OUR MISSION

Americans United for Separation of Church and State is a nonpartisan educational organization dedicated to preserving the constitutional principle of church-state separation as the only way to ensure religious freedom for all Americans.
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2013 was a year full of challenging – and wide-ranging – activities for Americans United for Separation of Church and State.

A highlight of the year occurred when the U.S. Supreme Court announced it would hear one of our legal cases. While preparing for *Town of Greece v. Galloway* took up a lot of the Legal Department’s time, AU attorneys were active on many other fronts. They did battle to stop Kentucky officials from giving aid to a proposed theme park based on a replica of Noah’s Ark, defended workers’ access to birth control, blocked schemes to insert religion into public schools and worked in and outside of the courts to defend the church-state wall in hundreds of cases – among other things.

Our Field Department fashioned two new bodies – the National Leadership Council and the Youth Advisory Council – and launched several new chapters. AU’s Legislative team fought back against misguided “school choice” schemes in 40 states and worked with coalitions to defend public education, freedom of conscience and church-state separation.

The Development team focused on keeping Americans United on a sound financial footing, while our Accounting staff ensured compliance with non-profit standards and federal and state laws.

AU hosted its second Voices United concert series, bringing an array of performers front and center to support AU and its mission. Capping the event was a special night of comedy Sept. 26 in Los Angeles headlined by Sarah Silverman.


This is just a little sampling of some of the activities Americans United undertook in 2013. You’ll find a lot more detail in the pages of this report. Not to sing our own praises too much, but I believe our 2013 accomplishments were substantial – and I think you will too.

As you examine this report, remember that none of this would have been possible without the financial support and activism of people nationwide – people like you who understand the importance of the church-state wall and know instinctively that we cannot truly be a free nation without it.

Thank you. I look forward to many more years of productive partnership.

Barry W. Lynn
Executive Director
Americans United for Separation of Church and State
The Communications Department worked on many projects in 2013, but one incident tended to overshadow them all: the U.S. Supreme Court’s decision to hear Americans United’s Town of Greece v. Galloway case.

Media interest in the case was intense.

When the high court announced on May 20 that it would hear the case, Americans United was flooded with media calls. USA Today, the Associated Press, The Washington Post, The New York Times, The Wall Street Journal, CNN, Bloomberg News and a host of others reported on the court’s decision to hear the matter. Most of these stories quoted AU Executive Director Barry W. Lynn.
IN the months that followed, many media outlets did in-depth stories about the case. Lynn, AU Legal Director Ayesha Khan and others were often quoted. (Plaintiffs Susan Galloway and Linda Stephens agreed to be interviewed for some stories.) AU Communications Director Rob Boston discussed the case on Fox News Channel’s “The Kelly File,” and Lynn talked about it with CBS Radio.

When the oral arguments were held Nov. 6, another round of intense media coverage occurred. It would not be possible to list all of the media outlets that covered the argument because they ran into the dozens. The Communications Department fielded calls all day and into the night. It was a busy period – but also exhilarating.

The Communications Department also conducted a social media campaign with the assistance of allied organizations, using Facebook and Twitter to tell the widest possible audience that at its heart, Town of Greece v. Galloway is about real religious liberty—a right enjoyed by everyone regardless of their faith identity or lack thereof.

AU opposes taxpayer aid to storm-damaged churches:

After Hurricane Sandy ravaged the East Coast, politicians rushed to address the damage. Storm-damaged communities needed help, but unfortunately, some officials seized an opportunity to sneak First Amendment violations into otherwise valid aid proposals. Spurred by the U.S. Conference of Catholic Bishops and their allies in the Religious Right, politicians from both parties proposed measures that would have allowed houses of worship to use FEMA funds for repairs and rebuilding.

AU’s executive director, Barry Lynn, appeared on National Public Radio to explain our position. “The Supreme Court’s drawn a pretty clear line about giving certain kinds of assistance to churches,” he told listeners, “but not allowing them to be paid to buy brick and mortar to construct or reconstruct their properties. I still think it’s a good law, and I think it ought to be respected, even after the devastation of Sandy.”

Media interest in this story was high. Lynn and other AU staffers also had comments about the issue featured in The New York Times, Associated Press, Religion News Service, Associated Baptist Press, Christian Post and the New Jersey Jewish News, to name a few.
New Jersey proposes tax aid for seminaries; AU says no:

Legislators in New Jersey proposed directing millions in taxpayer money to two sectarian institutions of higher education – a Protestant seminary and a Jewish yeshiva. Both institutions exist primarily to train members of the clergy. AU argued that this is an inappropriate use of public funds. We filed suit along with the ACLU. The legal action made big news in New Jersey. Stories were carried by the Philadelphia Inquirer, Easton (Pa.) Express-Times, New Jersey Jewish News, Asbury Park Press, WHYY Radio, the Associated Press and others.

Tax credits in New Hampshire challenged:

When lawmakers in New Hampshire passed a generous tax credit program that mimics a voucher plan, AU and the ACLU went to court to stop it. Virtually every daily newspaper in New Hampshire covered this story, as did radio and TV. The story also got some national play. Stories appeared in the Concord Monitor, the Manchester Union-Leader, Foster's Daily Democrat (Dover), Nashua Telegraph, The Washington Post, the Associated Press, New Hampshire Public Radio and others.

Christian war memorial challenged in King, N.C.:

Americans United is challenging the city of King, N.C.'s decision to build a war memorial that incorporates Christian iconography. The Winston-Salem Journal and other North Carolina media outlets have covered the lawsuit extensively.

A separate story from North Carolina concerned a bill introduced by a state legislator that would have allowed local communities to declare official religions. AU spoke out quickly to protest this obviously unconstitutional proposal. The story was so odd that CNN picked it up and quoted AU. In addition, AU's Lynn placed an op-ed in The Washington Post denouncing the idea.

