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WHEN FACING CHALLENGES, LET'S NOT FORGET OUR WINS

A year ago, I sat down to write a recap of the cases FIRE was getting after Charlie Kirk's murder at Utah Valley University. By the time I finished the first draft, there were new cases to add.

The list kept growing. For months.

At Loyola University New Orleans, the student government denied a Turning Point USA chapter recognition following reports of student hostility on campus to TPUSA's charter. Bowdoin College investigated and punished a student replying to a vigil invitation with "RIP to bro 😿." The University of South Dakota kowtowed to a lawmaker's demands to fire an art professor who posted and deleted criticism of Kirk.

On and on it went. Punished for mourning, punished for criticizing. The demands for censorship came from everywhere. But FIRE defended their rights all the same.

What sticks with me, though, is what we still see beyond the individual cases. In this year's College Free Speech Rankings, 44% of students nationwide reported that Kirk was a difficult topic to discuss on campus. At Utah Valley University, where Kirk was killed, it's 62%. Students on the left and the right think silence is safer.

That's the hard part. But here's why I have hope: The average score in this year's Rankings is the highest ever recorded. And after 20 years, our Spotlight on Speech Codes reported a record number of schools earning a green light — our highest rating.

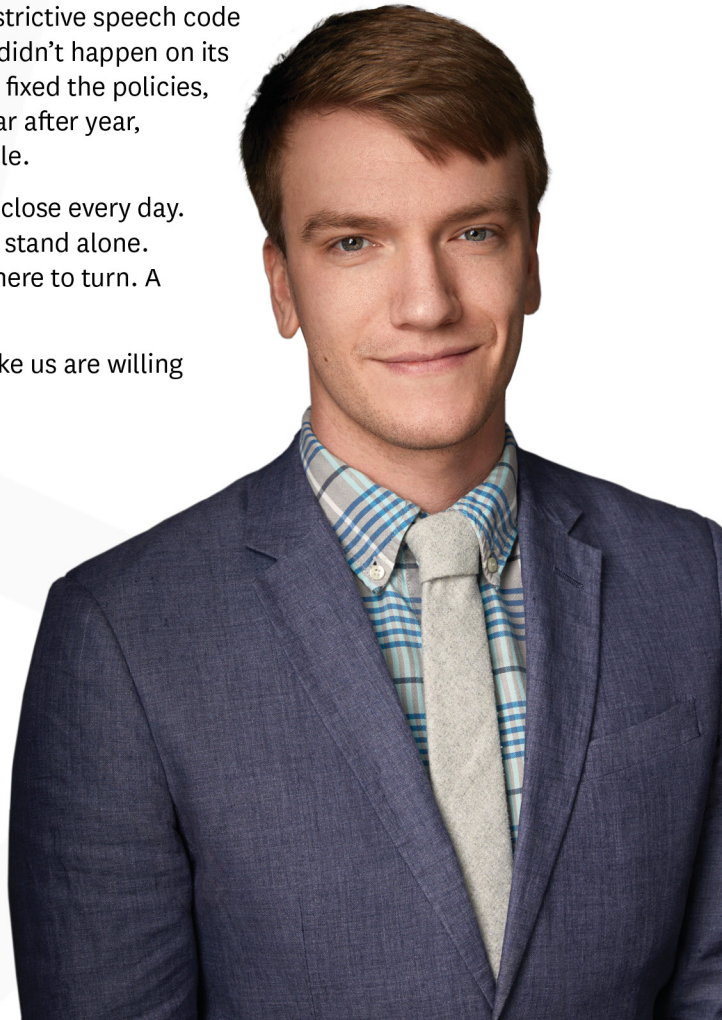
Two decades ago, a school without a substantially restrictive speech code was the exception. Today, it's closer to the rule. That didn't happen on its own. FIRE kept showing up. We made the arguments, fixed the policies, defended people who needed it, and held the line year after year, campus by campus. And folks like you made it possible.

There is plenty left to do. But I get to see progress up close every day. Because of you, a student facing censorship does not stand alone. A professor targeted for unpopular views has somewhere to turn. A college that wants to do better has a roadmap.

