

American Civil Liberties Union Foundation, Inc. and Subsidiaries

**Consolidated Financial Statements
Years Ended March 31, 2025 and 2024
and Supplementary Information
Year Ended March 31, 2025**

**American Civil Liberties Union Foundation, Inc.
and Subsidiaries**

Consolidated Financial Statements
Years Ended March 31, 2025 and 2024 and Supplementary Information
Year Ended March 31, 2025

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Contents

Independent Auditor's Report	3-5
-------------------------------------	-----

Consolidated Financial Statements

Consolidated Statements of Financial Position as of March 31, 2025 and 2024	6
Consolidated Statements of Activities for the Years Ended March 31, 2025 and 2024	7-8
Consolidated Statements of Functional Expenses for the Years Ended March 31, 2025 and 2024	9-10
Consolidated Statements of Cash Flows for the Years Ended March 31, 2025 and 2024	11
Notes to Consolidated Financial Statements	12-35

Supplementary Information

Consolidating Schedule of Financial Position as of March 31, 2025	37
Consolidating Schedule of Activities for the Year Ended March 31, 2025	38

Independent Auditor's Report

Audit Committee

American Civil Liberties Union Foundation, Inc. and Subsidiaries
New York, New York

Opinion

We have audited the consolidated financial statements of American Civil Liberties Union Foundation, Inc. and its subsidiaries (collectively, the Foundation), which comprise the consolidated statements of financial position as of March 31, 2025 and 2024, the related consolidated statements of activities, functional expenses, and cash flows for the years then ended, and the related notes to the consolidated financial statements.

In our opinion, the accompanying consolidated financial statements present fairly, in all material respects, the financial position of the Foundation as of March 31, 2025 and 2024, and the changes in its net assets and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audits in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Foundation and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audits. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of the consolidated financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the consolidated financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Foundation's ability to continue as a going concern within one year after the date that the consolidated financial statements are available to be issued.



Auditor's Responsibilities for the Audit of the Consolidated Financial Statements

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the consolidated financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the consolidated financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Foundation's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the consolidated financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Foundation's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Supplementary Information

Our audits were conducted for the purpose of forming an opinion on the consolidated financial statements as a whole. The consolidating schedule of financial position and consolidating schedule of activities are presented for purposes of additional analysis rather than to present the financial position and changes in net assets of the individual entities and is not a required part of the consolidated financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the consolidated financial statements. Such information has been subjected to the auditing procedures applied in the audits of the consolidated financial statements and certain additional



procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the consolidated financial statements or to the consolidated financial statements themselves, and other additional procedures in accordance with GAAS. In our opinion, the supplementary information is fairly stated in all material respects in relation to the consolidated financial statements as a whole.

BDO USA, P.C.

October 31, 2025

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Consolidated Statements of Financial Position

<u>March 31,</u>	<u>2025</u>	<u>2024</u>
Assets		
Cash and cash equivalents	\$ 186,335,888	\$ 94,389,521
Pledges, bequests, and contributions receivable, net	33,290,150	34,868,568
Investments, at fair value	708,695,163	666,246,483
Other assets	5,933,539	3,212,491
Due from affiliates	4,221,438	317,482
Net pension assets	507,835	-
Right-of-use assets, operating leases	3,518,911	4,336,234
Property and equipment, net of accumulated depreciation and amortization	19,350,337	25,233,610
Total Assets	\$ 961,853,261	\$ 828,604,389
Liabilities and Net Assets		
Liabilities		
Accounts payable and accrued expenses	\$ 8,591,702	\$ 9,132,333
Grants payable	9,417,572	7,279,087
Due to the American Civil Liberties Union, Inc.:		
Allocated share of pension liability	-	208,650
Due to the American Civil Liberties Union, Inc., others	8,919,983	16,076,238
Due to affiliates	68,314,200	32,810,754
Liabilities under split-interest agreements	25,271,053	23,644,944
Bill of Rights Trust held for affiliates	58,041,200	54,936,948
Lease liabilities, operating leases	3,607,398	4,403,240
Total Liabilities	182,163,108	148,492,194
Commitments and Contingencies		
Net Assets		
Net assets without donor restrictions:		
Board-designated	300,829,383	276,060,517
Undesignated	200,721,473	136,861,499
Net Assets Without Donor Restrictions	501,550,856	412,922,016
Net assets with donor restrictions	278,139,297	267,190,179
Total Net Assets	779,690,153	680,112,195
Total Liabilities and Net Assets	\$ 961,853,261	\$ 828,604,389

See accompanying notes to consolidated financial statements.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Consolidated Statement of Activities

Year ended March 31, 2025

	Without Donor Restrictions	With Donor Restrictions	Total
Operating Support and Revenue			
Support:			
Grants, bequests, and contributions	\$ 192,191,153	\$ 95,719,830	\$ 287,910,983
Donated legal services	42,651,996	-	42,651,996
Total Support	234,843,149	95,719,830	330,562,979
Revenue:			
Rental income	289,278	-	289,278
Merchandise and book sales	1,165,759	-	1,165,759
Other income	747,625	-	747,625
Total Revenue	2,202,662	-	2,202,662
Net assets released from restrictions	97,993,569	(97,993,569)	-
Total Operating Support and Revenue	335,039,380	(2,273,739)	332,765,641
Operating Expenses			
Program services:			
Legislative	9,378,965	-	9,378,965
Legal	116,134,065	-	116,134,065
Public education	17,461,905	-	17,461,905
Civil liberties policy formulation	1,925,384	-	1,925,384
Affiliate support	105,227,807	-	105,227,807
Total Program Services	250,128,126	-	250,128,126
Supporting services:			
Management and general	17,021,934	-	17,021,934
Fundraising	21,467,936	-	21,467,936
Total Supporting Services	38,489,870	-	38,489,870
Total Operating Expenses	288,617,996	-	288,617,996
Change in Net Assets, before non-operating activities	46,421,384	(2,273,739)	44,147,645
Other Changes in Net Assets from Non-Operating Activities			
Legal awards, net	7,815,748	-	7,815,748
Net investment income	35,396,073	12,975,653	48,371,726
Changes in value of split-interest agreements	(871,707)	247,204	(624,503)
Other components of postretirement benefit cost	(132,658)	-	(132,658)
Total Other Changes in Net Assets from Non-Operating Activities	42,207,456	13,222,857	55,430,313
Change in Net Assets	88,628,840	10,949,118	99,577,958
Net Assets, beginning of year	412,922,016	267,190,179	680,112,195
Net Assets, end of year	\$ 501,550,856	\$ 278,139,297	\$ 779,690,153

See accompanying notes to consolidated financial statements.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Consolidated Statement of Activities

Year ended March 31, 2024

	Without Donor Restrictions	With Donor Restrictions	Total
Operating Support and Revenue			
Support:			
Grants, bequests, and contributions	\$ 101,553,043	\$ 63,149,454	\$ 164,702,497
In-kind donated property	4,400,000	-	4,400,000
Donated legal services	39,504,757	-	39,504,757
Total Support	145,457,800	63,149,454	208,607,254
Revenue:			
Rental income	717,155	-	717,155
Merchandise and book sales	598,066	-	598,066
Other income	493,375	-	493,375
Total Revenue	1,808,596	-	1,808,596
Net assets released from restrictions	75,022,068	(75,022,068)	-
Total Operating Support and Revenue	222,288,464	(11,872,614)	210,415,850
Operating Expenses			
Program services:			
Legislative	5,236,621	-	5,236,621
Legal	115,362,727	-	115,362,727
Public education	19,065,039	-	19,065,039
Civil liberties policy formulation	1,804,609	-	1,804,609
Affiliate support	62,715,827	-	62,715,827
Total Program Services	204,184,823	-	204,184,823
Supporting services:			
Management and general	16,845,866	-	16,845,866
Fundraising	18,868,836	-	18,868,836
Total Supporting Services	35,714,702	-	35,714,702
Total Operating Expenses	239,899,525	-	239,899,525
Change in Net Assets, before non-operating activities	(17,611,061)	(11,872,614)	(29,483,675)
Other Changes in Net Assets from Non-Operating Activities			
Legal awards, net	7,009,067	-	7,009,067
Net investment income	49,088,122	15,740,064	64,828,186
Changes in value of split-interest agreements	-	(2,267,843)	(2,267,843)
Other components of postretirement benefit cost	(76,645)	-	(76,645)
Total Other Changes in Net Assets from Non-Operating Activities	56,020,544	13,472,221	69,492,765
Increase in Net Assets	38,409,483	1,599,607	40,009,090
Net Assets, beginning of year	374,512,533	265,590,572	640,103,105
Net Assets, end of year	\$ 412,922,016	\$ 267,190,179	\$ 680,112,195

See accompanying notes to consolidated financial statements.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Consolidated Statement of Functional Expenses