Birth control battles at the Supreme Court:

The ability of workers at secular companies to access birth control through health-care plans under the Affordable Care Act has been a huge topic in the media. Americans United has been a part of that discussion. AU comment has appeared in The Huffington Post, the RH Reality Check blog, the Associated Baptist Press and the Daily Oklahoman. Lynn also penned an op-ed about the issue that was carried by newspapers nationwide.

Kentucky's 'Ark Park' sets sail again:

For the past few years, Americans United has monitored efforts by a creationist ministry to build a theme park in Kentucky centered on a replica of Noah's Ark. The project is of interest to AU because the park has received various tax breaks, municipal bond funding and other forms of tax assistance. The project looked to be dead, but late in 2013 backers announced a "junk bond" offering to breathe new life into it. Bloomberg News, Financial Times, Reuters, the Lexington (Ky.) Herald-Leader and other publications carried stories that quoted AU.

Flap arises over Florida town's seal:

Americans United attorneys in September protested the presence of a cross on the town seal of DeLand, Fla. Although AU did not intend for its protest to become public, someone in the city released it to the media. The story was covered by several Florida newspapers and other media outlets, among them the West Volusia Beacon, Daytona Beach News-Journal, WFTV-TV, WOFL-TV and WNDB Radio. Two national outlets – The Washington Times and Fox News Channel – also picked up the story.

Aside from vigorous outreach to the media, the Communications Department oversees several ongoing projects that boost AU's public profile. The department produces Church & State every month, and maintains AU's daily blog "The Wall of Separation." In addition, the Communications Department is responsible for adding fresh content to AU's Facebook page and Twitter accounts.

The Communications Department also produces and updates various pamphlets, reports and other materials that AU uses to educate the public about church-state separation. The department publicizes speaking events by AU staffers and works with local chapters to help them get media attention as well.

A final note: In August of 2013, Joe Conn, who served as AU's director of communications since 1982, retired. Joe had worked at Americans United since 1980, so his departure capped a remarkable 33 years of service to this organization and this cause. We wish him well.
**2013 News Media Highlights**

Americans United staff members frequently appear on radio, television and web-based news and talk programs to discuss church-state developments. The following list includes many of the appearances since Jan. 1, 2013, by AU Executive Director Barry W. Lynn, Legal Director Ayesha Khan, Associate Legal Director Alex Luchenitser, Senior Litigation Counsel Greg Lipper, Staff Attorney Ian Smith, Director of Communications Rob Boston and Assistant Field Director for Religious Outreach Steven Baines.

**Television**

**January**
- 25 - Lynn on Fox News Channel’s “Fox News with Lauren Green,” West Point official prayers (Internet)

**February**
- 6 - Lynn on Voice of America, National Prayer Breakfast (Worldwide)
- 12 - Baines on CBS affiliate WREG’s “Live at 9,” religion and politics (Memphis, Tenn.)
- 26 - Boston on HuffPo Live, religion in public schools (Internet)

**March**
- 18 - Lipper on WGHP Fox Channel 8, Stokes County, N.C., religion in schools dispute (High Point, N.C.)

**May**
- 20 - Lynn on YNN’s “Your News Now Rochester,” Town of Greece prayer case at Supreme Court (New York)
- 22 - Lynn on HuffPo Live, Greece town board prayer case at Supreme Court (Internet)
- 22 - Lynn on Free Speech TV’s “The Bill Press Show,” birth control mandate lawsuits (Nationwide)

**September**
- 5 - Lynn on HuffPo Live, Mass. Pledge of Allegiance case (Internet)
- 20 - Lynn on MSNBC’s “Ed Show,” religion and public policy (Nationwide)

**October**
- 4 - Khan on PBS’s “Religion & Ethics Newsweekly,” N.Y. prayer case (Nationwide)
- 10 - Boston on Fox News Channel’s “The Kelly File,” N.Y. prayer case (Nationwide)
- 31 - Lynn on Free Speech TV’s “The Bill Press Show,” N.Y. prayer case (Nationwide)

**November**
- 3 - Lynn on MSNBC’s “Craig Melvin,” N.Y. prayer case (Nationwide)
- 6 - Khan on CSPAN, N.Y. prayer case (Nationwide)
- 6 - Boston on EWTN, Greece, N.Y. prayer case (Nationwide)

**December**
- 11 - Lynn on Free Speech TV’s “The Bill Press Show,” war on Christmas and birth control cases (Nationwide)
- 24 - Lynn on C-SPAN’s “Washington Journal,” religion in politics (Nationwide)

AU’s Lynn discusses the intersection of politics and religion on C-SPAN’s *Washington Journal* - December 2013
### Radio