Keep standing with us. The line holds where people like us are willing to hold it.



Connor Murnane,
Campus Advocacy Chief of Staff





FIRE SUES ICE & DHS

Americans have always had their differences. But if there is anything that binds us, it's our passion for criticizing the government. From Thanksgiving tables and town hall meetings to social media and letters to the editor, all of us at some point have voiced our displeasure with the officials sworn to serve us.

But criticizing the government is not just our passion — it's our indispensable freedom. That's why the Founders ensured the Constitution unquestionably protects it. As James Madison explained, the freedom to dissent is "the only effectual guardian of every other right."

In recent months, however, the Department of Homeland Security and Immigration and Customs Enforcement (ICE) have tried to trample that freedom through a host of speech-chilling tactics. David Streever's plight is a prime example.

In January, David emailed the then-head of ICE, criticizing his handling of the federal immigration agents who shot and killed Alex Pretti in Minnesota. Five months later, DHS and ICE went to extraordinary lengths to confront and intimidate David. Federal officers delivered a "WARNING NOTICE," which told David to "discontinue" his "behavior" and threatened criminal prosecution if he did not. They sought to confront him at his home, an airport, and even at a New York City hotel as he returned from an overseas vacation with his daughter.

> *"I never dreamed it would lead to a knock on my door by federal officers or descending on my hotel in the dark of night."*
>
> — **David Streever**, FIRE plaintiff

"Like many Americans, I was deeply upset after the shootings in Minnesota and I felt compelled to do something," David said. "Writing an email to the head of ICE seemed like the least I could do to express my sense of outrage. I never dreamed it would lead to a knock on my door by federal officers or descending on my hotel in the dark of night."

DHS and ICE's police state tactics have no place in America. A scolding note to political leaders is no crime — it's an American tradition as old as the Republic. The First Amendment squarely protects Streever's criticism. And it just as strongly forbids government officials from trying to strongarm their critics into silence.

That is why FIRE has sued on David's behalf, challenging DHS and ICE's efforts to retaliate against him for exercising his First Amendment freedoms. The lawsuit is also a stark reminder to other government officials: Bullying government critics is unconstitutional, un-American, and unacceptable in a free society.

— JT Morris, Deputy Director of Litigation

MAKE FREE SPEECH PART OF YOUR LEGACY

Eternal Flame Society

When we first opened shop in 1999, our goal was to go out of business. But if history has taught us anything, it's that free speech will always need vigilant defenders. Members of FIRE's **Eternal Flame Society** understand this fact and have joined us in protecting our most sacred liberties through their investment in FIRE's mission.

By including FIRE in their estate plans, Eternal Flame members ensure we have the financial strength to take on years-long litigation and advocacy work, hire and retain the best talent, help everyday Americans who can't afford to fight government bullies with deep coffers — free of charge — and build on programming to educate young people on the principles that make a free society.

You can join the Eternal Flame Society by naming FIRE in your will, trust, or as a beneficiary of an account such as a retirement plan or life insurance policy. No matter the size of your estate, there are options that will fit your financial planning needs while enabling you to make a lasting impact on the state of free speech in our country. Many legacy gifts cost you nothing during your lifetime, and some even offer attractive tax advantages.

Whatever challenges the future brings, FIRE will be there to meet them thanks to the generous support of our Eternal Flames. We hope you will make FIRE part of your legacy.

> *"We want part of our legacy to include defending every American's freedom to speak, listen, question, and dissent."*

Include FIRE in Your Will

Including FIRE in your will is the easiest and most popular type of legacy gift. All you need to do is fill in and share the sentence below with your attorney or estate planner:

I bequeath ___% of my estate or $____ to the Foundation for Individual Rights and Expression, in Philadelphia, PA.
FIRE's Tax ID No: 04-3467254.

To talk to FIRE about the best options available to you, please reach out to Ashley Adams, FIRE's senior director of development, at ashley@fire.org or 215-717-3473. And if you have already included FIRE in your estate plans, please let us know! We would love to honor you as an Eternal Flame and extend member benefits to you.

