

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

LAURA BELIN,

Plaintiff,

v.

MEGHAN NELSON, in her official
capacity as Chief Clerk of the Iowa House
of Representatives,

Defendant.

Case No. _____

DECLARATION OF LAURA BELIN

I, Laura Belin, declare the following based on my personal knowledge:

1. I am employed as a full-time editor and reporter for Bleeding Heartland, a community blog that provides reporting and commentary on Iowa politics, including campaigns and elections, state government, social, and environmental issues.
2. I am also a paid statehouse reporter for KHOI Radio in Ames and co-host of the station's "Capitol Week" program, as well as a member of the Iowa Capitol Press Association and Iowa Writers' Collaborative.
3. Bleeding Heartland was created in January 2007. I joined the publication in April 2007 and have served as the lead author and sole editor since 2008.
4. Bleeding Heartland is now published by Bleeding Heartland LLC, an Iowa limited liability company of which I am the sole member. Neither Bleeding Heartland, nor myself, take contributions from political parties, candidates,

campaigns, organizations, or groups. Nor do they accept contributions from any federal, state, or local government agency.

5. I have been a news reporter for almost 30 years. I began writing about politics as an analyst for the Prague-based Open Media Research Institute in March 1995 and later reported for Radio Free Europe/Radio Liberty between 1997 and 2005. I covered Russian campaigns and elections, parliamentary politics, and media issues from 1995 to 2005.

6. I currently devote my full-time professional efforts to gathering, writing, and editing the news content and commentary for Bleeding Heartland, which is a significant news source for Iowa political news. In fact, in 2023 alone, Bleeding Heartland published 498 news articles and commentaries featuring the work of more than 125 authors. While the Iowa Legislature is in session, Bleeding Heartland typically gets 2,000 to 5,000 or more unique daily visitors, including lawmakers, staffers, and other insiders. During the previous 2023 legislative session, the website got between 88,000 and 119,000 monthly views. My most viewed articles for the year were largely about legislators or legislative action. *See* Belin, Laura, *The 23 most-viewed Bleeding Heartland posts of 2023*, Bleeding Heartland, Jan. 1, 2024, <https://perma.cc/3VNG-HSL9>.

7. I am frequently asked to write opinion articles for other news organizations. My byline has appeared on the online news sites for the Iowa Capital Dispatch, CNN, Raw Story and several local newspapers. I have also periodically appeared on C-SPAN's Washington Journal to discuss Iowa politics.

8. I believe the requests I get to contribute to other national news organizations are a result of the strong reputation I've built both in Iowa and throughout the country. One Pulitzer Prize winning columnist has referred to me as an "astute observer of politics left and right" who "offers straight-forward statistical analysis on legislative races, takes deep dives into state fiscal affairs with guest analysts, and the like." The Fix at the Washington Post named me one of Iowa's outstanding political reporters in 2020 and previously named Bleeding Heartland among the "best state-based political blogs." Politico put me on its list of "the must-follow journalists on the ground in Iowa, New Hampshire and South Carolina, a list geared toward anyone in Washington with a stake in the 2016 presidential campaign[.]" Dubuque Telegraph-Herald editors have stated I am "one of Iowa's top political journalists;" while the Des Moines Register described me as a "top-notch journalist who regularly breaks news."

9. Prior to the 2019 Iowa Legislative Session, which was the first session in which I sought press credentials to access the Iowa House press box, I had been reporting on the Iowa legislature and its legislators for more than a decade. My articles were sometimes critical of House members, particularly those in the Republican-majority. My critiques and coverage of Iowa legislators and their actions were read by many, including lawmakers, staff and members of the public. My readership also includes well-known journalists at news outlets like the New York Times, Washington Post and CNN, as well as federal and state legislative members.

10. The primary way that journalists gather news and information to report on the Iowa legislature is through attendance of legislative sessions and legislator press

briefings. In the Iowa House of Representatives, members of the media are given a designated press box on the House floor from which to achieve their news gathering goals. The Chief Clerk of the Iowa House of Representatives has a credentialing policy that gives her the authority to grant access to the press box to journalists that meet certain “criteria.”

11. These House press credentials give journalists significant access and numerous advantages. Practically speaking, access to the press box, via press credentials, gives journalists guaranteed seats when public seating is full and desks with nearby electrical outlets so they can more easily use laptops and take notes. It also allows them to take photographs and video from an advantageous position as well as request interviews from, and hear conversations between, legislators while they are on the floor. Additionally, House press credentials allow reporters to receive press releases, transcripts of speeches, and staff analyses of bills that are routinely distributed to journalists in the press boxes.