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<th>Month</th>
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<td>10 - Luchenitser on WNHN’s “Attitude with Arne Arneson,” N.H. tax credit case (Concord, N.H.)</td>
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<td>14 - Luchenitser on KPCC, Riverside, Calif., cross dispute (Southern Calif.)</td>
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<td>21- Lynn on “Ancient Faith Radio,” Riverside, Calif., cross dispute (Internet)</td>
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<td>23- Lynn on “In the Market with Janet Parshall,” general church and state (Nationally syndicated)</td>
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<td><strong>February</strong></td>
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<td>1 - Lynn on UNI News, Obama birth control rule (Nationwide)</td>
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<td>7 - Boston on KPSI’s &quot;Stan Layne,” Pat Robertson and the Boy Scouts (Palm Springs, Calif.)</td>
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<td>8 - Lynn on NPR’s “Morning Edition,” FEMA funding of church repairs (Nationwide)</td>
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<td>13 - Lynn on “In the Market with Janet Parshall,” general church and state (Nationally syndicated)</td>
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<td>27 - Lynn on ‘The Ed Schultz Show,’ selection of a new pope (Nationally syndicated)</td>
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<td><strong>March</strong></td>
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<td>4 - Lynn on WNHN’s “Attitude with Arne Arneson,” marriage equality &amp; Supreme Court (Concord, N.H.)</td>
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<td>18- Lipper on WFDD Stokes County, N.C., religion in public schools dispute (North Carolina)</td>
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<td>27 - Lynn on “In the Market with Janet Parshall,” marriage equality cases at the Supreme Court (Nationally syndicated)</td>
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<td>28 - Lynn on America’s Radio News Network, marriage equality cases at the Supreme Court (Nationally syndicated)</td>
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<td><strong>April</strong></td>
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<td>4 - Lynn on America’s Radio News Network, North Carolina nullification bill (Nationally syndicated)</td>
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<td>26 - Luchenitser on New Hampshire Public Radio, AU lawsuit challenging state aid to religious schools (New Hampshire)</td>
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<td><strong>May</strong></td>
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<td>17 - Lipper on Maine Public Radio, public school “blessing of the fleet” (Statewide)</td>
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<td>20 - Lynn on AP Radio, N.Y. prayer case (Nationwide)</td>
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<td>22 - Boston on KPSI’s “Stan Layne Show,” N.Y. prayer case (Palm Springs, Calif.)</td>
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<td><strong>June</strong></td>
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<td>1 - Lipper on Envision Radio’s &quot;America Weekend,” N.Y. prayer case (Nationally syndicated)</td>
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<td>27 - Lynn on AP Radio, Hobby Lobby contraceptive ruling (Nationwide)</td>
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<tr>
<td>28 - Boston on KGNU, Hobby Lobby contraceptive ruling (Boulder, Colo.)</td>
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<td><strong>July</strong></td>
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<td>22 - Smith on KLBJ, hospital merger (Austin, Texas)</td>
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<td><strong>August</strong></td>
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<td>3 - Boston on Blog Talk Radio’s “As the Atheist World Turns” general church and state (Internet)</td>
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<td>20 - Lipper on Cyber Station USA’s “Fairness Radio with Patrick O’Heffernan,” contraceptive mandate (Internet)</td>
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<td><strong>September</strong></td>
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<td>5 - Lynn on KCAAs “The Morning Show with Paul Lane,” general church and state (Loma Linda, Calif.)</td>
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<td><strong>October</strong></td>
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<td>3 - Lipper on WXXI’s “1370 Connection,” N.Y. prayer case (Rochester, NY)</td>
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<td><strong>November</strong></td>
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<td>6 - Lynn on AP Radio, N.Y. prayer case (Nationwide)</td>
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<td>8 - Lipper on KCMO &quot;Morning Show With Greg Knapp,&quot; Missouri Christmas law (Kansas City, Mo.)</td>
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<td>13 - Lynn on KKSFs “Armstrong &amp; Getty,” N.Y. prayer case (San Francisco, San Diego, Sacramento)</td>
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<td><strong>December</strong></td>
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<tr>
<td>11 - Lipper on Fox News Radio’s “Alan Colmes Show,” general church-state issues (Nationwide)</td>
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<td>16 - Lynn on Global American Broadcasting’s “Culture Shock Radio,” general church and state issues (Nationwide)</td>
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<tr>
<td>17 - Boston on KPSI’s &quot;Steve Kelly,&quot; war on Christmas (Palm Springs, Calif.)</td>
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In 2013, Americans United hosted the second Voices United concert series. It was a smashing success, drawing sellout crowds for many of the more than 20 shows. The shows succeeded in raising funds and boosting the cause of church-state separation.

Voices United featured a range of acts, including folk musicians and comedians, performing in more than 15 states and the District of Columbia in September and October. The shows in the series ranged from house concerts in some towns to large venues in major cities.

One of the highlights was a Sept. 26 show at the historic Coronet, a famous nightclub in Los Angeles. The event was headlined by comedian Sarah Silverman and also included performances by Natasha Leggero, Rob Delaney, Lizz Winstead and Tig Notaro.

A Washington, D.C., event featured a concert by Melissa Ferrick and Catie Curtis. Denver hosted Liz Barnez and in Nashville, concert-goers were entertained by the Carolyn Martin Swing Band. The series wrapped up in early October with bicoastal events. There were two concerts in Massachusetts, one headlined by famed folk singer Holly Near in Newton Oct. 4. Two days later, the trio Brother Sun brought its unique vocal stylings to Montague. At the same time, Curtis joined Mel Watson, Jen Todd, Kate Wolf and Julie Wolf at a Seattle venue.

Above, Left: Images from Voices United event flyers, promoting shows by Sarah Silverman, Melissa Ferrick and Catie Curtis.
New chapters and big events made 2013 an important year for the Field Department. AU’s Field Department is vital to the continued success of our national office. It’s responsible for bringing together allied activists who want to join the fight to keep church and state separate wherever they may live.

In 2013, we were joined by new chapters in Texas, Colorado and North Carolina, bringing our total of number of chapters to 68. The expansion of our chapter program means that AU is better able to protect the wall of separation wherever it’s attacked.
Our Field Department also created the National Leadership Council (NLC) and the Youth Advisory Council (YAC). Coordinated by Field Director Beth Corbin, the NLC will help strengthen our grassroots strategy by coordinating our national initiatives with local activism. Our chapter members are vital to the success of our work, and we’re confident that the NLC can only improve the strength of our activism.

The Youth Advisory Council is currently comprised of former AU interns and individuals they nominate for consideration. Young people are often particularly affected by church-state issues, thanks to the Religious Right’s dogmatic attacks on the neutrality of public schools, contraceptive access and other controversial issues. Members of the YAC provide a fresh perspective on these issues and encourage the development of a new generation of church-state activists.