Our support for FIRE begins with gratitude. We both come from families who sought in America freedoms they could not count on elsewhere. Erika is the daughter of Holocaust survivors. I am the grandson of Italian peasants who came seeking opportunity and liberty. Those histories taught us that freedom is precious, fragile, and worth defending.

Years ago, when the ACLU defended the right of Nazis to march in Skokie, we were appalled. The thought was sickening. Yet we understood the principle: If the rights of the most hateful speakers are protected, then everyone's rights are protected. That lesson stayed with us. As we later saw a growing willingness to distinguish between protected speech and "hate speech," we became convinced that organizations committed to an uncompromising defense of free expression were more important than ever.

That conviction led us to FIRE.

The Founders placed a primacy on freedom of speech because they understood that a free society depends on the open exchange of ideas. If free expression depends on the content of the message, we must ask, "Who decides?" Our families' histories remind us that the answer is too often, "Whoever holds power."

Today, threats to expression often come not only from the government, but from cultural and institutional pressures. FIRE meets those challenges through education, advocacy, research, and litigation, helping Americans exercise their rights regardless of the popularity of their views.

We became Eternal Flame members because we want part of our legacy to include defending every American's freedom to speak, listen, question, and dissent.



— **John & Erika Ammirati**,
Eternal Flames

Learn more at *fire.org/legacy*



FIRE IN FLORIDA

FIRE Defeats Stop WOKE Act in Court

"Though the government has plenty of ways to promote its own viewpoint, puppeteering every university professor in the state is not one of them."

So wrote Judge Britt C. Grant in the U.S. Court of Appeals for the Eleventh Circuit's decision to strike down Florida's so-called "Stop WOKE Act."

The ruling vindicates a years-long battle that began in 2022, when FIRE filed a lawsuit against the act on behalf of a professor, student, and a student group. FIRE argued that the higher education provisions of the act unconstitutionally bar Florida's educators from promoting or endorsing disfavored ideas about race, color, sex, and national origin while allowing criticism of those same ideas. This July, the appeals court agreed.

This ruling is a crucial victory for academic freedom and free inquiry on our public campuses. The First Amendment protects public university faculty's academic freedom when they engage in teaching and scholarship, and despite the repeated challenges from proponents of the bill, no appellate court has come to a different conclusion.

"As a professor, I shouldn't have to choose between teaching to the best of my ability or facing punishment," said professor Adriana Novoa, who teaches Latin American history at the University of South Florida and was one of FIRE's plaintiffs in the case. "This decision is such a relief to professors who care about their students and want them to become well-rounded and informed. It will allow me and countless other professors to teach our classes without government interference."

FIRE Defends Florida English Teacher's Rights

English professor Vinita Prabhakar built a career around helping college students wrestle with difficult literature. Colleagues praised her teaching and students gave her strong evaluations.

While teaching at South Florida State College, she assigned Ottessa Moshfegh's award-winning short story "Bettering Myself" in an English course. The story's narrator struggles with addiction, depression, divorce, and failure. Vinita used it to teach her undergraduate students about narrative voice, characterization, and readers' responses to flawed characters.