12. Credentialed reporters are also given the ability to participate in impromptu press conferences that are held by House representatives at the front of the press boxes during certain legislative days, including regular briefings held by Speaker Grassley before or after House sessions.

13. Prior to 2019, Carmine Boal, then-House Chief Clerk, would credential reporters from a variety of media organizations, including newspapers, television and radio stations, news services, and news websites. I was never aware of any reporters whom Boal had denied credentials to.

2019 Iowa Legislative Session

14. January 2019 was the first time I had sought credentials for myself as a reporter for Bleeding Heartland. At the time, I had been already reporting on Iowa legislators and their legislative actions for 12 years. But I had not sought access to the House floor prior to 2019, because my personal and professional schedules did not provide me with the availability to spend significant time at the statehouse. But, in 2019, my personal circumstances, in particular, had changed and I was better able to broaden my professional schedule. Moreover, in late 2018, I learned that two longtime statehouse reporters (Joyce Russell of Iowa Public Radio and William Petroski of the Des Moines Register) were retiring, and that the Associated Press would not bring on a second statehouse reporter to help cover the legislative session as it had done for many years. I felt that I could best use my newly freed time to bolster the declining statehouse press corps.

15. When I first applied in 2019, Boal did not have any written policy regarding how press credentials were approved and what criteria determined which members of the press were permitted in the House floor press area. So, I sent an email to Boal on January 3, 2019 telling her that I would “like to apply for a seat in the Iowa House press gallery during the 2019 legislative session” and asking for “guidance” on how to “find an accreditation form on the [House] website.” Exhibit A at 7.

16. Boal ignored my request for guidance. Instead, she responded to my email stating that “press credentials are not issued to members of the public.” *Id.* at 6. I responded asking for clarification and explained that I “ha[d] been covering Iowa

legislative happenings for Bleeding Heartland for nearly 12 years” and had also had my reporting “cited in many Iowa and national media outlets.” *Id.* at 5-6. Boal’s reply email did not acknowledge what I had told her. Instead, Boal stated that “[r]ules for the press are addressed in House Rules 4 and 20,” and that “for further guidance, the House has used Congressional rules governing press galleries . . . accessible on Congress’ website.” *Id.* at 5.

17. For me, Boal’s references did not provide a clear reason as to why I was denied press credentials. Iowa House Rules 4 and 20 discuss what members of the press are allowed to do in the House chamber, not what criteria are used to determine who is a member of the press. *See* Eighty-Seventh General Assembly House Rules, available at: <https://perma.cc/3739-JBBP>. And the Congressional Rules provide only that press galleries are reserved for “bona fide resident correspondents of reputable standing, giving their chief attention to the gathering and reporting of news.” *Rules and Regulations*, Periodical Press Gallery, available at: <https://perma.cc/89TA-PJ7Q>.

18. On January 5 and January 8, 2019, I responded to Boal’s email asking that she explain what “specific language” in the House and Congressional Rules “exclud[ed] me as a member of the press.” *Id.* at 4. I also asked whether “the objection was grounded in Iowa House leaders disliking the content of my reporting.” *Id.* Boal did not reply. Nor did she reply to my follow up requests for an explanation of how I failed to qualify as “news media” on January 11, 2019; January 15, 2019; January 18, 2019 and January 27, 2019. *Id.* at 2-4.

19. Although Boal would not respond to me, she did take other steps to justify this

sudden use of an unwritten policy to allow only arbitrarily defined “news media” into the House press box. In a January 25, 2019 written statement she issued to the Associated Press, Boal argued “The House rules limit access to the floor of the House to ‘representatives of the press, radio, and television’ . . . Those that meet those requirements have received credentials. Those that do not have been denied. House Rules have been applied uniformly and without consideration of content.” Foley, Ryan, *Iowa House denying press credentials to influential blogger*, Associate Press, <https://perma.cc/CGS9-6KCA> (January 25, 2019) (quoting H.R. 20, 87th Leg. (Iowa 2017), available at <https://perma.cc/3739-JBBP>).