Chapters also hosted a series of exciting talks and film screenings. Our Orange County, Calif., chapter started the year with a screening of “God in America,” which examined the Religious Right’s moral crusade over divisive social issues. That was just the first of many events focused on the tough issues that drive the work we do at Americans United. In one of the highlights of 2013, AU’s Houston Chapter hosted a special event with Bishop Gene Robinson. Nearly 200 people gathered to hear Robinson lecture about current issues regarding church-state separation, and more than 30 clergy attended a prayer breakfast on the following morning.

Chapter activists appeared at legislative hearings to remind our elected officials to preserve the separation of church and state as they consider new laws. Ronal Madnick, the president of AU’s Massachusetts Chapter, appeared before the state legislature to testify against a sectarian proposal to teach the Bible in public schools. That’s just one of the many grassroots efforts our activists participated in last year.

AU’s staff is dedicated to helping chapter members continue and grow AU’s nationally respected activist tradition. Corbin and Assistant Field Director for Religious Outreach Steven Baines staffed a table and took part in workshops at Creating Change in Atlanta. In June, Baines took the lead in organizing AU’s presence at Capitol Pride in Washington, D.C., and in October, State Legislative Counsel Elise Helgesen Aguilar traveled to Harrisburg, Pa., to assist the Delaware Valley Chapter with their Lobby Day. AU Executive Director Barry W. Lynn, Communications Director Rob Boston and other staff members often address chapter meetings.

Thanks to the efforts of our field staff and chapter activists, 2013 proved to be one of our strongest years for activist work. Here are some highlights...
March 3, 2013:
The Sarasota-Manatee (Fla.) Chapter hosted an event with Katherine Stewart on the issue of Christian fundamentalist “Good News Clubs” in public schools.

March 10, 2013:
The Orange County (Calif.) Chapter held an event with guest speaker Dr. Brian Alters of Chapman University. He spoke on “The Evolution of Creationism Through The Decades.” Dr. Alters is a specialist in the evolution education versus creationism controversy and is founder and director of the Evolution Education Research Center, created more than a decade ago by the faculties of McGill and Harvard universities.

April 20, 2013:
The Delaware Valley (Pa.) Chapter held its 3rd Annual Symposium on Church-State issues. Speakers included AU Executive Director Barry W. Lynn, and Senior Litigation Counsel Greg Lipper as well as J. Brent Walker of the Baptist Joint Committee for Religious Liberty and Sara Hutchinson of Catholics for Choice. A number of religious liberty advocates attended.

May 26, 2013:
The Forsyth County (N.C.) Chapter hosted a screening of “In God We Trust,” a presentation of the various community reactions to the controversy that developed after a legal challenge to the presence of a Christian flag at a Veterans Memorial in a North Carolina municipal park. The plaintiff in the legal challenge is a member of the chapter, Steven Hewett. AU is representing Steven.

July 10, 2013:
The Northeast Ohio Chapter held a panel discussion on “Why Religion In Politics Hurts Us All.” The panelists included: Prof. Mano Singham, Director of the University Center for Innovation in Teaching and Education at Case Western Reserve University; Piet van Lier, communications director at Policy Matters Ohio; Elise Helgesen Aguilar, state legislative counsel at Americans United and Mallory McMaster Ullman, NARAL Pro-Choice Ohio.

August 12, 2013:
The Columbia Chapter of Oregon and Southwest Washington hosted a screening of “God Loves Uganda,” an award-winning documentary examining the influence of American right-wing groups on anti-gay laws in Uganda.

August 15, 2013:
The Central Virginia/Greater Richmond Chapter held a panel discussion on “Appreciating Separation of Church and State.” The panelists included AU’s Steven Baines, along with Rebecca Glenberg, Legal Director of ACLU of Virginia, and Dr. Ellis West from the University of Richmond.

October 13, 2013:
The Orange County (Calif.) Chapter hosted an event with Dr. David DiLeo, professor at Saddleback College. His talk explored the historical tension between the “radical secularism,” expressed in American intellectual life, and the equally powerful religious impulses in American culture since the United States’ Founding Fathers wrestled with issues of religious diversity.
AU Chapters Throughout The Country

Alabama
- Mobile Bay Chapter

Alaska
- Alaska Chapter

Arkansas
- Arkansas Chapter

Arizona
- Greater Phoenix Chapter

California
- Greater Los Angeles Area Chapter*
- Orange County Chapter
- Silicon Valley Chapter
- Kern County Chapter
- San Diego Chapter
- Sacramento Chapter

Connecticut
- Connecticut Chapter

Colorado
- Colorado (Colorado Springs) Chapter*

Delaware
- Delaware Valley Chapter

Florida
- Gainesville Chapter
- Tallahassee Chapter
- Clay County Chapter
- Flagler County Chapter
- Greater Naples Area Chapter
- Central Florida Chapter
- NE Florida Chapter
- South Pinellas County Chapter
- Sarasota-Manatee Chapter
- Nature Coast Chapter

Georgia
- Georgia Chapter
- Paulding County Chapter
- Central Savannah River Area Chapter

Illinois
- West Suburban Chicago Chapter
- North Shore Chapter

Indiana
- Indiana Chapter

Kansas
- Greater Kansas City Chapter
- Great Plains (Wichita) Chapter

Kentucky
- Louisville Chapter

Louisiana
- Louisiana Chapter

Maine
- Southern Maine Chapter

Maryland
- Maryland (Baltimore) Chapter

Massachusetts
- Massachusetts Chapter

Michigan
- Michigan Chapter

Minnesota
- Minnesota Chapter

Missouri
- St. Louis Chapter
- Greater Kansas City Chapter
North Carolina
Orange-Durham Chapter*
Winston-Salem Chapter
Western NC (Asheville) Chapter
East Carolina Chapter
North Carolina Chapter

Nebraska
Nebraska Chapter

New Hampshire
Upper Connecticut River Valley of NH/VT Chapter

New Jersey
Delaware Valley Chapter
Monmouth County Chapter

New York
New York City Chapter
Rochester Chapter
Long Island Chapter

Ohio
Northeastern Ohio (Cleveland) Chapter

Oklahoma
Norman Chapter (in formation)
Northeast Oklahoma (Tulsa) Chapter
Oklahoma Chapter