Year ended March 31, 2025

	Program Services						Supporting Services					
	Civil Liberties			Policy Formulation			Total Program Services	Management and General	Total Supporting Services			Total Expenses
	Legislative	Legal	Public Education	Affiliate Support					Fundraising			
Salaries	\$ 1,208,844	\$ 33,873,427	\$ 5,254,350	\$ 1,051,896	\$ 8,989,369	\$ 50,377,886	\$ 8,313,794	\$ 10,925,668	\$ 19,239,462	\$ 69,617,348		
Employee benefits	605,586	8,751,748	1,433,448	364,034	3,225,016	14,379,832	3,661,123	3,004,140	6,665,263	21,045,095		
Rent and occupancy	20,368	2,628,223	284,590	926	375,209	3,309,316	16,065	551,390	567,455	3,876,771		
Books	1,948	408,423	21,456	1,852	15,976	449,655	15,740	93,282	109,022	558,677		
Building depreciation	-	1,158,533	194,228	-	161,856	1,514,617	2,161	388,456	390,617	1,905,234		
Depreciation and amortization	-	44,914	3,507	-	3,636	52,057	2,481	8,088	10,569	62,626		
Equipment rental and maintenance	457,105	1,676,568	823,850	148,010	1,015,014	4,120,547	1,275,394	665,723	1,941,117	6,061,664		
Grants to affiliates	271,990	2,550,400	-	-	19,533,613	22,356,003	-	-	-	22,356,003		
Shared portion of contributions	550,564	11,772,601	50,800	-	49,001,042	61,375,007	-	-	1,520	1,520	61,376,527	
Shared portion of bequest	127,265	2,935,899	48,629	-	11,380,114	14,491,907	-	-	92,396	92,396	14,584,303	
Meetings/conferences	94,162	208,211	1,152,854	35,529	1,248,946	2,739,702	170,601	55,384	225,985	2,965,687		
Legal fees	-	-	6,917	61,326	314,746	382,989	690,819	9,040	699,859	1,082,848		
Donated legal services	-	42,651,996	-	-	-	42,651,996	-	-	-	42,651,996		
Accounting fees	-	-	-	-	-	-	252,034	-	252,034	252,034		
Other professional services	857,911	2,174,444	4,609,301	165,621	2,589,709	10,396,986	1,948,019	1,761,298	3,709,317	14,106,303		
Postage and supplies	52,686	156,485	1,072,900	639	51,425	1,334,135	26,675	1,132,954	1,159,629	2,493,764		
Publishing, printing, and outreach	95,981	291,946	1,148,675	897	97,218	1,634,717	47,822	836,284	884,106	2,518,823		
Special affiliate subsidies	56,083	560,833	-	-	4,991,417	5,608,333	-	-	-	5,608,333		
Telephone	411,979	281,770	79,199	9,815	167,818	950,581	48,905	88,674	137,579	1,088,160		
Telemarketing	30,464	-	26,510	-	7,146	64,120	-	-	238,590	238,590	302,710	
Travel	68,174	845,505	320,675	37,066	299,372	1,570,792	131,002	172,503	303,505	1,874,297		
Other grants and awards	4,438,929	290,404	251,193	3,750	1,109,150	6,093,426	19,750	94,828	114,578	6,208,004		
Provision for doubtful allowances	-	1,736,940	299,928	-	318,439	2,355,307	-	-	643,970	643,970	2,999,277	
Other expenses	28,926	1,134,795	378,895	44,023	331,576	1,918,215	399,549	703,748	1,103,297	3,021,512		
Total Expenses, per consolidated statement of activities	9,378,965	116,134,065	17,461,905	1,925,384	105,227,807	250,128,126	17,021,934	21,467,936	38,489,870	288,617,996		
Net periodic cost other than service cost	(38,764)	(479,961)	(72,161)	(7,991)	(434,875)	(1,033,752)	(70,372)	(88,622)	(158,994)	(1,192,746)		
Total Expenses, Net	\$ 9,340,201	\$ 115,654,104	\$ 17,389,744	\$ 1,917,393	\$ 104,792,932	\$ 249,094,374	\$ 16,951,562	\$ 21,379,314	\$ 38,330,876	\$ 287,425,250		

See accompanying notes to consolidated financial statements.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Consolidated Statement of Functional Expenses

Year ended March 31, 2024

	Program Services						Supporting Services					
	Civil Liberties			Policy Formulation			Total Program Services	Management and General		Total Supporting Services	Total Expenses	
	Legislative	Legal	Public Education	Affiliate Support								
Salaries	\$ 2,187,418	\$ 32,481,086	\$ 6,332,106	\$ 977,716	\$ 9,227,730	\$ 51,206,056	\$ 8,078,912	\$ 10,279,568	\$ 18,358,480	\$ 69,564,536		
Employee benefits	482,165	8,340,091	1,883,672	320,202	3,018,649	14,044,779	3,089,743	3,017,330	6,107,073	20,151,852		
Rent and occupancy	29,846	1,532,323	343,074	1,391	400,940	2,307,574	823,323	684,812	1,508,135	3,815,709		
Books	6,399	312,637	2,612	1,565	5,331	328,544	12,401	56,366	68,767	397,311		
Building depreciation	-	861,983	190,620	-	158,850	1,211,453	270,363	381,240	651,603	1,863,056		
Depreciation and amortization	-	177,033	41,359	-	31,594	249,986	465	168,309	168,774	418,760		
Equipment rental and maintenance	550,515	1,787,318	663,255	122,929	963,982	4,087,999	910,040	981,694	1,891,734	5,979,733		
Grants to affiliates	125,284	12,683,290	-	-	11,150,292	23,958,866	-	-	-	23,958,866		
Shared portion of contributions	256,076	9,753,057	2,500	-	22,790,777	32,802,410	-	-	-	32,802,410		
Shared portion of bequest	63,721	800,779	-	-	5,671,202	6,535,702	-	-	-	6,535,702		
Meetings/conferences	46,485	156,115	2,476,943	22,634	536,328	3,238,505	104,874	48,294	153,168	3,391,673		
Legal fees	-	63,506	25,749	50,204	314,301	453,760	652,651	147,339	799,990	1,253,750		
Donated legal services	-	39,504,757	-	-	-	39,504,757	-	-	-	39,504,757		
Accounting fees	-	-	-	-	-	-	289,750	-	289,750	289,750		
Other professional services	1,081,265	2,888,785	4,402,966	244,165	1,734,497	10,351,678	2,111,023	973,507	3,084,530	13,436,208		
Postage and supplies	3,803	45,314	826,400	806	22,680	899,003	11,747	716,774	728,521	1,627,524		
Publishing, printing, and outreach	124,069	67,208	1,135,013	177	62,122	1,388,589	39,662	66,841	106,503	1,495,092		
Special affiliate subsidies	65,690	656,900	-	-	5,846,410	6,569,000	-	-	-	6,569,000		
Telephone	85,534	293,479	84,436	10,741	90,971	565,161	53,597	92,553	146,150	711,311		
Telemarketing	-	-	8,844	-	-	8,844	-	79,597	79,597	88,441		
Travel	37,993	913,282	118,925	3,249	217,984	1,291,433	8,521	141,136	149,657	1,441,090		
Other grants and awards	170	382,448	40,000	-	15,109	437,727	-	-	-	437,727		
Provision for doubtful allowances	50,041	158,465	96,237	8,340	54,212	367,295	41,701	428,274	469,975	837,270		
Other expenses	40,147	1,502,871	390,328	40,490	401,866	2,375,702	347,093	605,202	952,295	3,327,997		
Total Expenses, per consolidated statement of activities	5,236,621	115,362,727	19,065,039	1,804,609	62,715,827	204,184,823	16,845,866	18,868,836	35,714,702	239,899,525		
Net periodic cost other than service cost	(33,873)	(747,219)	(123,526)	(11,653)	(406,161)	(1,322,432)	(109,076)	(122,283)	(231,359)	(1,553,791)		
Total Expenses, Net	\$ 5,202,748	\$ 114,615,508	\$ 18,941,513	\$ 1,792,956	\$ 62,309,666	\$ 202,862,391	\$ 16,736,790	\$ 18,746,553	\$ 35,483,343	\$ 238,345,734		

See accompanying notes to consolidated financial statements.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Consolidated Statements of Cash Flows

Year ended March 31,

	2025	2024
Cash Flows from Operating Activities		
Increase in net assets	\$ 99,577,958	\$ 40,009,090
Adjustments to reconcile increase in net assets to net cash provided by (used in) operating activities:		
Depreciation and amortization	1,967,860	2,281,816
In-kind donated property	-	(4,400,000)
Discount on pledges receivable	(599,890)	(969,057)
Provisions for doubtful allowances	2,999,277	837,270
Non-cash lease expense	1,566,696	1,424,818
Changes in value of split-interest agreements	624,503	2,267,843
Net realized and unrealized gains on investments, net, of adjustments for affiliate holdings	(44,900,533)	(66,017,187)
Donated investments	(27,547,244)	(5,365,367)
Loss on sale of fixed assets	292,254	-
Changes in benefit obligations other than net periodic benefit cost	1,325,404	1,630,436
Cash received on contributions restricted for endowment	(93,371)	(122,946)
Changes in operating assets and liabilities:		
(Increase) decrease in pledges, bequests, and contributions receivable	(820,969)	13,307,742
Increase in other assets	(2,721,048)	(2,166,013)
Increase in net pension assets	(507,835)	-
(Decrease) increase in accounts payable and accrued expenses	(540,631)	1,396,596
Increase in grants payable	2,138,485	3,454,704
Decrease in due to American Civil Liberties Union, Inc., allocated share of pension liability	(1,534,054)	(2,856,010)
Decrease in due to American Civil Liberties Union, Inc., others	(7,156,255)	(11,396,435)
Increase (decrease) in due to/from affiliates, net	31,599,490	(2,445,093)
Increase in Bill of Rights Trust held for affiliates, net of unrealized	3,104,252	7,770,931
Principal reduction in operating lease liabilities	(1,545,215)	(1,426,884)
Net Cash Provided by (Used in) Operating Activities	57,229,134	(22,783,746)
Cash Flows from Investing Activities		
Proceeds from the sale of investments	149,060,563	94,881,769
Purchase of investments	(119,061,466)	(100,977,989)
Proceeds from the sale of fixed assets	4,107,746	-
Purchase of property and equipment	(484,587)	(1,220,787)
Net Cash Provided by (Used in) Investing Activities	33,622,256	(7,317,007)
Cash Flows from Financing Activities		
Cash received on contributions restricted for endowment	93,371	122,946
Contributions subject to split-interest agreements	4,950,017	4,324,234
Payments on split-interest agreements	(3,894,705)	(2,515,387)
Payments of new annuities	(53,706)	(165,287)
Net Cash Provided by Financing Activities	1,094,977	1,766,506
Net Change in Cash and Cash Equivalents	91,946,367	(28,334,247)
Cash and Cash Equivalents, beginning of year	94,389,521	122,723,768
Cash and Cash Equivalents, end of year	\$ 186,335,888	\$ 94,389,521
Supplemental Disclosures of Cash Flow Information		
Investment in right-of-use assets - operating leases through operating lease liabilities	\$ 749,373	\$ 3,389,925
Donated legal services	42,651,996	39,504,757
Taxes paid on unrelated business income	25,000	-
Change in investments for Bill of Rights Trust held for affiliates	3,750,501	5,948,586

See accompanying notes to consolidated financial statements.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

1. Organization

The American Civil Liberties Union Foundation, Inc. (the ACLU Foundation) was established as a nonprofit corporation to preserve and promote individual civil rights and civil liberties as guaranteed by the United States Constitution and the nation's civil rights laws.