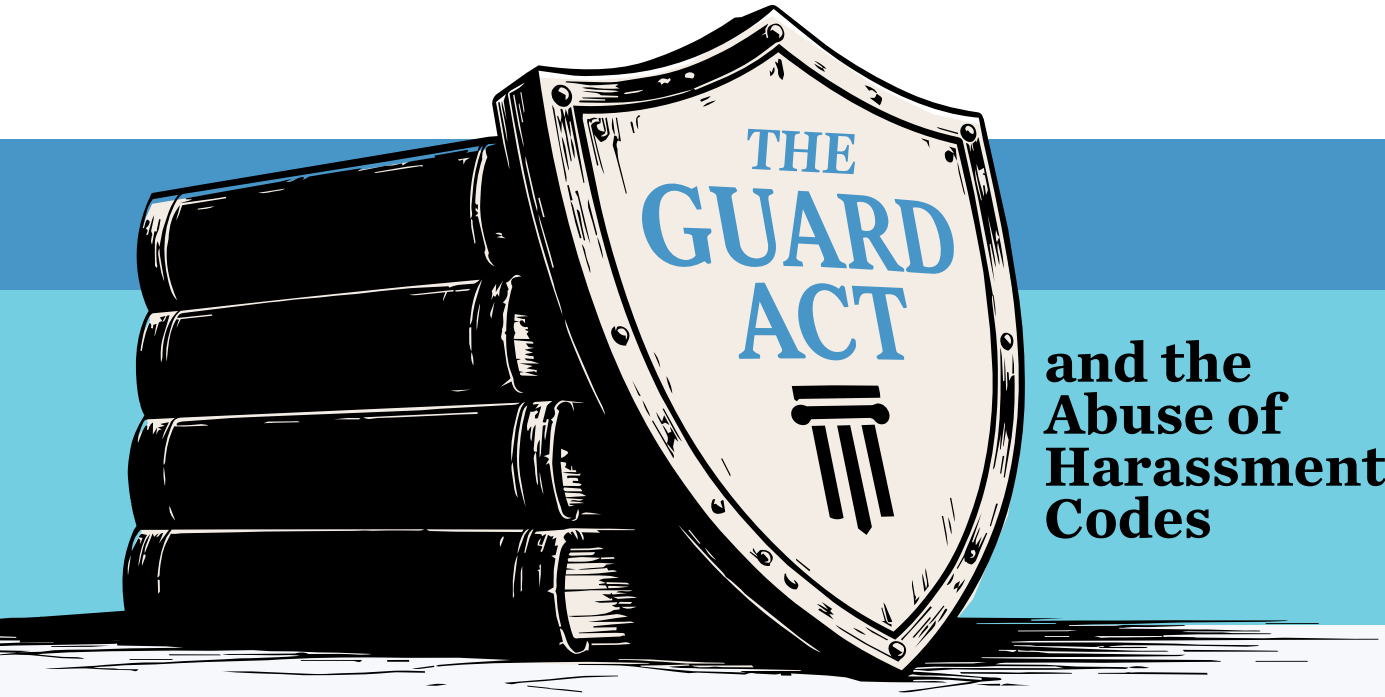
Before a class discussion, one student told Vinita the story made them uncomfortable. In response, Vinita did what a good professor should do: She invited the student to discuss her opinions in class. Afterward, the student acknowledged that college meant getting used to difficult reading.

This was an educational success story — until South Florida State College President Fred Hawkins got wind of the content in "Bettering Myself." Hawkins told Vinita he wouldn't want his own college-age daughter to read the story, called the issue "political," and fired Vinita for teaching it in her class.

When administrators at public colleges step in and ban stories or books simply because they disagree with the ideas expressed, that violates the First Amendment. That's why FIRE is proud to be working with FIRE Legal Network member Gary Edinger in Vinita's lawsuit against SFSC.

Vinita is seeking reinstatement, compensatory damages, punitive damages, and declaratory relief for her wrongful termination. But what's really at stake are the academic freedom and First Amendment rights of all educators across the Sunshine State. Without those, the purpose of higher education would be lost entirely.

— Greg Greubel, Senior Attorney



and the Abuse of Harassment Codes

A faculty meeting is exactly the sort of place where one would expect a robust discussion of academic courses to occur. So when Hofstra University professor Richard Himelfarb criticized a colleague's course proposals as "word salad," he did not expect to get locked in a battle over allegations that he had violated Hofstra's discrimination and harassment policies.

But that's exactly what happened.

After his colleague filed a complaint, Hofstra investigated Himelfarb for months. When Himelfarb decided he'd had enough and worked with FIRE to publicly defend his rights, Hofstra *expanded its investigation* to evaluate whether this constituted "retaliation" against the accuser — which also violates its policies.

