HE NOTED THAT "CALIFORNIA'S GOAL OF PROMOTING [DEIA] IN PUBLIC UNIVERSITIES DOES NOT GIVE IT THE AUTHORITY TO INVALIDATE PROTECTED EXPRESSIONS OF SPEECH." THE R&R FOUND THAT IT IS LIKELY THAT PROFESSOR JOHNSON HAS STANDING TO PURSUE SUCH A SUIT, IS HARMED BY THE POLICIES AND PRACTICES IN QUESTION, AND THAT AN INJUNCTION IS AN APPROPRIATE REMEDY FOR THE STATE'S UNCONSTITUTIONAL SUPPRESSION AND PUNISHMENT OF PROFESSOR JOHNSON. THE JUDGE RECOMMENDED BLOCKING CALIFORNIA COMMUNITY COLLEGES CHANCELLOR SONYA CHRISTIAN AND KERN COMMUNITY COLLEGE DISTRICT TRUSTEES FROM ENFORCING MANDATORY (DEIA) POLICIES AGAINST JOHNSON WHEN HE SPEAKS AS A PRIVATE CITIZEN OR THROUGH HIS TEACHING AND SCHOLARSHIP. THIS STRONG RECOMMENDATION IS NOW BEFORE THE DISTRICT COURT JUDGE FOR REVIEW AND A FINAL DECISION BY THE COURT. SUCCESS IN THIS CASE WOULD PROTECT THE RIGHT TO FREE SPEECH.</p>
<p>CASES IN LITIGATION PART XI</p>	<p>LOPEZ V. GRISWOLD (CONTRIBUTION LIMITS) THE NATION'S MOST RESTRICTIVE LIMIT ON DONATIONS TO LEGISLATIVE CANDIDATES IS IN FEDERAL COURT. TWO COLORADO CANDIDATES AND A CITIZEN WHO WISHES TO SUPPORT CANDIDATES CHALLENGED COLORADO'S LIMITS ON INDIVIDUAL DONORS AS UNCONSTITUTIONALLY LOW. INDIVIDUALS IN COLORADO ARE LIMITED TO GIVING \$625 PER ELECTION TO A CANDIDATE FOR GOVERNOR AND \$200 PER ELECTION TO A CANDIDATE FOR THE COLORADO SENATE OR HOUSE OF REPRESENTATIVES. THE LIMIT FOR STATEWIDE CANDIDATES IS PERIODICALLY ADJUSTED BUT LAGS BEHIND INFLATION, WHILE THE \$200 LIMIT TO LEGISLATIVE CANDIDATES SAT UNCHANGED BETWEEN 2002 AND 2022. THESE LOW LIMITS PREVENT CANDIDATES FROM EFFECTIVELY COMMUNICATING WITH VOTERS IN THEIR DISTRICTS. IN ADDITION TO SETTING ITS LIMITS TOO LOW, COLORADO LAW PUNISHES CANDIDATES WHO CHOOSE TO FULLY EXERCISE THEIR RIGHT TO PROMOTE THEIR CAMPAIGNS. CANDIDATES WHO AGREE TO LIMIT THEIR CAMPAIGN SPENDING ARE PERMITTED TO RAISE CONTRIBUTIONS TWICE THE SIZE OF OPPONENTS WHO REFUSE. A 2018 STUDY BY THE INSTITUTE FOR FREE SPEECH FOUND THAT COLORADO'S CONTRIBUTION LIMITS FOR INDIVIDUAL DONORS WERE THE MOST RESTRICTIVE IN THE NATION AFTER ACCOUNTING FOR POPULATION AND DISTRICT SIZE. LOW CONTRIBUTION LIMITS ARE ESPECIALLY HARMFUL TO CANDIDATES IN MAJOR MEDIA MARKETS LIKE DENVER AND NEW CANDIDATES AND CHALLENGERS WHO HAVE NOT YET ESTABLISHED NAME RECOGNITION WITH VOTERS. INCUMBENTS, BY CONTRAST, ENTER CAMPAIGNS WITH NUMEROUS ADVANTAGES THAT MAKE IT EASIER TO FOREGO LARGE CONTRIBUTIONS. COLORADO VOTERS DESERVE TO HEAR FROM THE CANDIDATES ON THEIR BALLOT. COLORADO CHALLENGER CANDIDATES DESERVE A FAIR OPPORTUNITY TO COMPETE AGAINST WELL-KNOWN INCUMBENTS. THE STATE'S LOW CONTRIBUTION LIMITS UNDERMINE THESE BASIC DEMOCRATIC VALUES AND SHOULD BE STRUCK DOWN UNDER THE FIRST AMENDMENT. A VICTORY IN THIS CASE WOULD PROTECT THE FIRST AMENDMENT RIGHTS OF FREE SPEECH AND ASSEMBLY.</p>
<p>CASES IN LITIGATION PART XII</p>	<p>LOWERY V. HARTZELL (FORCED ALLEGIANCE TO AN IDEOLOGY) A FINANCE PROFESSOR SUED OFFICIALS AT THE UNIVERSITY OF TEXAS AT AUSTIN (UT) WHO THREATENED TO PUNISH HIM FOR HIS CRITICISM OF THE UNIVERSITY BY THREATENING HIS JOB, REDUCING HIS PAY, AND REMOVING HIS AFFILIATION WITH UT'S SALEM CENTER. IN A COMPLAINT FILED IN THE AUSTIN FEDERAL COURT, DR. RICHARD LOWERY, AN ASSOCIATE PROFESSOR OF FINANCE AT THE MCCOMBS SCHOOL OF BUSINESS AT UT-AUSTIN, SAID THE OFFICIALS AT THE STATE'S FLAGSHIP UNIVERSITY VIOLATED HIS CONSTITUTIONAL RIGHT TO CRITICIZE GOVERNMENT OFFICIALS. THE LAWSUIT ALSO CLAIMS THE UT ADMINISTRATION HARMED HIS RIGHT TO ACADEMIC FREEDOM AFTER HE PUBLICLY QUESTIONED THE UT ADMINISTRATION'S APPROACHES TO CRITICAL RACE THEORY, AFFIRMATIVE ACTION, ACADEMIC FREEDOM, COMPETENCE-BASED PERFORMANCE MEASURES, AND THE FUTURE OF