Oregon
Columbia (Portland) Chapter

Pennsylvania
NW Pennsylvania Chapter
Delaware Valley Chapter

South Carolina
Upstate South Carolina Chapter
South Carolina (Charleston) Chapter
Central Savannah River Area Chapter
Columbia Chapter

Tennessee
Nashville Chapter

Texas
San Antonio Chapter
Greater Houston Chapter
Join Us For Justice (El Paso) Chapter*

Vermont
Upper Connecticut River Valley of NH/VT Chapter

Virginia
Central VA Greater Richmond Chapter
Lynchburg Chapter
Virginia Chapter

Washington
Greater Seattle Chapter
South Sound Chapter

Wisconsin
Wisconsin Chapter

*Chapter formed, expanded, or renamed in 2013
AU’s Legislative Department is responsible for educating federal and state legislators on the need for church-state separation. It can be a challenge tracking and responding to problematic legislation in Washington, D.C., and 50 state capitals, but the department strives for total coverage.

The Legislative Department tracks and responds to legislation affecting many aspects of church-state relations.

“School choice” is among the largest threats to the church-state wall. AU believes this term is simply code language for taxpayer funding of private, often sectarian, schools.
Our legislative team spent much of 2013 fighting this direct attack on the wall of separation and public education. From lobbying against voucher bills to organizing media campaigns, the department has actively opposed any attempt to spend taxpayer money on sectarian education.

Thanks to voucher advocates, our team had a busy year. In 2013, 40 states introduced some type of voucher or tuition tax credit legislation. Some of these proposals created “school choice” schemes while others expanded already existing programs. In many places, these voucher programs were introduced into the state’s budget, behind closed doors, and without the ability for public debate.

Voucher programs consistently fail when put to a public vote. But ideologically-motivated legislators continue to push them, at an enormous cost to public schools. It’s a deliberate attempt to siphon money away from public schools, which by law must be neutral on religious matters and welcome all students, and divert them to sectarian schools that can saturate their curricula with dogma and admit only certain students.

Maggie Garrett, AU’s legislative director, runs the department and oversees AU’s work in coalitions and through other vehicles. Garrett pointed out several times to lawmakers in 2013 that the voucher experiment has failed. The American people, she noted, want a well-funded public school system that benefits all, not a patchwork of unaccountable private schools that cater to a few.

Legislative staff directly lobbied elected officials at the state and federal levels to communicate AU’s position that voucher programs violate the principles of the First Amendment and to make the effects of existing voucher programs less disastrous for students.

These efforts met with much success in 2013. After a report showed that Georgia taxes directly funded voucher schools that discriminate against LGBT students, Garrett and her team crafted anti-discrimination language for a bill that would help protect students. That language was included in the final draft of the bill, although the legislation did not pass.

AU staff also helped chapter activists lobby their state legislatures in opposition to vouchers and other sectarian initiatives. By working alongside our activists, our legislative team empowers them to organize their own communities in defense of the wall of separation.

At the national level, our legislative team lobbied against attempts to channel public funds to repair houses of worship damaged by Hurricane Sandy. The department also opposed a number of unnecessary and potentially unconstitutional “religious freedom” provisions in the National Defense Authorization Act and other omnibus bills. These sectarian
provisions would have opened the door for proselytization at official military events, religious symbols on war memorials located in public spaces and other First Amendment violations that would directly affect veterans and active duty members of our armed forces. Thanks to the department’s efforts, none were included.

AU’s legislative team works on many other issues. The department opposes efforts to include mandatory religious worship in public schools and works against legislation that would permit government to erect or maintain sectarian symbols on public property.

Here are some department highlights from 2013:

**FEMA and the Construction of Houses of Worship:** The legislative team has consistently opposed provisions to direct FEMA funds to rebuild houses of worship damaged by Hurricane Sandy. In 2013, the department helped to activate other groups to oppose amendments to other pieces of legislation that would have authorized this type of tax aid. The department took the lead in drafting a letter of opposition and reaching out to supporters of church-state separation in the U.S. House of Representatives to stop the amendment. Thanks to this hard work, the amendments were blocked by the Rules Committee. The department followed up by aggressively lobbying against the bill in an attempt to prevent the bill from coming to the floor.

**Military Conscience Clause:** The omnibus 2013 National Defense Authorization Act was “must-pass” legislation. Thus, it attracted several problematic amendments. One provision was a “conscience clause” amendment prompted by House members opposed to accepting LGBT members of the military. The amendment contained broad, unnecessary language that would grant a blanket accommodation for religious beliefs regarding “human sexuality.” AU joined with the American Civil Liberties Union, the Anti-Defamation League, the Interfaith Alliance and others in an effort to inform members of Congress about this problematic language, in hopes that they would reach out to President Barack Obama about it. We also co-signed a letter, sent to the president on December 26, asking him to issue a signing statement that would assert that the language did not change current policies and regulations regarding religious beliefs and accommodations in the military. President Obama did address these concerns in his signing statement.

**The Nonprofit Energy Efficiency Act (S. 717):** In 2012, Sen. Amy Klobuchar (D-Minn) introduced a bill to provide grants to non-profit organizations to fund the retrofitting of their buildings. Unfortunately, the bill authorizes the grants to fund “houses of worship.” We met with her staff last year and hoped that she would change the language. In 2013, however, she reintroduced the bill with the same language. Joining with the ACLU and the Interfaith Alliance, AU worked hard to convince Klobuchar that she needed to change this amendment. After a week or so of hard work, Klobuchar’s office finally agreed to alter the language. Now, the bill states that “faith-based organizations” are eligible rather than “houses of worship.” Ultimately, the bill, S. 1392, fell victim to the government shutdown and was pulled from the floor to deal with the more pressing budget matters. We’re confident that Sen. Klobuchar will keep the language we agreed upon if the bill ever makes it back to the Senate floor.