The ACLU Foundation is affiliated with the American Civil Liberties Union, Inc. (the Union), an organization that is exempt from federal income tax under Section 501(c)(4) of the Internal Revenue Code (IRC). The ACLU Foundation and the Union share common Board of Directors and management.

The ACLU Foundation and the Union are collectively referred to as the ACLU.

In October 2023, the Foundation received a property as a donation. In November 2023, the Foundation formed 104 Greenwich Ave LLC (Greenwich) to hold title of the Foundation's real property. During the fiscal year, the Foundation sold the building and filed for dissolution of Greenwich on January 24, 2025.

Both the ACLU Foundation and the Union are affiliated with 50 nonprofit, tax-exempt organizations in every state in the United States, the District of Columbia, and Puerto Rico. All affiliates include reference to the American Civil Liberties Union or some variation thereof in their names (the affiliates). The affiliates also operate through related Section 501(c)(3) and Section 501(c)(4) organizations. The affiliates share the same overall mission and purpose as the ACLU, but their programs focus more on local or regional issues, while the ACLU's program activities are focused on overarching civil liberties issues and initiatives. Although the ACLU plays no direct role in the governance of and, except in very limited instances, does not share employees with, the affiliates, the organizations jointly fundraise and work together on certain programs and the ACLU, through either the Union or the ACLU Foundation, as appropriate, at its sole discretion provides targeted financial and other support to the affiliates.

2. Summary of Significant Accounting Policies

Basis of Presentation

The accompanying consolidated financial statements have been prepared on the accrual basis of accounting in conformity with accounting principles generally accepted in the United States of America (GAAP).

Principles of Consolidation

The accompanying consolidated financial statements include the accounts and activities of the ACLU Foundation and its subsidiaries, 915 15th Street, LLC (the LLC) and Greenwich (collectively referred to as the Foundation). The LLC and Greenwich are single-member limited liability companies of which the ACLU Foundation is the sole member. All significant inter-organizational accounts and transactions have been eliminated in consolidation.

The accounts and activities of the Union and the affiliates are not included in these consolidated financial statements.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

Use of Estimates

The preparation of consolidated financial statements in conformity with GAAP requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Cash and Cash Equivalents

The Foundation considers all highly liquid debt instruments purchased with a maturity of three months or less to be cash equivalents. Cash and cash equivalents held temporarily in the investment portfolio are included in investments.

Investments and Related Income, Gains, and Losses

Investments are reported at fair value in the consolidated statements of financial position. The consolidated statements of activities include net investment income consisting of interest and dividend income and realized and unrealized gains and losses. Interest income is recorded on the accrual basis. Dividends are recorded on the ex-dividend date.

Realized gains and losses on sale of investments are calculated on the basis of specific identification of the securities sold. Purchases and sales of securities are recognized on a trade-date basis.

Donated securities are recorded at their estimated fair values, as determined by the Foundation's management on the dates of donation. The Foundation's policy is to sell donated securities immediately, and accordingly, for purposes of the consolidated statements of cash flows, donated securities and the proceeds generated from their sale are included within operating activities.

For the fiscal years ended March 31, 2025 and 2024, net investment income, gains, and losses are reported net of direct investment expenses of approximately \$2,576,000 and \$2,127,086, respectively.

Fair Value Measurements

Accounting Standards Codification (ASC) Topic 820, *Fair Value Measurements*, establishes a three-level valuation hierarchy of fair value measurements. These valuation techniques are based on observable and unobservable inputs. Observable inputs reflect market data obtained from independent sources, while unobservable inputs reflect market assumptions. These two types of inputs create the following fair value hierarchy:

Level 1 - This level consists of inputs that reflect unadjusted quoted market prices in active markets for identical assets or liabilities that the Foundation has the ability to access at the measurement date. The types of investments in Level 1 generally include listed equities, mutual funds, and exchange-traded funds.

Level 2 - This level consists of inputs other than quoted prices within Level 1 that are observable for the asset or liability, either directly or indirectly, including inputs in markets that are not considered to be active. Investments in this category generally include corporate debt, U.S. government debt, and less liquid securities, such as securities traded on certain foreign exchanges. A significant adjustment to a Level 2 input could result in the Level 2 measurement becoming a Level 3 measurement.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

Level 3 - This level consists of inputs that are unobservable for the asset or liability and that include situations where there is little, if any, market activity for the asset or liability. The inputs into the determination of fair value are based upon the best information in the circumstances and may require significant management judgment or estimates. Investments in this category generally include equity and debt positions in private companies.

The availability of observable inputs can vary from security to security and is affected by a wide variety of factors, including, for example, the type of security, whether the security is new and not yet established in the marketplace, the liquidity of markets, and other characteristics particular to the security. To the extent that valuation is based on models or inputs that are less observable or unobservable in the market, the determination of fair value requires more judgment. Accordingly, the degree of judgment exercised in determining fair value is greatest for instruments categorized in Level 3.

Fair Value of Financial Instruments

The following methods and assumptions were used in estimating the fair values of significant financial instruments:

Cash and Cash Equivalents - The carrying amount approximates fair value because the instruments are liquid in nature and have short-term maturities.

Investments - The fair value is determined as described in Note 5.

Concentration of Market and Credit Risk

The Foundation's financial instruments that are potentially exposed to concentrations of credit risk consist primarily of cash and cash equivalents and investments.

Exposure to credit risk is reduced by the placement of such funds in high-credit quality financial institutions and financial instruments. At March 31, 2025 and 2024, the majority of the Foundation's money market accounts were in funds that invest in short-term direct government obligations, such as U.S. Treasury Bills, that are backed by the full faith and credit of the U.S. government.

Investments in general are exposed to various risks, such as interest rate, credit, and overall market volatility risk. Due to the level of risk associated with certain investments, it is reasonably possible that changes in the value of the Foundation's investments will occur in the near term and that such changes could materially affect the amounts reported in the accompanying consolidated financial statements.

In order to control market risk, the Foundation has an investment committee that reviews and updates investment policy statements for the organization's various investment portfolios, oversees its investment portfolio, and engages the services of investment advisors and managers to invest and manage the assets within the guidelines of the respective investment policy statements and perform ongoing due diligence and reporting. The Foundation monitors the market risk of its investment portfolio through ongoing review of asset allocation formulas and analysis of investment values, as reported by investment custodians and managers.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

The clearing and depository operations for the Foundation's portfolio of investments held in managed accounts are provided principally by three financial institutions that held approximately 83% of the total portfolio at both March 31, 2025 and 2024.

Property and Equipment

Property and equipment (consisting of office buildings, furniture, fixtures, office equipment, and software) are carried at cost, less accumulated depreciation or amortization. Donations of property and equipment are stated at the estimated fair value at the date of the donation.

Minor costs or repairs and maintenance are expensed as incurred. Depreciation and amortization are provided for using the straight-line method over the estimated useful lives of the respective assets. Land is not depreciated. Amortization of leasehold improvements is provided using the straight-line method over the estimated useful lives of the improvements or the remaining lives of the leases, whichever is shorter.

Impairment of Long-Lived Assets

Management evaluates the recoverability of the investment in long-lived assets on an ongoing basis and recognizes any impairment in the year of determination. There were no triggering events during fiscal years 2025 or 2024 requiring management to test for impairment that would require any adjustments to property and equipment. However, it is reasonably possible that relevant conditions could change in the near term and necessitate a change in management's estimate of the recoverability of these assets.

Accrued Vacation

Accrued vacation represents the Foundation's obligation for the cost of unused employee vacation time that would be payable in the event that all employees leave the Foundation. As of March 31, 2025 and 2024, the accrued vacation obligation was approximately \$3,454,000 and \$3,691,000, respectively, and is reported as part of accounts payable and accrued expenses in the consolidated statements of financial position.

Grants Payable

Unconditional grants and awards are recognized as expenses in the consolidated financial statements at the time of approval. Unconditional grants and awards approved, but not yet paid are recognized as grants payable at each year-end. As of March 31, 2025 and 2024, grants payable amounted to approximately \$9,418,000 and \$7,279,000, respectively.