CAPITALISM. ONE KEY TARGET OF PROF. LOWERY'S CRITIQUES WAS THE UT ADMINISTRATION'S USE OF DIVERSITY, EQUITY, AND INCLUSION (DEI) REQUIREMENTS TO FILTER OUT COMPETENT ACADEMICS WHO DISSENT FROM THE DEI IDEOLOGY. FEARING RETRIBUTION, LOWERY BEGAN SELF-CENSORING. HE LOCKED HIS TWITTER ACCOUNT, WHICH HID IT FROM THE GENERAL PUBLIC. HE ALSO STOPPED USING TWITTER ENTIRELY AND HAS CURTAILED HIS PUBLIC SPEECH CRITICAL OF THE UT ADMINISTRATION. THE LAWSUIT ASKS THE COURT TO BAR UT OFFICIALS FROM THREATENING OR ACTING ON THE THREATS MADE TO LOWERY FOR HIS PROTECTED SPEECH, DECLARE THAT THE THREATS AGAINST LOWERY AMOUNTED TO UNCONSTITUTIONAL STATE ACTION DESIGNED TO CHILL LOWERY'S PROTECTED SPEECH AND RETALIATE AGAINST HIM, AND AWARD COSTS AND ATTORNEY'S FEES AS PROVIDED BY FEDERAL LAW. THE CASE IS ONGOING. A VICTORY WOULD PROTECT THE FIRST AMENDMENT RIGHT TO FREE SPEECH.</p>
<p>CASES IN LITIGATION PART XIII</p>	<p>MOMS FOR LIBERTY WILSON COUNTY, TN V. WILSON COUNTY BOARD OF EDUCATION (SCHOOL BOARD CENSORSHIP) THE INSTITUTE FOR FREE SPEECH REPRESENTS A GROUP OF WILSON COUNTY MOMS FILING A FEDERAL LAWSUIT AGAINST THE WILSON COUNTY BOARD OF EDUCATION FOR VIOLATING THEIR FIRST AMENDMENT RIGHT TO SPEAK AT THE BOARD'S PUBLIC MEETINGS. WHEN ROBIN LEMONS DECIDED TO SPEAK TO THE WILSON COUNTY SCHOOL BOARD IN 2022 ABOUT HOW SCHOOL OFFICIALS IGNORED AND MISHANDLED AN ALLEGATION OF SEXUAL MISCONDUCT INVOLVING HER FOURTH-GRADE DAUGHTER, SHE WORRIED THE SCHOOL BOARD MIGHT CENSOR HER. SHE WAS RIGHT. AS SOON AS SHE STARTED</p>

Return Reference	Explanation
	<p>CRITICIZING THE SCHOOL DIRECTOR DURING THE OCTOBER 3, 2022, MEETING, BOARD CHAIRMAN JAMIE FAROUGH TOLD LEMONS TO "STOP TALKING." FAROUGH CUT HER OFF BECAUSE SHE HAD NOT ANNOUNCED HER HOME ADDRESS TO THE CROWD - A WIDELY IGNORED RULE THAT THE SCHOOL BOARD DID NOT ENFORCE AGAINST ANY OTHER SPEAKER THAT YEAR. LEMONS COMPLIED WITH THE REQUEST, BUT NOW IS A PLAINTIFF IN A FEDERAL LAWSUIT AGAINST THE WILSON COUNTY BOARD OF EDUCATION FOR VIOLATING HER FIRST AMENDMENT RIGHTS. THE WILSON COUNTY CHAPTER OF MOMS FOR LIBERTY AND ITS CHAIR, AMANDA DUNAGAN-PRICE, JOIN HER AS PLAINTIFFS IN THE CASE. THE MOMS CHALLENGE THREE POLICIES THAT VIOLATE THE FIRST AMENDMENT, INCLUDING THE BOARD'S REQUIREMENT THAT SPEAKERS PUBLICLY ANNOUNCE THEIR HOME ADDRESS BEFORE SPEAKING. THIS RULE - WHICH THE BOARD SELECTIVELY ENFORCED AGAINST LEMONS - EXPOSES SPEAKERS, THEIR HOMES, AND THEIR FAMILIES TO POTENTIAL HARASSMENT OR REPRISALS IF THEIR SPEECH IS UNPOPULAR. THE MOMS ALSO CHALLENGE THE BOARD'S POLICY AGAINST "ABUSIVE" COMMENTS AND A REQUIREMENT THAT INDIVIDUALS OBTAIN APPROVAL TO SPEAK BY FIRST PERSUADING A BOARD MEMBER THAT THEIR COMMENTS ARE IN "THE PUBLIC INTEREST." PRACTICALLY SPEAKING, THESE POLICIES ALLOW THE BOARD TO CENSOR SPEAKERS IF THEY CRITICIZE OFFICIALS TOO HARSHLY. THEY ALSO MAKE SPEAKING AT BOARD MEETINGS "A DIFFICULT AND INTIMIDATING PROCESS - ONE THAT PREVENTS THE BOARD'S SHARPEST CRITICS FROM SPEAKING FREELY," READS THE COMPLAINT. THE INSTITUTE HAS FILED AN APPEAL TO THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT. SUCCESS IN THIS CASE WOULD HELP PROTECT THE RIGHTS TO FREE SPEECH AND PETITION OF THE GOVERNMENT.</p>