**Letter to the DOJ Regarding Religious Profiling and Discrimination:** AU joined 119 other groups – one of our broadest coalitions to date – in a letter to the Department of Justice, urging it to open a civil rights investigation into the New York City Police Department (NYPD) for its program of spying on Muslims without suspicion of wrongdoing. The letter pointed out that there is documented evidence to show that the NYPD has built a program dedicated to blanket surveillance of Muslims in the greater New York area. The program continues even though the NYPD has acknowledged that it has not led to a single lead or resulted in any terrorism investigation. The letter describes the negative effects this discriminatory policy has on Muslim communities, which includes stigmatizing the community and chilling its religious activities.

**Letter Opposing Tax Aid to Religious Colleges in N.J.:** In New Jersey, AU submitted a letter opposing the state’s approval of granting $1.3 billion to schools of higher education for capital construction projects. Over $10.5 million of these grants were to a Jewish Yeshiva, Beth Medrash Gohova, and over $600,000 were to Princeton Theological Seminary. As the legislature took no action to halt this funding, we entered into a lawsuit along with the ACLU to prevent this disbursement of funds to these schools until the case is litigated on constitutional grounds. The case is ongoing; the grants are on hold while the matter is litigated.
Government-sponsored prayer became the subject of a long overdue national conversation in 2013, thanks to the work of AU’s legal team. In November, the U.S. Supreme Court heard oral arguments in *Town of Greece v. Galloway*. The case dominated the Legal Department’s work in 2013.

Brought by Americans United attorneys in 2008 on behalf of Susan Galloway and Linda Stephens, who are Jewish and atheist respectively, the case argues that for over a decade, the town of Greece, N.Y., favored Christian prayers during its town council meetings.
University of Notre Dame v. Sebelius:
The University of Notre Dame filed suit seeking to exempt itself from the Affordable Care Act’s contraceptive regulations on December 3, 2013 – just weeks before the challenged regulations were slated to go into effect – arguing that the Act’s accommodation for religious non-profits burdens its religious rights because the process of certifying its religious objection “triggers” the provision of contraceptive coverage. On December 19, Americans United moved to intervene in the district court on behalf of three “Jane Does,” anonymous Notre Dame students.

Pomerleau v. Town of Brentwood (Maryland):
The Town Council of Brentwood, Md., had a practice of beginning each meeting with a recitation of the Lord’s Prayer. The mayor and Town Council members would rise with clasped hands and bowed heads, and the mayor typically asked the members of the audience to stand and join in a “moment of silence and/or prayer.” The mayor then led the audience in a recitation of the Lord’s Prayer over the council’s microphone system. AU sent three letters to the Town Council urging it to stop this practice, but the council never responded to our letters and continued to deliver the prayer at the opening of its meetings. In 2013, we brought suit against the town on behalf of two Brentwood residents. On October 18, 2013, we entered into a settlement with the Town Council. Under the terms of the settlement, the Town Council is prohibited from reciting the Lord’s Prayer before its meetings. The town also agreed to pay our attorney’s fees, bringing this case to a successful conclusion.

ACLU of New Jersey v. Hendricks (New Jersey):
On June 24, 2013, Americans United joined with the American Civil Liberties Union of New Jersey and the American Civil Liberties Union to stop the state from awarding grants to two theological schools. AU alleged that the two grants violate provisions of the New Jersey Constitution that prohibit the use of taxpayer funds to support religious education. We also argue that the grant to Beth Medrash Govoha violates the New Jersey Law Against Discrimination because the school has an all-male student body and faculty. The case is ongoing.

In June 2012, the New Hampshire legislature enacted an Education Tax Credit program, under which businesses would receive tax credits against the state business taxes they owe equal to 85 percent of the amounts they donate to “scholarship organizations” that distribute vouchers to students. The scheme is seen as a backdoor voucher plan, and on Jan. 9, 2013, Americans United – joined by the American Civil Liberties Union and the New Hampshire Civil Liberties Union – filed a lawsuit in New Hampshire state court challenging the tax-credit program, along with a motion for an injunction to block the program. We represent nine plaintiffs, including clergy, public education advocates and parents of children attending public schools.

The lawsuit asserts that the program violates two provisions of the New Hampshire Constitution that strictly prohibit diversion of tax funds to religious education. We also allege that the program violates state constitutional clauses

AU’s legal director, Ayesha Khan, shepherded the case through the lower court, winning a decisive victory before the 2nd U.S. Circuit Court of Appeals. When the case reached the high court, she continued to serve as lead counsel, drafting AU’s brief and lining up allied groups to file friend-of-the-court briefs. Douglas Laycock, a respected scholar of church-state separation at the University of Virginia, presented the oral argument on behalf of the plaintiffs.

The case will set national precedent. It is important, but it’s just one of several cases the Legal Department undertook in 2013. Another key area concerns Americans’ access to contraceptives. AU’s Legal Department played a prominent role in this battle.

The religious owners of secular, for-profit companies filed dozens of lawsuits against the Obama administration’s so-called “contraception mandate,” which requires most employers to provide their employees with access to insurance that covers birth control options. These business owners are telling courts that their religious beliefs take priority over their employees’ convictions, and if they’re successful, the result would radically redefine separation of church and state.

AU’s attorneys have filed friend-of-the-court briefs in all of these cases. Late in the year, the Supreme Court announced it will hear two of these cases.

Legal Department highlights from 2013 include:

Hewett v. City of King (North Carolina):
In 2004, the City of King, N.C., constructed a veterans’ memorial in a public park. On display at the memorial are a total of eleven flags, including the Christian flag – which features a white field with a red cross inside a blue canton. In 2010, veteran Steven Hewett complained to the city, alleging unconstitutional religious discrimination. The city then implemented a lottery system and selected 52 flag applications; as a result, the Christian flag flew 47 weeks out of the year. In 2012, Americans United filed suit on behalf of Hewett. The case is ongoing.