20. I wrote Boal on January 27, 2019 asking her about her statement to the Associated Press and to explain the basis for her assertions given that “in the past years, the Iowa House ha[d] credentialed others reporting for online publications.” Exh. A at 2. I asked Boal to send me the list of applicants who, like myself, had been denied credentials to cover the Iowa House and a list of those from previous sessions who had also been denied. *Id.*

21. Boal never responded and she never sent me any lists. I do not believe anyone but myself was denied press credentials that year.

22. The next month, the Iowa House issued its first-ever written policy on credentialing. Exhibit B. In its policy, the Iowa House declared that the Chief Clerk administered press credentials for onsite media access to the House and would only credential “bona fide correspondents of repute in their profession.” *Id.* at 2. Thus, an applicant would have to “establish to the satisfaction of the Chief Clerk of the House

that he or she is a paid correspondent who requires on-site access to House representatives and staff.” *Id.*

23. Additionally, the 2019 Policy stated that “[c]orrespondents must be employed by a news organization . . . [w]ith the General Publication periodicals mailing privileges under U.S. Postal Service rules, and that publishes regularly; or [w]hose principal business is the regular dissemination of original news to a broad segment of the public.” *Id.*

24. The 2019 Policy also stated that credentialed press “must not be engaged in any lobbying or advocacy, advertising, publicity, or promotion for any individual, political party, group, corporation, organization, or a federal, state or local government agency, or in prosecuting any claim before the House or any federal, state, or local government department, and will not do so while a credentialed member of the press.” *Id.* In addition, the 2019 Policy required that “[t]he applicant’s publication must be both editorially independent of any institution, foundation or interest group that lobbies the state government and also established principally as a general news organization.” *Id.*

25. Following issuance of the 2019 Policy, forty-three editors, news directors, and publishers signed a letter authored by the Iowa Freedom of Information Council to the governor and legislative leaders regarding Boal’s denial of my application. Exhibit C. They advocated on my behalf and warned that Boal’s sudden creation of a policy resulted in “discouraging coverage through arbitrary rules that we believe deny media credentials to legitimate reporters.” *Id.* at 2. They urged the House to

“immediately revise [its] policies and practices on media credentials and to begin granting them in ways that are above question and that ensure fairness and equality of access.” *Id.* at 3.

26. As a result of Boal’s denial of my press credential application for the 2019 Legislative Session, I was not given access to the House press box or press briefings equal to other members of the media. This left me unable to effectively and completely gather news and information necessary to my reporting duties for Bleeding Heartland.

2020 Iowa Legislative Session

27. I applied for press credentials with the Iowa House again in January 2020. This time, I included a letter with my application, explaining that my qualifications should permit me credentials under the 2019 Policy:

Bleeding Heartland is an LLC whose principal business is the regular dissemination of original news about Iowa politics to a broad segment of the public. The website published 638 articles or commentaries during 2019, of which I wrote 348. Dozens of those pieces related to the Iowa House. A number of Iowa and national media outlets have cited my reporting and analysis.

As the sole member of Bleeding Heartland LLC, which is duly incorporated under Iowa law, I am entitled to any and all distributions and profits from the website, including reader contributions. Consequently, like a reporter who earns a living through subscriptions to the publication he owns, I meet the remuneration criteria of paid correspondents. Bleeding Heartland is editorially independent of all organizations and groups lobbying state government. Exhibit D.

28. On January 10, 2020, Nelson, who had assumed the Chief Clerk position after the 2019 Legislative Session, responded to my application submission via email stating that I “d[id] not meet the requirements of the Iowa House of Representative’s

press credentialing policy.” Exhibit E at 3. The only reason Nelson provided me for the denial was that “[t]he House does not credential outlets that are nontraditional/independent in nature.” *Id.* I responded the same day, noting that “[t]he Iowa House credentialing policy says nothing like this: ‘the House does not credential outlets that are nontraditional/independent in nature.’” *Id.* I asked Nelson for a “specific reason” why I did not meet the criteria for press credentials and noted I was similarly situated to Jack Hunt, who had been “credentialed in the Iowa House for decades.” *Id.* at 2.

29. Jack Hunt is the reporter for, as well as owner and operator of, the Iowa Legislative News Service, an electronically-distributed news source reporting on the Iowa legislature, providing same-day analysis of bills and amendments, and reports on all committee action and legislative debate. Although Jack Hunt appeared on a January 21, 2020 list of Iowa House credentialed reporters, his name was omitted from a revised list issued January 24, 2020. Following this, Nelson told Hunt that the House would credential him through an Omaha-based radio station. Although Hunt was neither employed nor paid by that station, he reappeared on a February 7, 2020, list of House-credentialed reporters, listed as representing KIBM Radio Iowa/KOBM Radio Omaha.

