

# Wiley Files Supreme Court *Amicus* Brief for U.S. Chamber of Commerce

## AFTER COURT AGREES TO HEAR CHALLENGE TO CALIFORNIA LAW REQUIRING CERTAIN NONPROFITS TO DISCLOSE DONOR INFORMATION

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Washington, DC – On behalf of the U.S. Chamber of Commerce, Wiley filed an *amicus* brief with the U.S. Supreme Court in support of petitioners who are challenging a California requirement that certain nonprofits disclose their major donors to the state. Earlier this year, the Court agreed to hear a First Amendment challenge to the state's disclosure requirement by two advocacy groups, in *Americans for Prosperity Foundation v. Becerra* and *Thomas More Law Center v. Becerra*.

The petitioners have argued the U.S. Court of Appeals for the Ninth Circuit ruled incorrectly when it found they failed to show that complying with California's donor disclosure requirement would chill their First Amendment associational rights.

"The Ninth Circuit's decision departs from the protections for associational privacy that this Court has long deemed required by the First Amendment," Wiley argued in the U.S. Chamber brief. "The decision upheld the California Attorney General's blanket, up-front, governmental demand for the individual identities and addresses of major donors to private nonprofit organizations, without requiring any showing that the demand was narrowly tailored to an important government interest."

The *amicus* brief describes the Ninth Circuit decision as one that departs from the Court's "strict test" for reviewing burdens on First Amendment associational privacy rights, and that – if allowed to stand – would weaken protection for associational privacy rights and

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## Practice Areas

Election Law & First Amendment Litigation

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First Amendment/Commercial Speech

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deter free and democratic debate. The brief further argues that the original meaning of the First Amendment protects anonymous speech and association.

Caleb P. Burns, partner in the firm's Election Law & Government Ethics Practice, is Counsel of Record to the U.S. Chamber of Commerce in this matter. The Wiley team also includes partner Stephen J. Obermeier and associate Jeremy J. Broggi.

To read the *amicus* brief, [click here](#).