<p>CASES IN LITIGATION PART XIV</p>	<p>NO ON E V. CHIU (EXCESSIVE DISCLAIMERS ON POLITICAL ADVERTISING) WANT TO ADVERTISE TO SAN FRANCISCO VOTERS? BEFORE STARTING YOUR MESSAGE, THE CITY COULD FORCE YOU TO SPEND OVER 30 SECONDS RECITING PUBLICLY AVAILABLE DONOR INFORMATION. INSTEAD OF RESERVING A SMALL PORTION OF AN AD TO ANNOUNCE THE SPEAKER'S IDENTITY, AS MOST JURISDICTIONS DO, SAN FRANCISCO'S DISCLAIMER LAW FORCES SPEAKERS TO MAKE THE GOVERNMENT'S MESSAGE THE FOCAL POINT OF THEIR ADS. GROUPS ARE REQUIRED TO RECITE A LENGTHY DISCLAIMER NAMING THEIR DONORS - AND THEIR DONORS' DONORS - AT THE START OF AUDIO AND VIDEO ADS. FAILURE TO INCLUDE THE DISCLAIMER CAN TRIGGER CRIMINAL AND CIVIL PENALTIES, INCLUDING FINES UP TO \$5,000. THESE REQUIREMENTS MAKE IT ALL BUT IMPOSSIBLE FOR GROUPS TO COMMUNICATE EFFECTIVELY WITH SAN FRANCISCO VOTERS. SPEAKERS' MESSAGES ARE SHOVED TO THE SIDE IN FAVOR OF REDUNDANT DONOR INFORMATION OF QUESTIONABLE VALUE. ALL OF THE DONOR INFORMATION INCLUDED IN THE DISCLAIMER IS ALREADY PUBLICLY AVAILABLE ON CITY WEBSITES, THE LAWSUIT EXPLAINS. RATHER THAN INFORM VOTERS, THE DISCLAIMER ACTUALLY MISLEADS VOTERS BY NAMING THEM AS "SECONDARY DONORS" INDIVIDUALS WHO HAVE NOT CONTRIBUTED TO OR SUPPORTED THE SPEAKER'S MESSAGING IN ANY WAY. VIEWERS WILL BE LED TO BELIEVE THESE "SECONDARY DONORS" PLAYED A SIGNIFICANT ROLE IN THE CREATION OF THE AD OR THE GROUP RUNNING THE AD. YET, IN MANY CASES, THOSE INDIVIDUALS WILL NOT EVEN BE AWARE OF THE AD THEIR NAME APPEARS ON UNTIL IT AIRS. THE LAWSUIT ASKS THE COURT TO STRIKE DOWN SAN FRANCISCO'S REQUIREMENT THAT GROUPS LIST "SECONDARY DONORS" ON THE FACE OF THEIR ADS AS UNCONSTITUTIONAL UNDER THE FIRST AMENDMENT. AMERICANS ARE ACCUSTOMED TO SIMPLE "PAID FOR BY" DISCLAIMERS AT THE END OF POLITICAL ADS. YET SAN FRANCISCO HAS RADICALLY EXPANDED THESE DISCLAIMERS TO COOPT, IN SOME CASES, A SPEAKER'S ENTIRE MESSAGE. AFTER THE NINTH CIRCUIT COURT OF APPEALS DENIED AN EN BANC REHEARING, ATTORNEYS AT THE INSTITUTE FILED A PETITION FOR A WRIT OF CERTIORARI TO THE U.S. SUPREME COURT. SEVERAL ORGANIZATIONS HAVE FILED AMICUS BRIEFS TO SUPPORT THE PETITION. SUCCESS IN THIS CASE WOULD PROTECT THE FIRST AMENDMENT RIGHT TO FREE SPEECH.</p>
<p>CASES IN LITIGATION PART XV</p>	<p>OLIVER, ET AL. V. FEDERAL ELECTION COMMISSION (DONOR DISCLOSURE) SHOULD DONATING EVEN FIVE DOLLARS OR LESS TO A CANDIDATE RESULT IN YOUR PERSONAL INFORMATION BEING POSTED ONLINE FOR ANYONE TO FIND? CONFUSINGLY, CURRENT LAW SAYS "SOMETIMES." THE LAW SAYS "NO" IF YOU PERSONALLY HAND A CHECK FOR \$200 DIRECTLY TO A FEDERAL CANDIDATE. BUT IT SAYS "YES" IF YOUR DONATION, NO MATTER HOW SMALL, IS PASSED THROUGH A CONDUIT LIKE WINRED AND ACTBLUE. YOUR DIRECT DONATIONS ARE PROTECTED, BUT YOUR INDIRECT ONES ARE EXPOSED. THE INSTITUTE FOR FREE SPEECH STRONGLY BELIEVES THE ANSWER SHOULD BE UNIFORMLY "NO," WHICH IS WHY WE FILED A FEDERAL LAWSUIT IN JULY 2024 IN THE U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO ON BEHALF OF TWO SMALL-DOLLAR DONORS FROM TOLEDO. THE PLAINTIFFS FEAR THAT THE PUBLIC DISCLOSURE OF THEIR SMALL-DOLLAR POLITICAL DONATIONS COULD LEAD TO PERSONAL AND PROFESSIONAL REPERCUSSIONS, INCLUDING POTENTIAL IMPACTS ON THEIR BUSINESS RELATIONSHIPS AND INCREASED PRESSURE FROM OTHER CANDIDATES FOR FURTHER DONATIONS, EFFECTIVELY CHILLING THEIR ABILITY TO ENGAGE IN ANONYMOUS POLITICAL SPEECH. WE BELIEVE THAT THE FEDERAL CAMPAIGN FINANCE DISCLOSURE REQUIREMENTS FOR SMALL-DOLLAR DONORS WHO USE ONLINE PLATFORMS TO DONATE ARE UNCONSTITUTIONAL. THE SUIT SEEKS DECLARATORY AND INJUNCTIVE RELIEF TO PREVENT THE FEC FROM REQUIRING DISCLOSURE OF DONOR INFORMATION FOR CONTRIBUTIONS OF \$200 OR LESS MADE THROUGH ONLINE PLATFORMS BRINGING THE LAW IN LINE WITH REPORTING REQUIREMENTS FOR DIRECT DONATIONS. A VICTORY WOULD AFFIRM THAT THE DISCLOSURE REQUIREMENT FOR CONDUIT CONTRIBUTIONS VIOLATES DONORS' FIRST AMENDMENT RIGHTS TO FREE SPEECH AND ASSOCIATION.</p>