Leases

The Foundation determines if an arrangement is a lease or a service contract at inception. Where an arrangement is a lease, the Foundation determines if it is an operating lease or a finance lease. The Foundation currently does not have any finance leases. Subsequently, if the arrangement is modified, the Foundation reevaluates the classification. At lease commencement, the Foundation records a right-of-use (ROU) asset and a corresponding lease liability. ROU assets represent the Foundation's right to control the use of the leased asset during the lease and are recognized in an amount equal to the lease liability adjusted for any initial direct costs, prepaid or deferred rent, and lease incentives. Lease liabilities represent the present value of the future lease payments over

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

the expected lease term, which includes options to extend or terminate the lease when it is reasonably certain those options will be exercised. The present value of the lease liability is determined using the risk-free discount rate at lease inception for operating leases. Operating lease expense for lease payments is recognized on a straight-line basis over the lease term. Leases with a term of 12 months or less are considered short-term leases and are accounted for as rent expense on a straight-line basis over the lease term.

Lease payments related to periods subject to renewal options are excluded from the amounts used to determine the present value of the remaining lease payments unless the Foundation is reasonably certain to exercise the option to extend the lease. The Foundation has made an accounting policy election not to separate lease components from non-lease components in contracts when determining its lease payments for all of its asset classes, as permitted by GAAP. As such, the Foundation accounts for the applicable non-lease components together with the related lease components when determining the ROU assets and liabilities.

Net Assets

The Foundation reports information regarding its financial position and activities in two classes of net assets: without donor restrictions and with donor restrictions.

Net Assets Without Donor Restrictions - These assets represent those resources for which there are no restrictions by donors as to their use and are, therefore, available for current operations. Accordingly, the Board of Directors has allocated a portion of these funds to serve as board-designated endowments, the earnings from which will be applied to future support of the Foundation.

Net Assets with Donor Restrictions - These assets represent those resources that are subject to donor-imposed restrictions, such as specific purposes and/or a specific period of time. Also included within net assets with donor restrictions are donor restrictions that are perpetual in nature and subject to the requirements of New York's Prudent Management of Institutional Funds Act (NYPMIFA). These donors have stipulated that those resources be maintained in perpetuity, with the resultant income and net capital appreciation arising from the underlying assets to be used in satisfaction of the wishes of those donors.

When a donor restriction expires—that is, when a stipulated time restriction ends, or a purpose restriction is accomplished, or funds are appropriated through an action of the Board of Directors—net assets with donor restrictions are reclassified to net assets without donor restrictions and are reported in the consolidated statements of activities as net assets released from restrictions.

Endowment Funds

The Foundation's endowment is subject to the provision of the NYPMIFA. The Foundation classifies as donor-restricted endowment funds (a) the original value of gifts donated to the endowment, (b) the original value of subsequent gifts to the endowment, and (c) accumulations to the endowment made in accordance with the direction of the applicable donor gift instrument at the time the accumulation is added to the fund. The remaining portion of the donor-restricted endowment fund that is not held in perpetuity is classified as net assets with donor restrictions until appropriated for expenditure.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

Revenue Recognition

Grants, Bequests, Contributions, and Related Receivables

The Foundation reports contributions as without donor restrictions or with donor restrictions, depending on the existence and/or nature of any donor restrictions.

Unconditional promises to give are recorded as pledges and contributions receivable in the period the promise is received. Payments received in subsequent periods on unconditional promises to give, such as payments on multi-year gifts, are not recognized as revenue; rather, these are recorded as decreases in the corresponding pledges and contributions receivable balance. Pledges and contributions receivable due within one year are recorded at their net realizable value. Pledges and contributions receivable due in more than one year are recorded at the present value of their net realizable value, using applicable risk-adjusted interest rates to discount the amounts. Allowances for doubtful pledges and contributions receivable are provided by management based on the Foundation's experience with the donors and their ability to pay.

Conditional promises to give are those with measurable performance or other barriers and right of return or release. Conditional promises to give are recognized when the donor's conditions have been met by requisite actions of the Foundation's management or necessary events have taken place.

Contributions of cash and other assets are reported as with donor restrictions if they are received with donor stipulations that limit the use of the donated assets.

Contributions that are to be maintained in perpetuity are recorded as with donor restrictions support.

The Foundation is a beneficiary under various wills and trust agreements, the total realizable amounts of which are not determinable at present. The Foundation's share of such bequests is recorded when the amounts and timing of the distributions can be estimated with reasonable certainty and the probate court declares the will valid. For the fiscal years ended March 31, 2025 and 2024, bequest contributions amounted to \$48,429,664 and \$34,152,506, respectively.

There was no donor concentration of the total grants, bequest, and contributions of approximately \$287,911,000 for the fiscal year ended March 31, 2025, and 12% of the total grants, bequests, and contributions revenue of approximately \$164,702,000 was provided by one donor for the fiscal year ended March 31, 2024. In addition, approximately 40% and 27% of the gross pledges, bequests, and contributions receivable of approximately \$37,606,000 and \$37,611,000 were due from three donors and one donor at March 31, 2025 and 2024, respectively.

Certain grants, bequests, and contributions revenue are subject to revenue-sharing agreements with affiliates. The Foundation's sharing rules specify the circumstances under which revenue shall be shared and the methodology for determining the specific portion of various categories of revenue that will be shared among the Foundation and the affiliates. Shared revenues are reported at gross amounts and the affiliates' share of the revenues are included as affiliate support expense in the consolidated statements of activities. The Foundation reports the affiliates' share of revenues as expenses when cash is received from the donor.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

Contributions of Non-Financial Assets

The Foundation received contributions of non-financial assets and recognized within the consolidated statements of activities as follows:

<i>Year ended March 31,</i>	2025	2024
Donated Legal Services		
Program - State Supreme Court Initiative	\$ 30,738	\$ 176,921
Program - Racial Justice Project	921,477	470,374
Program - National Prison Project	1,103,944	1,778,015
Program - Criminal Law Reform Project	4,779,891	2,184,646
Program - Capital Punishment Project	908,768	1,052,710
Program - Women Rights Project	291,717	618,813
Program - Freedom of Religion and Belief	1,797,458	516,412
Program - Disability Rights Project	886,831	703,684
Program - Reproductive Freedom Project	4,925,244	2,925,042
Program - LGBT	7,272,380	7,755,223
Program - Voting Rights Project	11,555,667	15,938,843
Program - Speech Privacy and Technology	1,313,931	1,343,675
Program - Human Rights Project	-	162,972
Program - Immigration Rights Project	3,922,119	2,805,025
Program - Abortion Criminal Defense	232,638	-
Program - Supreme Court	785,389	-
Program - National Security Project	1,923,804	1,072,402
	42,651,996	39,504,757
Donated Property	-	4,400,000
Total	\$ 42,651,996	\$ 43,904,757

Donated legal services are valued at the estimated fair value based on current hourly rates by type of services used by the law firm that provide similar legal services. Donated property is valued based on the appraised value provided by a certified appraiser.

The Foundation recognizes contributions of non-financial assets at their estimated fair value at the date of donation. The Foundation recognizes contributions of services received if the services received create or enhance nonfinancial assets or if the services require specialized skills and would typically need to be purchased if not provided by donation.

Contributed nonfinancial assets did not have donor-imposed restrictions for the fiscal years ended March 31, 2025 and 2024.

A number of individuals have made contributions of their time to serve on the Foundation's board. The value of their contributed time is not reflected in the consolidated financial statements inasmuch as those services would not typically be purchased had they not been provided by donation.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

Functional Expenses

The costs of providing various program and supporting services of the Foundation have been summarized on a functional basis in the accompanying consolidated financial statements. Each department within the Foundation is allocated to its program or supporting services based on a total analysis of its respective full-time equivalents and a determination of what functions it performs. Certain departments, such as legal, are determined to be 100% programmatic and are reflected, therefore, under legal programs. Other departments, such as executive or administrative/finance are largely supportive in nature and reflected largely under management and general. Each year, the functional allocations are reviewed and modified based on initiatives and organizational changes to best reflect the activities within the Foundation for a specified year.

Certain expenses, predominantly salaries and employee benefits, are shared between the Union and the Foundation. Expenses paid by the Union and allocated to the Foundation and recognized in the accompanying consolidated financial statements amounted to \$35,564,077 and \$40,695,523 during the fiscal years ended March 31, 2025 and 2024, respectively.

Measure of Operations

The Foundation includes, in its definition of operations, all revenues and expenses that are an integral part of its program and supporting activities. Net investment income, including net realized and unrealized gains and losses, is reported as part of non-operating activities, as are: (i) legal awards; (ii) changes in value of split-interest agreements; and (iii) other components of postretirement benefit cost.

Legal Awards

Pursuant to the Civil Rights Attorneys Fee Awards Act of 1976 and similar laws, legal fees and expenses may be awarded in certain legal actions. The amounts of these awards are the result of court determinations and/or negotiations between the parties to the matters. Management anticipates that the Foundation will be the recipient of legal awards of a substantial amount but is unable to determine the amounts receivable with any degree of accuracy. Accordingly, the Foundation's accounting policy is to accrue an award only when, in management's judgment, the amount appears relatively certain of collection.

Income Taxes

The ACLU Foundation is exempt from income taxes under Section 501(c)(3) of the U.S. IRC and is subject to taxes on unrelated business income, as applicable. The LLC and Greenwich are treated as disregarded (tax) entities.

The ACLU Foundation files tax and information returns with the Internal Revenue Service (IRS) and with various states.

Management evaluated the Foundation's tax positions and concluded that the organization had taken no uncertain tax positions that require additional adjustment or disclosure to the accompanying consolidated financial statements. Generally, the Foundation is no longer subject to income tax examinations by U.S. federal, state, or local tax authorities for tax years before 2022, which is the standard statute of limitations look-back period.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

Evaluation of Subsequent Events

The Foundation evaluates events occurring after the date of the consolidated financial statements to consider whether or not the impact of such events needs to be reflected and/or disclosed in the consolidated financial statements. Such evaluation is performed through the date the consolidated financial statements are issued, which is October 31, 2025. There were no significant subsequent events requiring adjustment to the consolidated financial statements or disclosures.