University of Notre Dame v. Sebelius:
The University of Notre Dame filed suit seeking to exempt itself from the Affordable Care Act’s contraceptive regulations on December 3, 2013 – just weeks before the challenged regulations were slated to go into effect – arguing that the Act’s accommodation for religious non-profits burdens its religious rights because the process of certifying its
that require that taxation be uniform, equal, proportional and non-discriminatory, and that prohibit tax exemptions and benefits that do not serve a public purpose. The case was argued before a state court in April.

Pedreira v. Kentucky Baptist Homes for Children (Kentucky):
Americans United saw significant activity in this long-running case in 2013. Filed originally in April 2000, the lawsuit challenges state financing of Kentucky Baptist Homes for Children. On March 20, 2013, AU and the American Civil Liberties Union reached a settlement agreement in principle with the state. Under the terms of the settlement, childcare agencies that contract with the state would be forbidden from proselytizing children, pressuring children to take part in religious activities and discriminating against children on the basis of their religious beliefs. Child-care agencies would also be prohibited from placing religious items in children's rooms without their consent. Although the settlement was agreeable to Kentucky officials, leaders of Kentucky Baptist Homes rejected it, and the case is still pending.

In addition to direct litigation, Americans United’s Legal Department often files friend-of-the-court briefs in significant church-state cases. A complete list would be too long to include, but here are some highlights:

Kountze Independent School District v. Matthews (Texas): In 2012, Kountze Independent School District in Texas received an anonymous complaint regarding religious banners at one of its high school's football games. Cheerleaders had injected religious content into their “run-through” banners, including messages referencing “victory through our Lord Jesus Christ” and being able to “do all things through Christ which strengthens me.” After receiving the complaint, the school district asked the cheerleaders to stop displaying religious messages, due to church-state concerns. This prompted the cheerleaders to file suit in state court, alleging a violation of the Texas Religious Viewpoints Anti-discrimination Act. Later that year, the trial court granted a temporary injunction allowing them to continue displaying religious messages for the rest of the season. On April 8, 2013, the school district adopted a policy allowing the cheerleaders to deliver religious messages at football games. Although it was no longer a live issue in the case, on May 8, 2013, the trial court ruled that the banners did not violate church-state separation. However, because the trial court did not dismiss the cheerleaders’ claim for attorney’s fees, the school district appealed. Americans United joined an amicus brief prepared by the ACLU filed in the Texas Court of Appeals. A decision is pending.

Louisiana Federation of Teachers v. State of Louisiana (Louisiana): This lawsuit challenges a Louisiana law that takes money from the state’s Minimum Foundation Program to subsidize tuition at private schools, nearly all of which are sectarian in character. Although church-state issues were not raised directly in the case, Americans United believed it was important to point out that the voucher program entangles church and state.

The brief cites specific examples, noting that some religious schools taking part in the program use textbooks that rebuke evolution and teach that humans coexisted with dinosaurs, that dinosaurs may still be living today and even that Scotland’s Loch Ness Monster exists. Other texts being used assert that environmentalists seek to destroy the economy, that God used the mistreatment of Native Americans to convert them to Christianity and that many people in Africa are illiterate because they are not Christians.

The brief also argues that the voucher program lacks accountability standards, does not serve special-needs students and is unlikely to improve student educational outcomes. It asserts that the program lacks true choice because most of the schools taking part are religious schools with religious curricula, and as a result they effectively exclude religious minorities. Finally, the brief assails the notion that parents have a right to raid the public treasury to send their children to private schools.

The brief was joined by the American Civil Liberties Union, the American Civil Liberties Union of Louisiana, and the Interfaith Alliance Foundation.

U.S. v. Windsor (New York) and Hollingsworth v. Perry (California): In this closely watched pair of cases that reached the U.S. Supreme Court, Americans United argued that laws that ban same-sex marriage may not be grounded in theology. Government, AU maintained, has an obligation to outline secular rationales for its laws. If it fails to do so, the law must be declared invalid. In June, the Supreme Court struck
down key portions of the Defense of Marriage Act in Windsor and invalidated a California ballot proposition that banned same-sex marriage in Hollingsworth.

Aside from direct litigation and its amicus program, the Legal Department maintains an active non-litigation program. In 2013, our attorneys sent dozens of letters to local, state and federal government agencies, advising them that they might be in violation of the separation of church and state. These letters are almost always the result of a complaint brought to us by a citizen. The purpose of these letters is to resolve church-state problems outside of court. By entering into a dialogue with government officials, we hope to find ways to fix potential church-state violations through changes in policy and other actions. In this way, the Legal Department seeks to proactively create positive change without the expense and time of litigation.

“[Greece] will set national precedent. It is important, but it’s just one of several cases the Legal Department undertook in 2013.”

**REVIEW: GREECE BY THE NUMBERS**

130 **HOURS** of board meeting video from the Town of Greece, over a 9 year period, viewed by the AU legal team to prepare for this case.

1,000 **HOURS** spent compiling video segments of town meetings that support the facts of Americans United’s case.

1,300 **PAGES** of total briefs and supporting documents used in Greece v. Galloway

Above: Excerpts from a graphic campaign AU created to outline the work related to the Town of Greece v. Galloway case.
Americans United was founded in 1947 by a group of distinguished leaders from the political, religious and educational communities. A non-profit, 501 (c) (3) organization, Americans United works to help Americans understand the vital role church-state separation plays in protecting the right of conscience.

AU currently represents more than 120,000 individual members and supporters in all 50 states. Our activists come from all walks of life and span the theological and philosophical spectrum. As a non-partisan organization, Americans United welcomes supporters of all political points of view.