<p>CASES IN LITIGATION PART XVI</p>	<p>POLLAK V. WILSON, ET AL. (SCHOOL BOARD CENSORSHIP) AFTER HARRY POLLAK HEARD HIS LOCAL SUPERINTENDENT DEFEND CONTROVERSIAL POLICIES AT THE SCHOOL BOARD'S PUBLIC MEETING, POLLAK DECIDED TO SIGN UP TO SPEAK DURING THE NEXT MEETING. WHEN HIS TURN CAME, POLLAK EXPLAINED THAT HE INTENDED TO ADDRESS THE SUPERINTENDENT'S PREVIOUS STATEMENTS. BUT THE BOARD CHAIR CUT HIM OFF. THE CHAIR CLAIMED THAT THE BOARD'S RULE AGAINST DISCUSSING "PERSONNEL MATTERS" PROHIBITED POLLAK FROM MENTIONING THE SUPERINTENDENT FOR ANY REASON AT ALL. THAT RULE ORDINARILY REQUIRES INDIVIDUALS TO DISCUSS CONFIDENTIAL PERSONNEL ISSUES IN PRIVATE. BUT WHEN POLLAK STARTED SPEAKING, THE CHAIR USED IT TO STOP HIM FROM CRITICIZING THE SUPERINTENDENT'S PUBLIC STATEMENTS. SHE ORDERED POLLAK TO STOP SPEAKING AND ASKED FOR A RECESS. THE BOARD THEN CALLED THE POLICE TO ESCORT POLLAK OUT OF THE BUILDING. POLLAK SUED THE SCHOOL BOARD FOR VIOLATING HIS CONSTITUTIONAL RIGHTS. THE FIRST AMENDMENT PROHIBITS GOVERNMENT AGENCIES FROM SHIELDING PUBLIC OFFICIALS FROM CRITICISM DURING MEETINGS OPEN FOR PUBLIC COMMENT. POLLAK CHALLENGES THE SCHOOL BOARD'S USE OF ITS PERSONNEL RULE TO DO JUST THAT. WHILE THERE MAY BE A JUSTIFICATION FOR A SCHOOL BOARD TO PREVENT CITIZENS FROM DISCUSSING PERSONNEL MATTERS IN PUBLIC MEETINGS, THE BOARD HERE DEPLOYS THIS RULE TO DISTORT DEBATE ABOUT IMPORTANT POLICY ISSUES. IT WEAPONIZES THE RULE TO PROHIBIT INDIVIDUALS FROM CRITICIZING THE VERY OFFICIALS RESPONSIBLE FOR ENACTING THOSE POLICIES. POLLAK ALSO CHALLENGES ANOTHER SPEAKING POLICY THAT PROHIBITS "GOSSIP AND "ABUSIVE OR VULGAR LANGUAGE." NUMEROUS FEDERAL COURTS HAVE HELD THAT THESE KINDS OF SPEECH RESTRICTIONS DISCRIMINATE AGAINST SPEAKERS BASED ON THEIR VIEWPOINT AND THUS VIOLATE THE FIRST AMENDMENT. THE INSTITUTE FOR FREE SPEECH TOOK OVER POLLAK'S CASE AFTER THE COURT OF APPEALS DENIED HIS REQUEST FOR A PRELIMINARY INJUNCTION AND REMANDED THE CASE TO THE TRIAL COURT FOR A FINAL DECISION ON THE MERITS. POLLAK'S LAWSUIT ASKS THE COURT TO DECLARE THAT THE SCHOOL BOARD'S POLICIES</p>

Return Reference	Explanation
	VIOLATE THE FIRST AMENDMENT AND PERMANENTLY ENJOIN THE BOARD FROM ENFORCING THOSE POLICIES IN THE FUTURE. THE INSTITUTE'S MOTION FOR SUMMARY JUDGMENT IS PENDING THE COURT'S DECISION. A VICTORY WOULD PROTECT THE RIGHTS TO FREE SPEECH AND PETITION.
CLOSED CASES PART I	BELIN V. NELSON (FREEDOM OF THE PRESS) OUR CONSTITUTIONAL RIGHTS TO A FREE PRESS AND FREE SPEECH ENSURE THAT GOVERNMENT OFFICIALS CAN'T UNEQUALLY APPLY RULES TO DENY A JOURNALIST ACCESS. YET, THAT'S EXACTLY WHAT THE CLERK OF THE IOWA HOUSE OF REPRESENTATIVES DID TO REPORTER LAURA BELIN FOR YEARS. BELIN SOUGHT PRESS CREDENTIALS FROM THE IOWA HOUSE OF REPRESENTATIVES BEFORE EVERY LEGISLATIVE SESSION SINCE JANUARY 2019. IN HER REQUESTS, BELIN HAS SHOWN HOW HER INDEPENDENT ONLINE NEWS SITE, BLEEDING HEARTLAND, MEETS THE HOUSE'S STATED REQUIREMENTS FOR A PRESS PASS. BELIN ALSO NOW WORKS AS THE STATEHOUSE REPORTER FOR KHOI RADIO. DESPITE HER QUALIFICATIONS, IOWA HOUSE CHIEF CLERK MEGHAN NELSON AND A PREVIOUS CLERK DENIED BELIN'S CREDENTIALS EACH TIME, OFFERING SHIFTING RATIONALES FIRST SAYING SHE DID NOT QUALIFY AS MEDIA AT ALL, THEN DENYING HER BASED ON BEING "NONTRADITIONAL" MEDIA, BEFORE FINALLY DENYING ACCESS WITH NO EXPLANATION WHATSOEVER. IT WAS CLEAR THAT CREDENTIALS WERE DENIED BECAUSE OF HOSTILITY TOWARD HER HARD-HITTING REPORTING AND PERSONAL VIEWS. DAYS AFTER BELIN SUED THE HOUSE CHIEF CLERK THIS JANUARY, SHE WAS GRANTED HER PRESS CREDENTIALS. THE LAWSUIT HIGHLIGHTED THAT THE DENIAL OF PRESS CREDENTIALS WAS ARBITRARY, VIOLATED BELIN'S FIRST AND FOURTEENTH AMENDMENT RIGHTS, AND UNCONSTITUTIONALLY GAVE NELSON UNBRIDLED DISCRETION TO DECIDE WHO SHOULD BE CREDENTIALLED. AS PART OF THE SETTLEMENT OF THE LAWSUIT, THE IOWA HOUSE OF REPRESENTATIVES AGREED TO PAY \$49,004 IN ATTORNEY'S FEES TO THE INSTITUTE. THIS VICTORY PROTECTED THE RIGHTS TO FREEDOM OF SPEECH AND THE PRESS.