Adoption of Issued Accounting Pronouncements

Financial Instruments - Credit Losses (Topic 326)

In June 2016, the Financial Accounting Standards Board (FASB) issued Accounting Standards Update (ASU) 2016-03, *Financial Instruments - Credit Losses (Topic 326): Measurement of Credit Losses on Financial Instruments*, as amended. The new credit loss standard changes the impairment model for most financial assets and certain other instruments. For trade and other receivables, contract assets recognized as a result of applying *Revenue from Contracts with Customers (Topic 606)*, loans, and certain other instruments, entities are required to use a new forward-looking “expected-loss” model that generally results in earlier recognition of credit losses than under the incurred-loss model. ASU 2016-03 is effective for fiscal years beginning after December 15, 2022. The ACLU adopted this ASU on April 1, 2023 prospectively, and there was no impact on the consolidated financial statements.

3. Related Party Transactions

Amounts due from and to affiliates represent receivables and payables related to affiliate support and revenue sharing.

Amounts due from affiliates include income generated by the affiliates that is subject to the application of the Foundation’s sharing rules, reimbursement to the Foundation for expenses paid by the Foundation on behalf of the affiliates, and receivables for affiliate health insurance, which amounted to approximately \$4,221,000 and \$317,000 for the fiscal years ended March 31, 2025 and 2024, respectively.

Amounts due to affiliates include the portion of contributions that are shared in accordance with the Foundation’s sharing rules and payments related to certain affiliate subsidy programs. For the fiscal years ended March 31, 2025 and 2024, approximately \$68,314,000 and \$32,811,000 was due to affiliates, respectively.

During the fiscal years ended March 31, 2025 and 2024, the Foundation had expenses to affiliates for grants to affiliates, the shared portion of contributions and bequests, and the special affiliate subsidies of approximately \$103,925,000 and \$69,866,000, respectively.

During fiscal years ended March 31, 2025 and 2024, the Foundation received approximately \$172,000 and \$390,000, respectively, from the New York Civil Liberties Union, Inc. and the New York Civil Liberties Union Foundation, Inc. in payments for the use of space occupied at the Foundation’s offices at 125 Broad Street. These payments include charges for cleaning and other customary services.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

As of March 31, 2025, expected future receipts from the New York Civil Liberties Union, Inc. and New York Civil Liberties Union Foundation, Inc. for the use of space occupied are as follows:

Year ending March 31,

<u>2026</u>	\$	390,264
	\$	390,264

4. Pledges, Bequests, and Contributions Receivable

Pledges, bequests, and contributions receivable that are expected to be collected after one year have been discounted to net present value at rates ranging from 3.04% to 4.59% and are reflected in the consolidated financial statements at their net realizable value.

Pledges, bequests, and contributions receivable are comprised of the following:

<i>March 31,</i>	2025	2024
Receivable due within one year or less	\$ 27,016,674	\$ 34,866,611
Receivable due in more than one year to five years	10,589,188	2,744,421
	37,605,862	37,611,032
Less: discount to present value	(854,512)	(254,623)
Less: allowance for uncollectible accounts	(3,461,200)	(2,487,841)
	\$ 33,290,150	\$ 34,868,568

Approximately \$11,138,000 and \$8,679,000 of pledges, bequests, and contributions receivable as of March 31, 2025 and 2024, respectively, are the affiliates' share of these revenues, which are based on the Foundation's revenue-sharing rules. These amounts will be recognized as expenses by the Foundation upon the receipt of cash from donors.

For the fiscal years ended March 31, 2025 and 2024, the Foundation received approximately \$687,000 and \$450,000, respectively, in new conditional contributions. For the fiscal years ended March 31, 2025 and 2024, the Foundation recognized approximately \$468,000 and \$450,000, respectively, in revenue from conditional contributions as barriers were met. At March 31, 2025 there were \$218,319 conditional contributions that did not meet the barriers to be recognized as revenue. At March 31, 2024, there were no conditional contributions that did not meet the barriers to be recognized as revenue.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

5. Investments and Fair Value Measurements

The following tables present the Foundation's investments that are measured at fair value on a recurring basis.

March 31, 2025

	Level 1	Level 2	Level 3	Total
Money Market Funds	\$ 6,151,870	\$ -	\$ -	\$ 6,151,870
Equities	145,724,979	-	-	145,724,979
U.S. Treasury Notes, Agency, and Related	-	32,890,214	-	32,890,214
Mutual Funds				
Large-cap U.S. equity	12,270,160	-	-	12,270,160
Small-/mid-cap U.S. equity	4,042,713	-	-	4,042,713
International equity	11,927,022	-	-	11,927,022
Short-term bond	14,455,811	-	-	14,455,811
Intermediate-term bond	9,249,492	-	-	9,249,492
High-yield bond	973,973	-	-	973,973
International fixed income	2,381,466	-	-	2,381,466
Other bond	2,298,895	-	-	2,298,895
International real estate	1,130,191	-	-	1,130,191
U.S. real estate	4,729,947	-	-	4,729,947
Total Mutual Funds	63,459,670	-	-	63,459,670
Exchange-Traded Funds				
Short-term, long-term, and intermediate-term bonds	32,480,720	-	-	32,480,720
Real estate and hard assets (commodities)	19,552,905	-	-	19,552,905
Total Exchange-Traded Funds	52,033,625	-	-	52,033,625
Total	\$ 267,370,144	\$ 32,890,214	\$ -	300,260,358
Private Equity Funds - Multi-Strategy⁽¹⁾				162,434,042
Proprietary Equity Funds - Multi-Strategy⁽¹⁾				246,000,763
Total Investments				\$ 708,695,163

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

March 31, 2024

	Level 1	Level 2	Level 3	Total
Money Market Funds	\$ 12,034,149	\$ -	\$ -	\$ 12,034,149
Equities	133,260,907	-	-	133,260,907
Corporate Bonds (by S&P rating)				
AAA–A-	-	199,333	-	199,333
U.S. Treasury Notes, Agency, and Related	-	29,854,958	-	29,854,958
Mutual Funds				
Large-cap U.S. equity	11,880,186	-	-	11,880,186
Small-/mid-cap U.S. equity	3,694,140	-	-	3,694,140
International equity	10,055,914	-	-	10,055,914
Short-term bond	14,139,735	-	-	14,139,735
Intermediate-term bond	8,732,064	-	-	8,732,064
High-yield bond	922,152	-	-	922,152
International fixed income	2,218,013	-	-	2,218,013
Other bond	2,091,485	-	-	2,091,485
International real estate	2,382,728	-	-	2,382,728
U.S. real estate	4,472,569	-	-	4,472,569
Total Mutual Funds	60,588,986	-	-	60,588,986
Exchange-Traded Funds				
Short-term, long-term, and intermediate-term bonds	27,799,518	-	-	27,799,518
Real estate and hard assets (commodities)	17,223,680	-	-	17,223,680
Total Exchange-Traded Funds	45,023,198	-	-	45,023,198
Total	\$ 250,907,240	\$ 30,054,291	\$ -	\$ 280,961,531
Private Equity Funds - Multi-Strategy⁽¹⁾				135,472,708
Proprietary Equity Funds - Multi-Strategy⁽¹⁾				249,812,244
Total Investments				\$ 666,246,483

⁽¹⁾ In accordance with the fair value measurements topic, certain investments that are measured at fair value using the net asset value (NAV) per share (or its equivalent) practical expedient have not been classified in the fair value hierarchy. The fair value amounts presented in these tables are intended to permit reconciliation of the fair value hierarchy to the amounts presented in the consolidated statements of financial position.

Below are the valuation techniques used by the Foundation to measure different financial instruments at fair value and the level within the fair value hierarchy in which the financial instrument is categorized.

Equities, money market funds, and exchange-traded funds listed on a national securities exchange or reported on the National Association of Securities Dealers Automated Quotations (NASDAQ) global market are stated at the last reported sales or trade price on the day of valuation. These financial instruments are classified as Level 1 in the fair value hierarchy.

Investments in mutual funds are stated at fair value based on the last quoted evaluation price or NAV. To the extent these securities are actively traded, and valuation adjustments are not applied, they are classified as Level 1 in the fair value hierarchy.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

U.S. government debt and corporate bonds are valued based on the last reported bid price provided by broker-dealers and are reported as Level 2 in the fair value hierarchy.

Investments in common trust funds, proprietary equity funds, and private equity funds are valued at fair value based on the applicable percentage ownership of the underlying net assets on the measurement date. In determining fair value, the Foundation utilizes, as a practical expedient, the NAV or equivalent provided by the fund managers (NAV of funds). The underlying common trust funds, proprietary equity funds, and private equity funds value securities and other financial instruments on a fair value basis. The estimated fair values of certain investments of the underlying common trust funds, proprietary equity funds, or private equity funds, which may include private placements and other securities for which prices are not readily available, are determined by the trustee of the common trust funds or sponsor of the proprietary equity funds or private equity funds and may not reflect amounts that could be realized upon immediate sale, nor amounts that ultimately may be realized. Accordingly, the estimated fair values may differ significantly from the values that would have been used had a ready market existed for these investments.

The Foundation assesses the fair value hierarchy levels of the investments at each measurement date, and transfers between levels are recognized on the actual date of the event or change in circumstances that caused the transfer. There were no significant transfers among Levels 1, 2, and 3 during fiscal years 2025 or 2024.

