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**Steven McGuire, Paul & Karen Levy Fellow in Campus Freedom
American Council of Trustees and Alumni (ACTA)
Proponent Testimony on Oklahoma House Bill 3129
Oklahoma House Committee on Postsecondary Education
February 10, 2026**

Dear Members of the Oklahoma House Committee on Postsecondary Education:

The American Council of Trustees and Alumni (ACTA) enthusiastically supports the Oklahoma Legislature’s efforts to strengthen free speech protections on college and university campuses through House Bill 3129. We appreciate your commitment to protecting students’ rights by ensuring that constitutionally protected speech is assessed in a content-neutral manner when public institutions charge security fees.

House Bill 3129’s commonsense reforms strengthen free speech protections for the campus community by reconciling First Amendment rights with the need to maintain an orderly environment. Too many universities have tarnished their public reputations and exposed themselves to easily avoidable litigation by charging excessive security fees that diminish free expression and discriminate based on viewpoint. For example, in 2023, the University of Pittsburgh attempted to charge conservative student organizations \$18,734 in security fees for a campus event.¹ In 2024, the University of New Mexico sought \$5,400 in security fees from Turning Point UNM for an on-campus event.² At the University of Pittsburgh, it took correspondence from the Alliance Defending Freedom to have the charge rescinded. At the University of New Mexico, it took the intervention of a federal judge to waive the charge.

These cases were neither new nor novel, and they represented clear violations of students’ First Amendment rights. The Supreme Court has long recognized that, while controversial speech may lead to unrest, “the vitality of civil and political institutions in our society depends on free discussion.”³ Although colleges and universities may impose narrowly tailored, reasonable restrictions on protected speech, such limitations must be applied in a content-neutral manner. In short, “speech cannot be

¹ Phil Sechler, “ADF Letter Prompts Pitt Officials Who Incited Mob to Withdraw Unconstitutional Fee Levied on Victims,” *Alliance Defending Freedom*, April 17, 2025, <https://adflegal.org/press-release/adf-letter-prompts-pitt-officials-who-incited-mob-withdraw-unconstitutional-fee/>.

² Olivier Uyttebrouck, “Judge orders UNM to halt security fee for speech events,” *Albuquerque Journal*, October 10, 2024, <https://www.abqjournal.com/news/judge-orders-unm-to-halt-security-fee-for-speech-events/400191>.

³ *Terminiello v. Chicago*, 337 U.S. 1 (1949).

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financially burdened, any more than it can be punished or banned, simply because it might offend a hostile mob.”⁴

For more than 30 years, ACTA has worked with higher education leaders across the country to ensure that all Americans can receive a high-quality education at an affordable price. After working with countless trustees, alumni, and policymakers, we created the ACTA Gold Standard for Freedom of Expression™, a 20-point action plan for improving free inquiry and the open exchange of ideas on American college and university campuses. I have included a copy of this guide alongside this letter. We believe HB 3129 will do much to limit future legal liability and maintain a positive public image of Oklahoma’s public institutions of higher education.

ACTA commends Representative Kevin West for his leadership and foresight in introducing House Bill 3129. We respectfully urge members of the Oklahoma House Committee on Postsecondary Education to support House Bill 3129 and to continue advancing policies that strengthen free speech and expression on college campuses. Thank you all for the vital work you do to support American higher education.

⁴ Forsyth County, Georgia, Petitioner v. The Nationalist Movement, 505 U.S. 123 (1992).