Headquartered in the heart of Washington, D.C., Americans United’s staff and day-to-day operations are overseen by its executive director, the Rev. Barry W. Lynn. An attorney and ordained minister in the United Church of Christ, Lynn has led Americans United since 1992.

Americans United is governed by a 15-member Board of Trustees. The Board meets periodically throughout the year to deal with issues of internal governance. Members serve three-year terms and are eligible for reelection for additional terms. A larger body, the National Leadership Council, consists of activists who advise AU on issues and policy.

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  Executive Director
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  Managing Director

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  Assistant Director of Development
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  Madison Fellow
- Caitlin O’Connell
  Madison Fellow
- Charles Gokey
  Steven Gey Fellow
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  Legal Assistant

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  Finance Director
- Chris Bruning
  Assistant Finance Director
STATEMENT OF ACTIVITIES & FINANCIAL POSITION

Revenues, Gains and Other Support

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>Contributions</td>
<td>3,334,840</td>
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<tr>
<td>Realized and Unrealized Gain on Investments</td>
<td>1,155,801</td>
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<tr>
<td>Bequests</td>
<td>610,851</td>
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<tr>
<td>Trust and Foundation Grants</td>
<td>355,734</td>
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<tr>
<td>Investment Income, Net of Expenses</td>
<td>299,775</td>
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<tr>
<td>Gift Annuity Income</td>
<td>57,272</td>
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<tr>
<td>Special Events</td>
<td>41,698</td>
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<tr>
<td>Other Revenue</td>
<td>35,636</td>
</tr>
<tr>
<td>Legal Settlement</td>
<td>12,500</td>
</tr>
<tr>
<td>Contributions - Chapters</td>
<td>6,820</td>
</tr>
<tr>
<td>Sales</td>
<td>3,298</td>
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<tr>
<td>Local Churches</td>
<td>2,233</td>
</tr>
<tr>
<td>Change in Value of Split Interest Agreement</td>
<td>(70,163)</td>
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Total Revenues, Gains and Other Support $5,846,295

Expenses

Program Services:

<table>
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<th>Category</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Educational and Publication Division</td>
<td>1,682,489</td>
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<tr>
<td>Field Services Division</td>
<td>839,628</td>
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<tr>
<td>Legal Division</td>
<td>1,157,221</td>
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<td>Trustee and Advisory Council Meetings</td>
<td>43,266</td>
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<td>Total Program Services</td>
<td>3,722,610</td>
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Supporting Services:

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<th>Category</th>
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<tbody>
<tr>
<td>Management and General</td>
<td>879,265</td>
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<tr>
<td>Fundraising</td>
<td>897,545</td>
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<td>Total Supporting Services</td>
<td>1,776,810</td>
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Total Expenses $5,499,414

Other Items:

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<tr>
<th>Category</th>
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<tr>
<td>Change in Net Assets before other items</td>
<td>346,881</td>
</tr>
<tr>
<td>Minimum Pension Liability adjustment</td>
<td>(107,358)</td>
</tr>
</tbody>
</table>

Net assets at Beginning of Year $6,920,353

Net Assets At End Of Year $7,159,876

- Audited -
## - ASSETS -

### Current Assets

<table>
<thead>
<tr>
<th>Asset</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash and Cash Equivalents</td>
<td>489,636</td>
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<tr>
<td>Investments</td>
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<td>Accounts Receivable</td>
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<td>Bequests Receivable</td>
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<td>Interest Receivable</td>
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<td>Inventory</td>
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<td>Prepaid Expenses</td>
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<td>Deposits</td>
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<td><strong>Total Current Assets</strong></td>
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### Property and Equipment

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<th>Asset</th>
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<tbody>
<tr>
<td>Net of Accumulated Depreciation</td>
<td>215,955</td>
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### Other Assets

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</thead>
<tbody>
<tr>
<td>Cash and Cash Equivalents, Remainder Trust</td>
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<tr>
<td>Investments restricted for Remainder Trust</td>
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<td><strong>Total Other Assets</strong></td>
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**Total Assets** $9,927,448

## - LIABILITIES & NET ASSETS -

### Current Liabilities

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<tr>
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<th>Amount</th>
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<tbody>
<tr>
<td>Accounts Payable</td>
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<tr>
<td>Accrued Expenses</td>
<td>357,461</td>
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<tr>
<td>Accrued Pension</td>
<td>1,137,327</td>
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<td>Deferred Revenue</td>
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<tr>
<td>Deferred Rent</td>
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<tr>
<td>Capital Lease Obligation</td>
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<tr>
<td>Charitable Annuities Payable</td>
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<td><strong>Total Current Liabilities</strong></td>
<td>1,741,976</td>
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### Long-Term Liabilities

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<tbody>
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<td>Deferred Rent</td>
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<tr>
<td>Charitable Annuities Payable</td>
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<tr>
<td>Capital Lease Obligation</td>
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<td>Remainder Trust Payable</td>
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<td><strong>Total Long-Term Liabilities</strong></td>
<td>1,025,596</td>
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**Total Liabilities** 2,767,572

### Net Assets

<table>
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<tr>
<td>Unrestricted</td>
<td>725,129</td>
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<tr>
<td>Unrestricted, Board designated</td>
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<tr>
<td>Temporarily Restricted</td>
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<td><strong>Total Net Assets</strong></td>
<td>7,159,876</td>
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</table>

**Total Liabilities and Net Assets** $9,927,448

- Audited -
MAJOR AU CONTRIBUTIONS

Guardians of Freedom are generous donors and foundations who have committed $1,000 or more annually to support our work.

$100,000 or more
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Lawrence C. Stanback

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1 Guardian wishes to remain anonymous.

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The David F. & Sara K. Weston Fund
Stephen V. R. Winthrop & M. J. Williamson
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4 Guardians wish to remain anonymous.

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