The Foundation has the ability to redeem its investments in common trust funds on a daily or monthly basis. The objectives of the investments in common trust funds are to approximate as closely as practicable or to provide total investment returns that are in excess of the performance of the following benchmarks over time with certain risk parameters:

Investment	Benchmark
Large-cap U.S. equity	S&P 500 Index
Small-/mid-cap U.S. equity	Russell 2000 Index, S&P Mid-Cap 400 Index
International equity	MSCI EAFE Index, MSCI Emerging Markets, JP Morgan CEMBI Broad Diversified Index
Intermediate-term bond	Barclays U.S. Aggregate Bond Index, Barclays U.S. Intermediate Bond Index
High-yield and other bonds	Barclays U.S. Treasury Inflation Protected Securities Index, Barclays Corporate High-Yield 2% Issuer Cap Index, Bloomberg Global High Yield Index, S&P/LSTA Leverage Loan Index
Real estate and hard assets (commodities)	Dow Jones U.S. Select REIT Index, Dow Jones-UBS Commodity Total Return Index

The Foundation could not redeem the investments in private equity funds and proprietary equity funds on March 31, 2025, or in the near term, which is defined as 90 days or less from March 31, 2025. The investment objective of the private equity funds and proprietary equity funds is to generate consistent capital appreciation over the long term, with relatively low volatility and a low correlation with traditional equity and fixed-income markets.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

The following tables summarize the investment strategies and liquidity provision of investments in the private equity and proprietary equity funds valued at NAV as provided by the fund managers:

March 31, 2025

	Fair Value	Unfunded Commitments	Redemption Frequency	Redemption Notice Period	Remaining Lock-Up Period
Private equity:					
Sequoia	\$ 44,683,760	\$ -	Annual	NA	NA*
SRA III	28,836,336	3,973,739	None	NA	NA
SRA IV	37,990,328	2,211,989	None	NA	NA
SRA V	40,130,920	13,329,433	None	NA	NA
SRA VI	10,792,698	34,889,250	None	NA	NA
Multi-strategy	228,824,230	-	Monthly	7 business days	None
Multi-strategy	17,176,532	-	Monthly	15 business days	None
	\$ 408,434,804	\$ 54,404,411			

March 31, 2024

	Fair Value	Unfunded Commitments	Redemption Frequency	Redemption Notice Period	Remaining Lock-Up Period
Private equity:					
Sequoia	\$ 40,896,358	\$ -	Annual	NA	NA*
SRA III	27,389,055	4,040,582	None	NA	NA
SRA IV	36,957,512	2,668,514	None	NA	NA
SRA V	27,658,298	22,207,641	None	NA	NA
SRA VI	2,571,485	41,908,468	None	NA	NA
Multi-strategy	226,205,627	-	Monthly	7 business days	None
Multi-strategy	23,606,617	-	Monthly	15 business days	None
	\$ 385,284,952	\$ 70,825,205			

* While 5% can be drawn down annually, the full amount cannot be transferred until donor stipulations have been met.

The investments are held for the following purpose:

March 31,	2025	2024
Bill of Rights Trust (BORT), inclusive of endowments held in perpetuity of \$76,715,459 and \$76,622,088 at March 31, 2025 and 2024, respectively (Note 9)	\$ 164,449,595	\$ 151,820,110
Split-interest agreements (Note 7)	48,701,622	45,798,067
Other endowment, special projects, program support, and operating reserves	495,543,946	468,628,306
	\$ 708,695,163	\$ 666,246,483

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

6. Property and Equipment

Property and equipment consist of the following:

March 31,

	2025	2024	Range of Estimated Useful Life (Years)
Land, property, office buildings, and office condominium	\$ 63,439,633	\$ 67,155,784	10-50
Furniture, fixtures, and office equipment	4,949,336	4,930,151	3-5
Software	16,332,411	16,550,858	3-15
	84,721,380	88,636,793	
Less: accumulated depreciation and amortization	(65,371,043)	(63,403,183)	
	\$ 19,350,337	\$ 25,233,610	

7. Split-Interest Agreements

The Foundation receives contributions through its charitable gift annuity program whereby in exchange for gifts of cash or securities, the Foundation promises to pay a fixed annual amount for life to the annuitant.

The difference between the fair value of the assets received and the present value of the future distributions to the annuitant is recognized as contribution revenue.

Upon the death of the annuitant, any balance of the amount in the split-interest account reverts to the Foundation.

The Foundation has received gifts under this program on which it is obligated to make annual annuity payments of \$2,723,764 and \$2,515,387 in accordance with the agreements as of March 31, 2025 and 2024, respectively.

In addition, the Foundation has 12 unitrust agreements on which the income is paid to the donor for life. Upon the death of the donor, the balance in the trust account shall be distributed to the Foundation for its general purposes.

Assets and liabilities related to the Foundation's split-interest agreements are as follows:

<i>March 31,</i>	2025	2024
Assets - investments	\$ 48,701,622	\$ 45,798,067
Liabilities under split-interest agreements	25,271,053	23,644,944
Net	\$ 23,430,569	\$ 22,153,123

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

Reserve asset balances at March 31, 2025 and 2024 were held in separate accounts and exceeded the reserve requirements of the New York State Insurance Commission, as well as the reserve requirements of the relevant regulatory bodies in all other states that require a reserve fund and in which the Foundation issues gift annuities. Reserves are included in liabilities under split-interest agreements on the accompanying consolidated statements of financial position.

The present value of obligations under split-interest agreements was calculated using an interest rate of 5% and applicable Annuity Mortality Tables (either 1983A, 2000, or 2012AR).

Adjustments to reflect revaluations of the present value of estimated future payments and changes in actuarial assumptions are recognized in the consolidated statements of activities as changes in value of split-interest agreements.

8. Liquidity and Availability of Resources

The Foundation regularly monitors liquidity required to meet its annual operating needs and other contractual commitments. As of the consolidated statements of financial position's dates, the Foundation holds approximately 15 months of operating expenses in cash, cash equivalents, and liquid investment assets. The following table reflects the Foundation's financial assets available as of the consolidated statements of financial position's dates for general expenditures over the next 12 months.

March 31,	2025	2024
Cash and cash equivalents	\$ 186,335,888	\$ 94,389,521
Pledges, bequest, and contributions receivable, net	33,290,150	34,868,568
Other miscellaneous receivables	8,594,177	3,009,880
Investments (excluding private equity investments, private equity unfunded commitments, and BORT held for affiliates)	478,499,271	445,907,980
Total Financial Assets Available Within One Year	706,719,486	578,175,949
Less: amounts unavailable for general expenditures within one year, due to:		
Restricted by donors with:		
Purpose and time restrictions	(168,384,919)	(159,526,378)
Trust accounts	(5,418,919)	(5,171,714)
Perpetual in nature	(96,715,459)	(96,622,088)
Total Amounts Unavailable for General Expenditures Within One Year	(270,519,297)	(261,320,180)
Amounts unavailable to management without board approval:		
Board-designated endowment funds	(300,829,383)	(276,060,517)
Financial Assets Available to Meet Cash Needs for General Expenditures Within One Year	\$ 135,370,806	\$ 40,795,252

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

The Foundation has board-designated funds totaling \$300,829,383 and \$276,060,517 as of March 31, 2025 and 2024, respectively. Although the Foundation does not intend to spend from its board-designated funds, other than amounts appropriated for general expenditures as part of its annual budget approval and appropriation process, amounts from its board-designated funds could be made available if necessary.

9. The Bill of Rights Trust and Other Endowments

In 1997, the ACLU and its affiliates established the BORT. The purpose of the BORT, a portion of which is an endowment fund of the ACLU, is to build an enduring endowment to carry out the work of the ACLU and its affiliates in protecting, preserving, and expanding the civil liberties of all persons in the United States of America. The BORT has 100,000,000 authorized units, which are issued to or among the ACLU and its affiliates based upon their respective interests in the BORT. Unit shares have a unit value based upon the fair value of the net assets of the BORT divided by the total number of unit shares outstanding.

The BORT permits for annual distributions to the ACLU and its affiliates in accordance with the ACLU's approved spending policy, prorated in accordance with the percentage of the fair value of each unit share. For the fiscal years ended March 31, 2025 and 2024, the BORT allowed for a potential distribution amount equal to 4% of the average month-end value of total funds over the preceding 36 months through December 31, 2024 and 2023, respectively. Each unit holder, including the ACLU and the participating affiliates, must establish that they have determined the appropriation to be prudent before the distribution is disbursed. In the fiscal years ended March 31, 2025 and 2024, the Foundation had a distribution of approximately \$1,738,000 and \$12,987,000, respectively.

The BORT comprised the following accounts and amounts that are included in the consolidated statements of financial position:

<u>March 31,</u>	<u>2025</u>	<u>2024</u>
Assets		
Investments		
Investments	\$ 164,449,595	\$ 151,820,110
Pledge receivable	5,000,000	10,000,000
Other assets	221,273	201,917
	\$ 169,670,868	\$ 162,022,027
Liabilities and Net Assets		
Held for affiliates	\$ 58,041,200	\$ 54,936,948
Net assets with donor restrictions	34,914,209	30,462,991
Net assets with donor restrictions - held in perpetuity	76,715,459	76,622,088
	\$ 169,670,868	\$ 162,022,027

The Foundation's endowment consists of numerous funds, established for a variety of purposes and consisting of donor-restricted and board-designated funds.

The Foundation's Board of Directors has adopted an investment policy for endowment assets that provides continued financial stability for the Foundation and a revenue stream for spending on the

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

Foundation's mission. The Foundation relies on a total return strategy in which investment returns are achieved through capital appreciation (realized and unrealized) and current yield (interest and dividends). The investment goal of the endowment fund is to invest assets in a prudent manner that will balance reasonable annual distributions to the Foundation with long-term growth in the value of the assets of the BORT.