This is one among many reasons FIRE has warned about overbroad harassment and discrimination policies for years. Many are vaguely written and wielded to silence criticism or ideas others dislike. Strong beliefs are to be expected on campus, and universities should foster their expression, not squelch them because others take offense.

Unfortunately, Hofstra missed the memo. And it's far from alone. For decades, FIRE has stepped in to defend academic freedom as universities have punished faculty merely for doing their job or exercising their rights. Now, faculty face an additional threat: growing government pressure.

From 2000 through 2024, FIRE recorded 102 public cases of politicians trying to silence faculty. In 2025 alone, we recorded 114. That extraordinary spike comes as governmental efforts to reform higher education have too often crossed constitutional lines.

Unsurprisingly, many universities have caved to this pressure. This is in part because universities do not understand their First Amendment obligations and faculty lack a clear and simple mechanism to assert their rights. FIRE's newest model bill — the Guaranteeing University Academic Rights and Discourse Act, or GUARD Act — is designed to do just that.

The GUARD Act draws on decades of First Amendment law to ensure faculty at public institutions can exercise their academic freedom and private speech rights without fear of state discipline. It puts constitutional protections directly into state law, prohibiting retaliation against faculty for (1) expression related to teaching and research, subject to traditional exceptions, and (2) private speech on a matter of public concern, unless the school first conducts the Supreme Court's mandatory *Pickering* balancing test. The bill gives clear standards to universities and meaningful remedies for faculty.

Free speech and academic freedom include the freedom to dissent, and FIRE will advocate for the GUARD Act to remind universities and lawmakers of this fact. *— Graham Piro, Faculty Legal Defense Manager*



HIGHER ED'S RUDE AWAKENING

For many years following our founding in 1999, working for FIRE could make a person feel like a voice in the wilderness. College tuition and donations skyrocketed, along with federal grants, as the sector's net worth soared beyond a trillion dollars — even as universities purged faculty dissenters, policed student speech, and allowed politics to swamp scholarship.

Academia's abuses made a reaction inevitable. FIRE spent more than two decades warning colleges not to engage in behavior they wouldn't want aimed at them when the political tide inevitably turned. Had they listened, the higher ed sector might have maintained a reputation for open inquiry and fair treatment, particularly among the millions of Americans who experienced campuses for themselves.

Instead, in the words of FIRE's co-founders, academics built "the Shadow University" in the last few decades of the 20th century, and the public eventually got wise. According to Gallup, Americans' confidence in higher ed has endured a decade-long slide among all political groups. Even Democrats in 2026 have lower confidence in higher education than 2015's Republicans. And with conservative-leaning faculty outnumbered by their liberal counterparts by about seven to one (up from around five to one in 2016), and evidence that administrators may lean even *more* to the left than faculty, there is almost no academic constituency in the Republican Party to alienate.

That's why when colleges eventually faced the wrath of the second Trump administration, they had very little political and social capital with

THIS ISN'T THE WAKE-UP CALL TO HIGHER ED THAT FIRE WANTED. BUT IT'S THE ONE THAT IS FINALLY GETTING AN ANSWER.

which to defend themselves. And they had a lot to defend themselves against. Executive orders and actions targeting DEI efforts and unlawful immigration caused chaos with university budgets. Erratic freezes on paying out government grants to pressure universities over frequently nebulous (but not easily dismissed) discrimination allegations contributed to further uncertainty, cuts, and lawsuits. Even smaller colleges felt the shock when the government briefly froze student visas entirely over immigration concerns, given the widespread reliance on foreign students who paid full tuition.

The reckoning had arrived, but the punishment wasn't fitting the crime. It was unacceptable for universities to spend decades ignoring the First Amendment and their own promises of free inquiry and academic freedom. But that doesn't make it acceptable for the federal government to use (or abuse) its power to "fix" it by forcing universities to regulate protected expression on campus. By opening the door to a federal takeover of what may be said or researched on all of our nation's campuses, the ham-fisted government reaction to a broken campus culture could prove worse than the circumstances to which it was reacting.