CLOSED CASES PART I	HETHERINGTON V. MADDEN (FLORIDA CANDIDATE SPEECH BAN) "THE FIRST AMENDMENT GUARANTEES CANDIDATES THE RIGHT TO DESCRIBE THEMSELVES HOWEVER THEY WISH," BEGINS OUR OPENING BRIEF IN THIS CASE. "A CANDIDATE CAN IDENTIFY AS A CHRISTIAN, A SATANIST, OR AN ATHEIST; A VEGAN OR AN OMNIVORE; A BERNIE BRO OR A MAGA-MANIAC - AND EVEN, PERHAPS ESPECIALLY, AS A REPUBLICAN OR A DEMOCRAT." BUT FLORIDA PROHIBITED NONPARTISAN CANDIDATES FROM TELLING VOTERS THEIR PARTISAN AFFILIATION. OUR CLIENT, KELLS HETHERINGTON, WAS RUNNING FOR THE ESCAMBIA COUNTY SCHOOL BOARD. THE LAST TIME HE RAN FOR SCHOOL BOARD, THE FLORIDA ELECTIONS COMMISSION (FEC) FINED HIM FOR SAYING THAT HE IS A "LIFELONG REPUBLICAN." PARTY MEMBERSHIP IS ONE OF THE MOST VALUABLE PIECES OF INFORMATION A CANDIDATE CAN PROVIDE TO THE VOTING PUBLIC. STATES SHOULD NOT PROHIBIT CANDIDATES FROM SHARING TRUTHFUL INFORMATION ABOUT THEIR POLITICAL PARTY AFFILIATION. WE ASKED A FEDERAL COURT TO STRIKE DOWN THIS PROVISION AS UNCONSTITUTIONAL. ON NOVEMBER 8, 2022, THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA PENSACOLA DIVISION RULED THAT KELLS HETHERINGTON MAY IDENTIFY HIMSELF AS A REPUBLICAN. CONSISTENT WITH THE JUDGMENT IN THE CASE, IN APRIL 2023, THE FEC AGREED TO PAY \$175,000 IN ATTORNEY'S FEES TO THE INSTITUTE. THIS VICTORY PROTECTED THE FIRST AMENDMENT RIGHT TO FREE SPEECH.
CLOSED CASES PART III	LIBBY, ET AL., V. SCHNEIDER, ET AL. (FUNDRAISING LIMITS) THE INSTITUTE, ON BEHALF OF MAINE STATE REPRESENTATIVE LAUREL LIBBY AND OTHERS, INCLUDING WOULD-BE DONORS, FILED SUIT IN MAY 2023 TO OVERTURN A RECENT CHANGE TO MAINE LAW THAT CREATED AN UNFAIR AND UNCONSTITUTIONAL SYSTEM, GIVING EVEN MORE INFLUENCE TO THE MOST POWERFUL POLITICAL LEADERS WHILE CURTAILING POLITICAL SPEECH RIGHTS FOR LEGISLATORS AND DONORS ALIKE. THESE RESTRICTIONS VIOLATED THE FIRST AND FOURTEENTH AMENDMENTS TO THE U.S. CONSTITUTION. THE INSTITUTE FOR FREE SPEECH REPRESENTED THE PLAINTIFFS CHALLENGING THE LAW AND FILED SUIT IN FEDERAL COURT IN AN EFFORT TO RESTORE EQUAL SPEECH RIGHTS FOR GROUPS AND INDIVIDUALS HARMED BY THE NEW RULES. THE LAW IN QUESTION (21-A MRSA 1056-C) ESTABLISHED LOW FUNDRAISING LIMITS FOR POLITICAL ACTION COMMITTEES (PACS) LED BY LEGISLATORS, KNOWN AS "LEADERSHIP PACS." REP. LIBBY HEADS UP TWO SUCH ORGANIZATIONS. THE NEW RESTRICTIONS GREATLY LIMITED THE ABILITY OF LEADERSHIP PACS TO RAISE MONEY TO SPEAK TO THE PUBLIC ABOUT THEIR ISSUES. THE LIMITS ALSO SEVERELY BURDENED THE RIGHT OF WOULD-BE DONORS TO SUPPORT POLITICAL CAUSES. BUT THE PROBLEMS WITH THIS LAW EXTENDED EVEN BEYOND THE FIRST AMENDMENT, AS THE NEW RULES EXEMPTED PACS RUN BY FOUR SPECIFIC MAINE LEGISLATORS: THE SPEAKER OF THE HOUSE, THE PRESIDENT OF THE SENATE, AND THE MINORITY LEADERS IN EACH HOUSE. THUS, MAINE'S CONTRIBUTION RULES ALSO RAN AFOUL OF THE U.S. CONSTITUTION'S EQUAL PROTECTION GUARANTEES OF THE FOURTEENTH AMENDMENT. THAT'S BECAUSE, UNLIKE NEARLY ALL OTHER MAINERS INCLUDING CAUCUS LEADERSHIP - THE REMAINING 182 MAINE LEGISLATORS COULD NOT ESTABLISH, DIRECT, OR MAINTAIN A PAC FREE OF CONTRIBUTION LIMITS. THANKFULLY, THIS LAW WAS REPEALED. SPURRED IN PART BY THE LAWSUIT, LEGISLATORS OVERWHELMINGLY VOTED TO PASS A BILL REPEALING THE RESTRICTIONS IN A SPECIAL LEGISLATIVE SESSION HELD IN MID-JUNE. GOVERNOR JANET MILLS QUICKLY SIGNED THE BILL INTO LAW A FEW DAYS LATER. THE INSTITUTE FOR FREE SPEECH VOLUNTARILY DISMISSED THE CASE AS A RESULT OF THE LEGISLATIVE VICTORY. THIS LITIGATION HELPED PROTECT THE RIGHT TO FREE SPEECH.