The Foundation has a policy of annually appropriating for expenditure an amount of up to 4% of the average month-end value of total funds over the preceding 36 months through December 31. Accumulated earnings appropriated for expenditure during fiscal year 2025 and 2024 amounted to approximately \$4,737,000 and \$4,413,000, respectively.

Due to unfavorable market fluctuations, from time to time, the fair value of assets associated with individual donor-restricted endowment funds may decline below the historic dollar value of the donor's original, restricted contribution, or by the amount required to be retained by state law. As of March 31, 2025, deficiencies existed in one of the Foundation's donor-restricted endowment funds, which had a combined original contribution value totaling \$195,000 and a current fair value of \$32,954, resulting in a deficiency of \$162,046. As of March 31, 2024, deficiencies existed in two of the Foundation's donor-restricted endowment funds, which had a combined original contribution value totaling \$695,000 and a current fair value of \$522,332, resulting in a deficiency of \$172,668. Under the terms of the New York's Prudent Management of Institutional Funds Act (NYPMIFA), the Foundation has no responsibility to restore such decreases in value.

Endowment net asset composition by type of fund is as follows:

March 31, 2025

	Without Donor Restrictions	With Donor Restrictions	Held in Perpetuity	Total With Donor Restrictions
Donor-restricted funds	\$ -	\$ 61,466,036	\$ 96,715,459	\$ 158,181,495
Board-designated funds	300,829,383	-	-	-
Total Endowment Funds	\$ 300,829,383	\$ 61,466,036	\$ 96,715,459	\$ 158,181,495

March 31, 2024

	Without Donor Restrictions	With Donor Restrictions	Held in Perpetuity	Total With Donor Restrictions
Donor-restricted funds	\$ -	\$ 53,227,350	\$ 96,622,088	\$ 149,849,438
Board-designated funds	276,060,517	-	-	-
Total Endowment Funds	\$ 276,060,517	\$ 53,227,350	\$ 96,622,088	\$ 149,849,438

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

Changes in endowment net assets are as follows:

March 31, 2025

	Without Donor Restrictions	With Donor Restrictions	Held in Perpetuity	Total With Donor Restrictions
Endowment Net Assets, beginning of year	\$ 276,060,517	\$ 53,227,350	\$ 96,622,088	\$ 149,849,438
Investment return:				
Interest and dividends, net	2,587,107	-	-	-
Net realized and unrealized gains on investments	20,415,570	12,975,653	-	12,975,653
Net Investment Return	23,002,677	12,975,653	-	12,975,653
Other changes during the year:				
Contributions	20,661,617	-	93,371	93,371
Appropriation of endowment assets for expenditures	(18,895,428)	(4,736,967)	-	(4,736,967)
Total	1,766,189	(4,736,967)	93,371	(4,643,596)
Endowment Net Assets, end of year	\$ 300,829,383	\$ 61,466,036	\$ 96,715,459	\$ 158,181,495

March 31, 2024

	Without Donor Restrictions	With Donor Restrictions	Held in Perpetuity	Total With Donor Restrictions
Endowment Net Assets, beginning of year	\$ 248,179,224	\$ 44,428,501	\$ 96,581,082	\$ 141,009,583
Investment return:				
Interest and dividends, net	292,856	200,911	-	200,911
Net realized and unrealized gains on investments	32,232,424	13,011,118	-	13,011,118
Net Investment Return	32,525,280	13,212,029	-	13,212,029
Other changes during the year:				
Contributions	15,212,428	-	46,006	46,006
Adjustment	-	-	(5,000)	(5,000)
Appropriation of endowment assets for expenditures	(19,856,415)	(4,413,180)	-	(4,413,180)
Total	(4,643,987)	(4,413,180)	41,006	(4,372,174)
Endowment Net Assets, end of year	\$ 276,060,517	\$ 53,227,350	\$ 96,622,088	\$ 149,849,438

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

10. Leases

The Foundation is obligated under various noncancelable operating lease agreements for office space and equipment expiring at various dates through October 2033.

As of March 31, 2025, ROU assets and lease liabilities were \$3,518,911 and \$3,607,398, respectively. As of March 31, 2024, ROU assets and lease liabilities were \$4,336,234 and \$4,403,240, respectively. The weighted-average discount rate used to calculate the present value of future lease payments was 4.06% and 3.79% and the weighted-average lease term was 23.10 years and 16.64 years for fiscal years 2025 and 2024, respectively.

Aggregate remaining maturities or operating lease liabilities as of March 31, 2025, are as follows:

Year ending March 31,

2026	\$ 831,039
2027	536,964
2028	470,488
2029	426,631
2030	421,304
Thereafter	1,613,794
Total Minimum Lease Payments	4,300,220
Less: imputed interest	(692,822)
Present Value of Minimum Lease Payments	\$ 3,607,398

Lease expenses consist of the following:

<i>Year ended March 31,</i>	2025	2024
Operating lease expense	\$ 1,762,017	\$ 1,560,685
Net Lease Expense	\$ 1,762,017	\$ 1,560,685

<i>Year ended March 31,</i>	2025	2024
-----------------------------	-------------	-------------

Other information:

Cash paid for amounts included in the measurement of lease liabilities:

Operating cash flows from operating leases	\$ 1,740,537	\$ 1,562,750
--	--------------	--------------

Aggregate rent expense under the above leases for the years ended March 31, 2025 and 2024 was \$1,002,155 and \$997,844, respectively, which is included as rent and occupancy on the consolidated statements of functional expenses.

The Foundation receives payments for the use of space occupied at the 915 15th Street building and the ACLU Foundation building in relation to lease agreements expiring at various dates through October 2033.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

As of March 31, 2025, expected future receipts from tenants for the use of space occupied are as follows:

Year ending March 31,

2026	\$ 912,675
2027	130,203
2028	134,109
2029	138,132
2030	142,276
Thereafter	545,212
	<hr/>
	\$ 2,002,607

Aggregate rental income under the above leases for the years ended March 31, 2025 and 2024 was \$289,278 and \$717,155, respectively, which is recorded on the consolidated statements of activities.

11. Commitments and Contingencies

Litigation and Claims

The Foundation is involved in other legal actions arising in the ordinary course of business. Management is of the opinion that the ultimate outcome of these matters would not have a material adverse impact on the consolidated financial position of the Foundation or the consolidated results of its activities.

Collective Bargaining Agreement

At both March 31, 2025 and 2024, approximately 8% of the Foundation's salaried employees were unionized and employed under Collective Bargaining Agreements between the ACLU and Local 2110. ACLU's Collective Bargaining Agreement expired on March 31, 2023. In June 2023, the ACLU signed an agreement for five years, expiring in 2028.

On October 31, 2024, the ACLU signed a collective bargaining agreement with the Nonprofit Professional Employees Union (NPEU) Local 70 of the International Federation of Professional and Technical Engineers (IFPTE), AFL-CIO for the period April 1, 2024, through March 31, 2028. As of March 31, 2025, approximately 62% of the Foundation's salaried employees were unionized and employed under this agreement.

12. Retirement Plans

The Foundation participates in the American Civil Liberties Union Retirement Plan (the Pension Plan), a retirement plan covering eligible employees of the Union, the Foundation, and their affiliates.

The Pension Plan is a defined benefit plan covering those employees who have at least one year of service or at least 1,000 hours worked per year and are at least 21 years of age. Benefits are based on service to date on an average of career earnings. The Union's policy is to fund pension costs by contributing at least the minimum amount required by the Employee Retirement Income Security Act of 1974 (ERISA). The Union either charges or pays the Foundation its share of the net periodic

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

pension income or costs. For the fiscal year ended March 31, 2025, the cost paid by the Foundation in connection with the Pension Plan amounted to \$507,131. For the fiscal year ended March 31, 2024, the income received by the Foundation in connection with the Pension Plan amounted to \$157,759.

On January 1, 2015, the Pension Plan was amended and restated to include, among other things, a provision for additional contributions due on withdrawal or freezing of benefits by an employer. The liability attributed to the employer or former employer is determined based upon the sum of the present value of the accrued benefits for each of the participants associated with the employer or former employer, determined as of the last day of the plan year preceding the date as of which the withdrawal contribution is calculated. Accordingly, as of March 31, 2025, the Foundation recognized \$507,835, representing the over-funded status of the pension assets. As of March 31, 2024, the Foundation recognized \$208,650 of withdrawal contribution liability due to the Union. Disclosures on the funded status and other information on the Pension Plan are included in the consolidated financial statements of the ACLU.

The Union implemented a soft freeze of the Pension Plan, effective March 31, 2009. Employees hired on or after April 1, 2009, were enrolled in a new Defined Contribution (DC) 401(k) plan. The new DC plan includes an employer contribution of 2% and an employer match of 100% of the first 1% of the employee's contribution and 50% of the next 5% of an employee's contribution, for a total match of 3.5% and a total employer contribution of 5.5%. The soft freeze applies only to employees hired on or after April 1, 2009, and does not affect current plan participants or employees hired before March 31, 2009, but not yet in the plan. The Foundation contributed \$3,268,925 in 2025 and \$3,104,068 in 2024.

Eligible Foundation employees may also participate in the ACLU 401(k) plan (the 401(k) Plan), which is a 401(k) salary-reduction plan covering substantially all employees of the Union, the Foundation, and their affiliates, hired on or before March 31, 2009. Under the 401(k) Plan, employees may voluntarily contribute up to 80% of their pre-tax compensation to the 401(k) Plan subject to IRS dollar limits. There is no employer match or other contributions.