FIRE has engaged in litigation and advocacy on both the federal and state level to address the most alarming and egregious attacks. We filed an *amicus* brief in Harvard's lawsuit over the feds' failure to follow the legal procedures required to strip colleges' federal funding. Likewise, we spoke out against threats to remove colleges' tax-exempt status and to revoke student visas based not on proven violations of law but on hostility to campus expression. We're also representing the *Stanford Daily* newspaper, whose journalists legally here on student visas fear being deported merely for writing columns that disagree with the preferences of the executive branch — preferences that could change at breakneck speed on Jan. 20, 2029.

This isn't the wake-up call to higher ed that FIRE wanted. But it's the one that is finally getting an answer.

Increasingly, college administrators across the country are consulting FIRE about free speech issues rather than trying to bluff their way through controversies. We see this in the growing number of campuses eliminating speech-chilling policies, and in the increasing percentage of victories in FIRE's campus cases. Institutions are now more willing to engage and resolve issues before forcing FIRE to take them public. The growing traction of FIRE's College Free Speech Rankings, and college presidents' prospect of explaining their low rankings to a skeptical populace, has also been key.

Reform efforts have also started to bubble up from academia itself. This year, faculty assembled by both Yale and Vanderbilt released reports on the decline of trust in higher ed and the problems of politicized scholarship. University leaders at places like USC, Dartmouth, Vanderbilt, Washington University in St. Louis, Claremont McKenna, and Amherst have begun to organize and speak out about the importance of free inquiry and viewpoint diversity on campus so that the university does not remain an echo chamber.

FIRE founders Alan Charles Kors and Harvey Silverglate knew academia's path toward repression and partisanship was unsustainable. The question was what had to happen in order to correct it. The hour is late, but with FIRE's help, higher ed can turn its decades-long decline around and make it the wellspring of knowledge and free inquiry it should be — and that Americans deserve.

— Robert Shibley, Special Counsel, Campus Advocacy

VICTORY!

COURT DEFENDS PARENTS' RIGHT TO PROTEST TRANS ATHLETES

In September 2024, protesting the opposing girls' team fielding a transgender player, parents at New Hampshire's Bow High School donned pink "XX" wristbands during halftime. When school officials demanded they remove the wristbands or leave, the parents refused, leading to ejection from their daughters' game. This, despite no evidence that the wristbands disrupted the game (other than when officials removed the parents) or even that the opposing athlete saw them.

Does the First Amendment protect this kind of passive, nondisruptive advocacy in public forums? Of course it does. But a federal district court upheld the parents' removal anyway.

FIRE filed an *amicus* brief explaining where the court went wrong. The officials themselves cited what they called the protest's "exclusionary" message while permitting "inclusive" displays, such as those celebrating LGBT causes, and deemed the wristbands' symbol "hateful." That's textbook viewpoint discrimination. The parents' removal violates settled law that officials cannot regulate speech if the speakers' motivating ideology or opinion is the reason.

In August 2026, the First Circuit federal appeals court agreed: "[The] evidence demonstrates the likelihood that the school district imposed sanctions . . . because it disagreed with the protest message."

This was a well-earned victory for silent protest and for free speech. The government can't kick you out of a public event because it doesn't like the message on your wrist. And FIRE will always be there to make sure that rule isn't broken.

— David Volodzko, Newsdesk Editor & Senior Writer

FIRE WINS LAWSUIT AGAINST MARCO RUBIO

FIRE secured a huge free speech win in *Stanford Daily v. Rubio*, our case brought on behalf of Stanford's independent newspaper and two anonymous, lawfully present noncitizens. The Aug. 28 ruling affirms a bedrock constitutional principle: The government cannot punish people for protected speech simply because officials dislike their views.

After the Trump administration began targeting legal noncitizens for deportation based on speech, the *Daily* had multiple staff writers and editors refuse to cover issues related to Israel and Palestine. These journalists feared deportation if they expressed the wrong opinion. Some quit the paper in fear. Our anonymous plaintiffs also significantly curtailed their speech, fearing exile from the country.