CLOSED CASES PART IV	MAMA BEARS V. FORSYTH COUNTY SCHOOLS (SCHOOL BOARD CENSORSHIP) CONCERNED PARENTS IN FORSYTH COUNTY WANTED SCHOOL OFFICIALS TO CONFRONT THE SEXUALLY GRAPHIC MATERIAL IN BOOKS THEY PROVIDE TO CHILDREN IN SCHOOL LIBRARIES. THE BOARD OF EDUCATION, HOWEVER, HAS CENSORED SPEAKERS AT BOARD MEETINGS WHO READ EXCERPTS CONTAINING LANGUAGE THE CHAIR DEEMS "INAPPROPRIATE" FOR CHILDREN. AFTER ONE PARENT PERSISTED, THE BOARD BANNED HER FROM PARTICIPATING IN FUTURE MEETINGS UNTIL SHE AGREED TO LIMIT HER FIRST AMENDMENT RIGHTS. AFTER PLAINTIFF ALISON HAIR ATTEMPTED TO READ ONE SUCH PASSAGE AT A MARCH 15, 2022 BOARD MEETING, SHE RECEIVED A LETTER SIGNED BY EVERY MEMBER OF THE BOARD OF EDUCATION PROHIBITING HER FROM PARTICIPATING IN ANY FUTURE MEETINGS UNTIL SHE PROVIDED A WRITTEN GUARANTEE THAT SHE WOULD ABIDE BY THE CHAIR'S DIRECTIVES. THE BOARD'S UNCONSTITUTIONAL DEMANDS AND POLICIES WERE EXACERBATED BY AGGRESSIVE ENFORCEMENT TACTICS AND A CHILLING ENVIRONMENT FOR DISSENT. HAIR AND MARTIN CEASED PARTICIPATING IN BOARD MEETINGS FOR FEAR OF ARREST, EXPULSION, OR FURTHER ABUSE AT THE HANDS OF THE BOARD. SPEAKERS WHO CONTINUE TO VOICE OBJECTIONS TO SCHOOL LIBRARY BOOKS AT MEETINGS HAVE BEEN FORCED TO SELF-CENSOR THEIR COMMENTS. THE PARENTS' LAWSUIT ASKED THE COURT TO ISSUE AN ORDER PREVENTING FORSYTH COUNTY SCHOOLS AND BOARD OFFICIALS FROM ENFORCING THE BAN AGAINST HAIR'S PARTICIPATION IN BOARD MEETINGS AND SEVERAL UNCONSTITUTIONAL PROVISIONS OF ITS PUBLIC PARTICIPATION POLICY. THE LAWSUIT ALSO SOUGHT AN ORDER PERMANENTLY ENJOINING THE DEFENDANTS FROM DISCRIMINATING ON THE BASIS OF VIEWPOINT IN PROVIDING ACCESS TO SCHOOL BOARD MEETINGS. ON NOVEMBER 11, 2022, THE COURT PRELIMINARILY RULED IN FAVOR OF THE MAMA BEARS AND REAFFIRMED PARENTS' ABILITY TO EXERCISE THEIR FIRST AMENDMENT SPEECH RIGHTS, INCLUDING CRITICISMS OF THEIR ELECTED OFFICIALS. ON JANUARY 31, 2023, THE COURT ENTERED A FINAL JUDGMENT AGAINST THE SCHOOL DISTRICT AND PERMANENTLY ENJOINED THE SCHOOL DISTRICT FROM ITS

Return Reference	Explanation
	UNCONSTITUTIONAL ACTIONS CHALLENGED IN THE CASE. AS PART OF THE SETTLEMENT OF THE LAWSUIT, THE SCHOOL DISTRICT AGREED TO PAY \$107,500 IN ATTORNEY'S FEES, INCLUDING \$86,000 TO THE INSTITUTE. THIS VICTORY PROTECTED THE RIGHTS TO FREE SPEECH AND PETITION OF THE GOVERNMENT.
CLOSED CASES PART V	MAZO AND MCCORMICK V. WAY, ET AL. (BALLOT SLOGAN RESTRICTIONS) IFS ATTORNEYS REPRESENTED TWO CANDIDATES FOR CONGRESS IN NEW JERSEY, EUGENE MAZO AND LISA MCCORMICK, IN A FEDERAL LAWSUIT ASKING THE COURT TO DECLARE THE STATE'S RESTRICTIONS ON CAMPAIGN SLOGANS UNCONSTITUTIONAL. NEW JERSEY LAW ALLOWS CANDIDATES IN PRIMARY ELECTIONS FOR CONGRESS TO INCLUDE A SLOGAN OF UP TO SIX WORDS NEXT TO THEIR NAME ON THE BALLOT. THE LAW, HOWEVER, PROHIBITS SLOGANS FROM NAMING OR REFERRING TO ANY OTHER PERSON OR ANY INCORPORATED ENTITY IN NEW JERSEY, UNLESS THE CANDIDATE RECEIVES THEIR PERMISSION. THIS FUELED A COMPETITION IN THE STATE TO INCORPORATE ENTITIES IN ORDER TO OWN THE RIGHTS TO THEIR NAMES FOR BALLOT SLOGANS AND EXCLUDE OTHERS FROM USING THEM. EUGENE MAZO IS A LAW PROFESSOR WHO SOUGHT THE DEMOCRATIC NOMINATION TO THE U.S. HOUSE OF REPRESENTATIVES IN NEW JERSEY'S 10TH CONGRESSIONAL DISTRICT. MAZO SUBMITTED THREE SLOGANS, BUT ALL WERE REJECTED BY THE STATE BECAUSE EACH NAMED AN INCORPORATED ENTITY IN NEW JERSEY. TO AVOID HAVING NO SLOGAN APPEAR ON THE BALLOT, MAZO REGISTERED CORPORATIONS OF HIS OWN IN THE STATE, NAMED AFTER SLOGANS HE WISHED TO USE. LISA MCCORMICK IS A SMALL BUSINESS OWNER WHO SOUGHT THE DEMOCRATIC NOMINATION FOR THE HOUSE IN NEW JERSEY'S 12TH CONGRESSIONAL DISTRICT. STATE OFFICIALS DENIED MANY PROPOSED SLOGANS, INCLUDING NOT ME. US,," BECAUSE MCCORMICK DID NOT HAVE PERMISSION FROM AN INCORPORATED ENTITY ORGANIZED IN NEW JERSEY UNDER THAT NAME. CANDIDATES HAVE THE RIGHT TO USE THE RHETORIC AND LANGUAGE OF THEIR CHOICE IN THEIR SLOGANS. UNFORTUNATELY, LOWER COURTS RULED AGAINST OUR CLIENTS AND THE U.S. SUPREME COURT DENIED THE PETITION FOR A WRIT OF CERTIORARI FOR MAZO AND MCCORMICK V. WAY, ET AL. ON OCTOBER 2, 2023.