Effective April 8, 2011, eligible employees of the Foundation can participate in the unfunded, nonqualified 457(b) plan maintained by the Union.

Effective January 1, 2023, the ACLU Board Retirement Committee approved a resolution to move all participants from the 401(k) Plan into the DC plan. The 401(k) Plan was effectively terminated in December 2022. This resolution did not have a material effect on the consolidated financial statements.

The remainder of this page intentionally left blank.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

13. Net Assets

Net assets comprise the following:

<i>March 31,</i>	2025	2024
Without donor restrictions:		
Undesignated	\$ 200,721,473	\$ 136,861,499
Board-designated:		
Litigation Fund	41,105,653	37,289,904
Annuity Fund and Annuity Reserve	21,766,572	18,988,761
Organizational Fund	37,865,860	38,960,527
Jacobs Affiliate Development Fund	11,899,058	9,584,706
Dividend Distribution Fund	184,752,716	167,353,262
John Adams Fund	3,439,524	3,883,357
Total Board-Designated	300,829,383	276,060,517
Total Without Donor Restrictions	501,550,856	412,922,016
With donor restrictions:		
BORT and other endowments	61,466,035	53,227,350
Trusts	5,418,919	5,171,714
Other time and purpose restrictions	114,538,884	112,169,027
BORT - unconditional promise to give - held in perpetuity	5,000,000	10,000,000
BORT and other endowments - held in perpetuity	91,715,459	86,622,088
Total with Donor Restrictions	278,139,297	267,190,179
	\$ 779,690,153	\$ 680,112,195

The remainder of this page intentionally left blank.

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

14. Net Assets Released from Restrictions

Net assets were released from donor restrictions by incurring expenses satisfying restricted purposes or by the occurrence of other events specified by donors as follows:

<i>Year ended March 31,</i>	2025	2024
Special projects:		
Voting Rights	\$ 9,736,187	\$ 6,324,009
Capital Punishment	1,650,000	1,000,050
National Prison	3,176,524	1,243,450
Disability Rights	1,319,187	105,600
Criminal Law Reform and Smart Justice	3,066,375	1,503,848
Immigrants' Rights	10,793,717	10,166,731
Reproductive Freedom	8,688,147	5,757,322
Women's Rights	936,048	1,149,862
National Security	1,548,057	410,000
LGBT	6,509,907	6,570,092
Racial Justice	5,022,815	4,757,629
Southern Collective	11,961,663	11,332,431
Advocacy Institute	1,957,610	2,600,209
Defending Democracy	396,821	3,679,272
Battleground States Initiative	479,464	-
Get Out Vote	3,499,192	-
Other special projects	8,569,717	3,021,258
Total Special Projects	79,311,431	59,621,763
BORT and other endowments	4,736,967	4,418,180
Time-restricted gifts	13,945,171	10,982,125
Total Released from Restrictions	\$ 97,993,569	\$ 75,022,068

Supplementary Information

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Consolidating Schedule of Financial Position

March 31, 2025

	American Civil Liberties Union, Foundation, Inc.	915 15 th Street, LLC	Eliminations	Consolidated
Assets				
Cash and cash equivalents	\$ 186,268,180	\$ 67,708	\$ -	\$ 186,335,888
Pledges, bequests, and contributions receivable, net	33,290,150	-	-	33,290,150
Investments, at fair value	708,695,163	-	-	708,695,163
Other assets	5,866,490	67,049	-	5,933,539
Due from affiliates	4,221,438	-	-	4,221,438
Due to the ACLU Foundation from the LLC	11,270,425	-	(11,270,425)	-
Investment in the LLC	(4,832,877)	-	4,832,877	-
Net pension assets	507,835	-	-	507,835
Right-of-use of assets, operating leases	3,518,911	-	-	3,518,911
Property and equipment, net of accumulated depreciation and amortization	13,004,142	6,346,195	-	19,350,337
Total Assets	\$ 961,809,857	\$ 6,480,952	\$ (6,437,548)	\$ 961,853,261
Liabilities and Net Assets (Deficit)				
Liabilities				
Accounts payable and accrued expenses	\$ 8,548,298	\$ 43,404	\$ -	\$ 8,591,702
Grants payable	9,417,572	-	-	9,417,572
Due to the ACLU Foundation	-	11,270,425	(11,270,425)	-
Due to the American Civil Liberties Union, Inc., others	8,919,983	-	-	8,919,983
Due to affiliates	68,314,200	-	-	68,314,200
Liabilities under split-interest agreements	25,271,053	-	-	25,271,053
Bill of Rights Trust held for affiliates	58,041,200	-	-	58,041,200
Lease liabilities, operating leases	3,607,398	-	-	3,607,398
Total Liabilities	182,119,704	11,313,829	(11,270,425)	182,163,108
Commitments and Contingencies				
Net Assets (Deficit)				
Net assets (deficit) without donor restrictions:				
Board-designated	300,829,383	-	-	300,829,383
Undesignated	200,721,473	(4,832,877)	4,832,877	200,721,473
Net Assets (Deficit) Without Donor Restrictions	501,550,856	(4,832,877)	4,832,877	501,550,856
Net assets with donor restrictions	278,139,297	-	-	278,139,297
Total Net Assets (Deficit)	779,690,153	(4,832,877)	4,832,877	779,690,153
Total Liabilities and Net Assets (Deficit)	\$ 961,809,857	\$ 6,480,952	\$ (6,437,548)	\$ 961,853,261

American Civil Liberties Union Foundation, Inc. and Subsidiaries

Consolidating Schedule of Activities

Year ended March 31, 2025

	American Civil Liberties Union Foundation, Inc.			915 15th Street, LLC			Consolidated		
	Without Donor Restrictions	With Donor Restrictions	Total	Without Donor Restrictions	Eliminations	Without Donor Restrictions	With Donor Restrictions	Total	
Operating Support and Revenue									
Support:									
Grants, bequests, and contributions	\$ 192,191,153	\$ 95,719,830	\$ 287,910,983	\$ -	\$ -	\$ 192,191,153	\$ 95,719,830	\$ 287,910,983	
Donated legal services	42,651,996	-	42,651,996	-	-	42,651,996	-	42,651,996	
Total Support	234,843,149	95,719,830	330,562,979	-	-	234,843,149	95,719,830	330,562,979	
Revenue:									
Rental income	177,010	-	177,010	508,268	(396,000)	289,278	-	289,278	
Merchandise and book sales	1,165,759	-	1,165,759	-	-	1,165,759	-	1,165,759	
Other income	729,718	-	729,718	17,907	-	747,625	-	747,625	
Total Revenue	2,072,487	-	2,072,487	526,175	(396,000)	2,202,662	-	2,202,662	
Net assets released from restrictions	97,993,569	(97,993,569)	-	-	-	97,993,569	(97,993,569)	-	
Total Operating Support and Revenue	334,909,205	(2,273,739)	332,635,466	526,175	(396,000)	335,039,380	(2,273,739)	332,765,641	
Operating Expenses									
Program services:									
Legislative	9,381,047	-	9,381,047	-	(2,082)	9,378,965	-	9,378,965	
Legal	116,402,633	-	116,402,633	-	(268,568)	116,134,065	-	116,134,065	
Public education	17,490,986	-	17,490,986	-	(29,081)	17,461,905	-	17,461,905	
Civil liberties policy formulation	1,925,479	-	1,925,479	-	(95)	1,925,384	-	1,925,384	
Affiliate support	105,266,148	-	105,266,148	-	(38,341)	105,227,807	-	105,227,807	
Total Program Services	250,466,293	-	250,466,293	-	(338,167)	250,128,126	-	250,128,126	
Supporting services:									
Management and general	15,723,083	-	15,723,083	1,300,340	(1,489)	17,021,934	-	17,021,934	
Fundraising	21,524,280	-	21,524,280	-	(56,344)	21,467,936	-	21,467,936	
Total Supporting Services	37,247,363	-	37,247,363	1,300,340	(57,833)	38,489,870	-	38,489,870	
Total Operating Expenses	287,713,656	-	287,713,656	1,300,340	(396,000)	288,617,996	-	288,617,996	
Change in Net Assets (Deficit), before non-operating activities	47,195,549	(2,273,739)	44,921,810	(774,165)	-	46,421,384	(2,273,739)	44,147,645	
Other Changes in Net Assets (Deficit) from Non-Operating Activities									
Legal awards, net	7,815,748	-	7,815,748	-	-	7,815,748	-	7,815,748	
Net investment income	35,396,073	12,975,653	48,371,726	-	-	35,396,073	12,975,653	48,371,726	
Changes in value of split-interest agreements	(871,707)	247,204	(624,503)	-	-	(871,707)	247,204	(624,503)	
Net loss on investment in the LLC	(774,165)	-	(774,165)	-	774,165	-	-	-	
Other components of postretirement benefit cost	(132,658)	-	(132,658)	-	-	(132,658)	-	(132,658)	
Total Other Changes in Net Assets (Deficit) from Non-Operating Activities	41,433,291	13,222,857	54,656,148	-	774,165	42,207,456	13,222,857	55,430,313	
Change in Net Assets (Deficit)	88,628,840	10,949,118	99,577,958	(774,165)	774,165	88,628,840	10,949,118	99,577,958	
Net Assets (Deficit), beginning of year	412,922,016	267,190,179	680,112,195	(4,058,712)	4,058,712	412,922,016	267,190,179	680,112,195	
Net Assets (Deficit), end of year	\$ 501,550,856	\$ 278,139,297	\$ 779,690,153	\$ (4,832,877)	\$ 4,832,877	\$ 501,550,856	\$ 278,139,297	\$ 779,690,153	