The administration justified its actions by invoking two provisions of the Immigration and Nationality Act. One allows the secretary of state to revoke a visa at any time for any reason. The other allows him to deport someone if he "personally determines" their speech "compromises a compelling United States foreign policy interest."

FIRE argued that as applied to First-Amendment-protected speech, these statutes unconstitutionally grant the federal government unchecked power to censor and punish expression, and Judge Noël Wise of the Northern District of California agreed.

"The language of the [First] Amendment makes clear that it is not the government that gives freedom of speech to the people," she wrote. "Instead, that freedom is imbued in the people, and 'Congress shall make no law' to abridge it."

This is a big victory, but the fight isn't over. The government indicated its intent to appeal the decision. When it does, we'll spare no effort defending this important ruling — and the principles of free expression that it protects.

— Conor Fitzpatrick, Chief Supervising Attorney

DONOR SPOTLIGHT

I support FIRE because I believe open dialogue and free expression are essential to a healthy democracy. The ability to encounter different perspectives, question our assumptions, and wrestle with difficult ideas helps us learn and strengthens the institutions we rely on. What draws me to FIRE is its commitment to defending those values consistently. At a time when many issues are increasingly polarized, it's important to create space for thoughtful disagreement and healthy debate.

I also value FIRE's work on college campuses. Universities play a unique role in bringing together people from different backgrounds and experiences. At their best, they expose students to new ways of thinking and encourage them to grapple with questions that don't have easy answers. Those experiences help develop the habits of critical thinking that serve people long after graduation.

The freedom to question, debate, and pursue the truth is fundamental to progress. FIRE helps ensure those freedoms remain strong for the next generation.



RORY GATES
PHD CANDIDATE,
THE INSTITUTE OF WORLD POLITICS

"The freedom to question, debate, and pursue the truth is fundamental to progress."

The EMBER Club

We are thankful for Rory's support as a member of FIRE's Ember Club.

Ember Club members partner with us in our shared mission to preserve First Amendment freedoms. Ember Club donors provide the vital support that allows FIRE to take on consequential cases, defend individual rights, and strengthen a broader culture of free expression. Members receive special updates on FIRE's work, opportunities to connect with FIRE staff, invitations to exclusive events, and more.

To join the Ember Club or learn more, contact Ashley Adams at ashley@fire.org or 215-717-3473.

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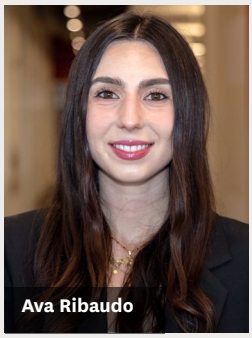
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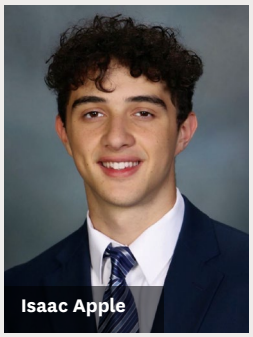
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Intern updates from campus

Armed with new knowledge and practical skills, FIRE's interns are making the fight for free speech a campus priority. **Ava Ribaudo** (2025) will continue bringing diverse ideas and speakers to Harvard's campus in her role as *Crimson* editorial editor and a board member on the 1636 Leadership Forum. **Dinah Megibow-Taylor** (2025) will continue representing FIRE at the University of Chicago as editor-in-chief of *The Chicago Phoenix*, and in her role as chair of the History and Religion Committee for the Chicago Forum for Free Inquiry and Expression. **Isaac Apple** (2026) heads back to UW-Madison with the goal of recording the anti-speech code student activism movements of the 1990s, preserving the historical record and drawing lessons on how pro-speech campus activism can strive for future successes. These are just a few of the fruits of FIRE's efforts to inspire the next free speech generation. More to come next year!

- Jack Povilaitis, Student Development Coordinator

Join FIRE's Monthly Member Calls!

FIRE's Monthly Member Calls allow supporters like you to connect with FIRE leadership, ask about current events and important free speech topics, and keep up with the latest FIRE cases.

Register for the next call!

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