CLOSED CASES PART VI	MOBILIZE THE MESSAGE, LLC V. BONTA (LABOR LAW THAT DISCRIMINATES AGAINST SPEECH) "CALIFORNIA ALLOWS INDEPENDENT CONTRACTORS TO ASK PASSERSBY TO SIGN A CREDIT CARD APPLICATION, BUT NOT A BALLOT MEASURE PETITION. IT ALLOWS THEM TO GO DOOR-TO-DOOR SELLING HOME GOODS, BUT NOT PROMOTING CANDIDATES. IT ALLOWS THEM TO DROP OFF NEWSPAPERS, BUT NOT CAMPAIGN LITERATURE, NOTES OUR VICE PRESIDENT FOR LITIGATION ALAN GURA. "THE FIRST AMENDMENT PROHIBITS DISCRIMINATION AGAINST SPEECH BASED ON ITS CONTENT, AND THAT'S EXACTLY WHAT'S HAPPENING" IN CALIFORNIA AFTER ASSEMBLY BILL 5 (AB 5) BECAME LAW. AB 5, WHICH EFFECTIVELY BARS CAMPAIGNS FROM HIRING CANVASSERS AS INDEPENDENT CONTRACTORS, HAS FORCED THE PLAINTIFFS TO STOP THEIR LONGSTANDING PRACTICE OF HIRING CONTRACTORS TO COLLECT SIGNATURES FOR BALLOT PETITIONS AND ENGAGE CALIFORNIA VOTERS IN DISCUSSION. THE COSTS OF HIRING CANVASSERS AS EMPLOYEES, AS REQUIRED BY AB 5, MAKE THEM UNAFFORDABLE TO MANY CAMPAIGNS. CALIFORNIA'S LAW EFFECTIVELY FAVORS WELL-FUNDED BALLOT INITIATIVES FROM BIG LABOR AND BIG TECH, WHILE SUFFOCATING THE TYPE OF LOW-BUDGET AND GRASSROOTS EFFORTS THAT PRODUCED THE LEGENDARY PROPOSITION 13, WHICH LIMITED PROPERTY TAXES. ON OCTOBER 11, 2022, THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT DENIED OUR CLIENT'S PRELIMINARY INJUNCTION. ON JUNE 20, 2023, THE U.S. SUPREME COURT DECLINED TO GRANT A PETITION TO HEAR THE CASE MOBILIZE THE MESSAGE, LLC V. BONTA.
CLOSED CASES PART VII	MOMS FOR LIBERTY-YOLO COUNTY V. LOPEZ (CONTENT-BASED DISCRIMINATION) IN DECEMBER 2023, WE AND THE ALLIANCE DEFENDING FREEDOM FILED A FEDERAL LAWSUIT ON BEHALF OF MOMS FOR LIBERTY (M4L) AND SEVERAL OTHER CALIFORNIA CIVIC ORGANIZATIONS AND INDIVIDUALS, CHALLENGING THE UNCONSTITUTIONAL ACTIONS OF YOLO COUNTY PUBLIC LIBRARY OFFICIALS. THE SUIT ARGUED THAT THE LIBRARY'S POLICIES AND PRACTICES VIOLATE FIRST AMENDMENT FREE SPEECH RIGHTS BY DISCRIMINATING BASED ON VIEWPOINT. THE CASE STEMMED FROM AN AUGUST 2023 "FORUM ON FAIR AND SAFE SPORT FOR GIRLS ORGANIZED BY M4L AT THE YOLO COUNTY PUBLIC LIBRARY. DESPITE M4L PAYING TO RESERVE THE SPACE, LIBRARY OFFICIALS INVITED DISRUPTIVE PROTESTERS TO INTERFERE WITH THE EVENT. THE OFFICIALS THEN ENDED THE EVENT ALMOST IMMEDIATELY AFTER IT BEGAN, CLAIMING THAT PARTICIPANTS WERE "MISGENDERING" BY REFERRING TO BIOLOGICAL MALES AS "MALES OR STATING THAT "MEN" ARE PARTICIPATING IN WOMEN'S SPORTS. IN MAY 2024, WE REACHED A FAVORABLE SETTLEMENT FOR OUR CLIENTS WITH YOLO COUNTY LIBRARY OFFICIALS. THEY HAVE ADOPTED A NEW LIBRARY MEETING ROOM POLICY AND CODE OF BEHAVIOR THAT BETTER PROTECTS FREE SPEECH RIGHTS AT LIBRARY EVENTS. THE LIBRARY ALSO ALLOWED M4L TO RESCHEDULE AND HOLD ITS EVENT WITHOUT INTERFERENCE. ADDITIONALLY, IT PAID \$70,000 IN ATTORNEY'S FEES TO THE PLAINTIFFS, INCLUDING \$17,219.02 PAID TO THE INSTITUTE. THIS VICTORY PROTECTED THE RIGHTS TO FREE SPEECH AND ASSEMBLY.
CLOSED CASES PART VIII	NY V. VDARE FOUNDATION, INC. (PROTECTING THE PRIVACY OF PSEUDONYMOUS AUTHORS) IN FEBRUARY 2024, THE INSTITUTE FOR FREE SPEECH FILED A MOTION TO PROTECT THE IDENTITIES OF ANONYMOUS AUTHORS CAUGHT IN THE CROSSFIRE OF AN INVESTIGATION BY THE NEW YORK ATTORNEY GENERAL INTO VDARE, A GROUP WITH A BLOG TO WHICH THE AUTHORS CONTRIBUTE UNDER PSEUDONYMS. OUR CLIENTS WANTED TO KEEP THEIR ANONYMITY. WE REQUESTED THE ADOPTION OF A PROTOCOL THAT WOULD ALLOW VDARE TO PRODUCE RESPONSIVE DOCUMENTS IN THE STATE'S INVESTIGATION OF THE GROUP WHILE HIDING ANY PERSONAL DETAILS ABOUT ANONYMOUS WRITERS FOR THE BLOG. THE FIRST AMENDMENT REQUIRES PROTECTING THE RIGHT OF THESE AUTHORS TO REMAIN ANONYMOUS. FREE SPEECH RIGHTS MUST NOT BECOME COLLATERAL DAMAGE IN AN OTHERWISE UNRELATED INVESTIGATION. WITHIN WEEKS, THE COURT GRANTED A MOTION TO PROTECT THE IDENTITIES OF THE ANONYMOUS AUTHORS, ESTABLISHING A PROTOCOL FOR AN INDEPENDENT REFEREE TO REVIEW DOCUMENTS AND REDACT IDENTIFYING INFORMATION BEFORE PROVIDING THEM TO THE ATTORNEY GENERAL'S OFFICE. THIS OUTCOME REPRESENTS A SIGNIFICANT WIN FOR THE FIRST AMENDMENT RIGHTS OF AUTHORS.
CLOSED CASES PART IX	WYOMING GUN OWNERS V. BUCHANAN (DISCLOSURE AND VAGUE CAMPAIGN FINANCE LAW) "AMERICANS' RIGHT TO SPEAK FREELY ABOUT CANDIDATES FOR ELECTED OFFICE INCLUDES THE RIGHT TO PUBLICLY EXAMINE CANDIDATES' POSITIONS," BEGINS THE COMPLAINT WE FILED IN FEDERAL COURT FOR OUR CLIENT, WYOMING GUN OWNERS (WYGO). "AMERICANS ALSO HAVE A RIGHT TO KNOW WHAT A LAW MEANS, ESPECIALLY ONE THAT MAY SANCTION THEM FOR ENGAGING IN POLITICAL SPEECH. VAGUE LAWS INVITE ARBITRARY ENFORCEMENT AND CHILL SPEECH." THE LAWSUIT, WHICH WAS FILED ON JUNE 1, 2021, ALLEGES THAT THE STATE'S ELECTIONEERING-COMMUNICATIONS REGIME IS BOTH OVERBROAD AND VAGUE IN ITS DEFINITION OF REPORTABLE SPEECH AND DONORS. IT FAILS TO CLEARLY DEFINE CONTRIBUTIONS AND EXPENDITURES THAT MUST BE REPORTED AND VIOLATES PEOPLE'S INTEREST IN MAINTAINING THE PRIVACY OF THEIR POLITICAL ASSOCIATIONS. THE VAGUE WYOMING LAW IS A PRIME EXAMPLE OF HOW SUCH LAWS CAN HARM POLITICAL SPEECH. THE COMPLAINT FILED UNDER THE LAW CAME FROM A FREQUENT OPPONENT OF THE GROUP'S POLICY VIEWS, ALLOWING THE COMPLAINANT TO TURN THE LAW INTO A WEAPON TO SILENCE POLITICAL ADVERSARIES. EVEN IF SPEAKERS PREVAIL AGAINST STATE INVESTIGATIONS, THE PROCESS PUNISHES THEM FOR SPEAKING, DRAINING

Return Reference	Explanation
	<p>THEM OF TIME AND RESOURCES. IN OCTOBER 2023, THE TENTH CIRCUIT HELD THAT WYOMING'S ELECTIONEERING-COMMUNICATIONS DISCLOSURE REGIME IS UNCONSTITUTIONAL. WE BELIEVE IT IS THE FIRST TIME AN APPELLATE COURT HAS APPLIED THE U.S. SUPREME COURT'S OPINION IN AMERICANS FOR PROSPERITY FOUNDATION V. BONTA IN A CAMPAIGN FINANCE CASE. THE CASE STEMMED FROM WYOMING GUN OWNERS (WYGO) MAKING MULTIPLE COMMUNICATIONS TO ITS MEMBERS AND THE PUBLIC ABOUT CANDIDATES' POLICY VIEWS FOR THE 2020 ELECTION. ALTHOUGH THESE COMMUNICATIONS DID NOT DIRECTLY SUPPORT THE ELECTION OR DEFEAT OF ANY CANDIDATE, THE WYOMING SECRETARY OF STATE'S OFFICE INVESTIGATED WYGO'S POLITICAL SPEECH AFTER RECEIVING A COMPLAINT FROM A FREQUENT OPPONENT OF THE GROUP'S POLICY VIEWS. THEN-DEPUTY SECRETARY OF STATE KAREN WHEELER ASSESSED A \$500 FINE AGAINST WYGO. THE TENTH CIRCUIT UPHELD THE DISTRICT COURT'S RULING THAT WYOMING'S DISCLOSURE REQUIREMENTS WERE NOT NARROWLY TAILORED AND FAILED TO PROVIDE SUFFICIENT GUIDANCE ON WHICH DONORS MUST BE DISCLOSED, MAKING THE LAW UNCONSTITUTIONAL. AS THE COURT DETERMINED, WYOMING'S MANDATE TO DISCLOSE DONATIONS "RELATING TO" ELECTIONEERING COMMUNICATIONS LACKED NARROW TAILORING AND WAS VAGUE. AS PART OF THE SETTLEMENT OF THE LAWSUIT, WYOMING AGREED TO PAY \$119,722.16 IN ATTORNEY'S FEES TO THE INSTITUTE. THE VICTORY SET A NEW PRECEDENT PROTECTING THE FIRST AMENDMENT RIGHTS TO FREEDOM OF SPEECH AND ASSEMBLY.</p>

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