30. Once I learned of the loophole Nelson had found for Hunt, I signed an employment agreement with KHOI Radio in December 2020 to serve as its statehouse correspondent for the following year. This is a paid position I still hold.

31. Subsequent to signing the employment agreement, KHOI’s station manager

emailed Meghan Nelson to request a credential application on my behalf, noting that I would be covering the 2021 legislative session for the station. Exhibit F at 2-3. Nelson wrote back stating that the House “ha[d] not decided what the process will be this year, yet.” *Id.* at 2.

32. As a result of Nelson’s denial of my press credential application for the 2020 Legislative Session, I was not given access to the House press box or press briefings equal to other members of the media. This left me unable to effectively and completely gather news and information necessary to my reporting duties for Bleeding Heartland.

2021 Iowa Legislative Session

33. On January 4, 2021, Nelson posted a letter on the Iowa legislature’s website indicating that “the House will not be issuing credentials for 2021, which allowed you to gain access to the chamber floor.” Exhibit G. Although Nelson did not expressly mention Covid-19 in her letter, she did explain that the decision was a result of the House’s “several mitigation efforts to ensure the health and safety of legislators, staff, media, and members of the public.” *Id.* Dispensing of the press area on the House floor would “allow for additional work space for Representatives and staff.” *Id.*

34. No journalists were assigned seats on the Iowa House press bench at any time during the regular 2021 legislative session, or the two special sessions held in October 2021 to deal with redistricting plans.

35. Speaker Grassley held press briefings via Zoom during the legislative session, but I was not given the link or access code to attend despite multiple requests.

36. The Iowa Capitol Press Association took issue with this new policy and petitioned the Iowa House to reverse course. In December 2021, the Iowa House leaders ultimately agreed to allow some reporters to be credentialed for the 2022 Legislative Session.

2022 Iowa Legislative Session

37. Following the House leaders' decision, Nelson published a new "Work Space Application Policy." Exhibit H. This policy contained the same language previously seen in the 2019 Policy, with some additions. For the 2022 Legislative Session, each House-credentialed journalist was required to be a "full-time paid employee of a news organization" whose principal business was required to be "the regular dissemination of original, nonpartisan news to a broad segment of the public." *Id.* The new policy also required that applicants abide by the Society of Professional Journalists' Code of Ethics. *Id.*

38. Upon receiving this new policy, and prior to applying for the 2022 Legislative Session, I made sure I had a written employment agreement with Bleeding Heartland, LLC designating me as a full-time paid employee. I also made certain that I was being paid a full-time salary for my reporting beginning in January 2022. Both of these arrangements remain in effect.

39. Because the Society of Professional Journalists' Code of Ethics calls for commentary and advocacy to be separately labeled, I also re-tagged approximately 2,000 Bleeding Heartland posts, adding new tags—news, analysis, commentary, etc—to everything published from the spring of 2019 onward, and to some higher-profile

posts from earlier years that might be more likely to show up on search engines. I also published a post on the website explaining the new tagging system and added a line on my “about” page to clarify that Bleeding Heartland conforms to the SPJ Code of Ethics.

40. I submitted my credential application for an Iowa House workspace in late December 2021.

41. Nelson denied that application, claiming that I “d[id] not meet the requirements of the Iowa House of Representative’s press work space policy.” Exhibit I at 5. Nelson did not specify how my application fell short.

42. As a result of Nelson’s denial of my press credential application for the 2022 Legislative Session, I was not given access to the House press box or press briefings equal to other members of the media. This left me unable to effectively and completely gather news and information necessary to my reporting duties for Bleeding Heartland.

2023 Iowa Legislative Session

43. I submitted another credential application for an Iowa House workspace in late December 2022. Nelson again rejected my application without explanation. Exhibit J.

44. As a result of Nelson’s denial of my press credential application for the 2023 Legislative Session, I was not given access to the House press box or press briefings equal to other members of the media. This left me unable to effectively and completely gather news and information necessary to my reporting duties for Bleeding

Heartland.

2024 Iowa Legislative Session

45. The 90th Session for the Iowa Legislature began on January 8, 2024.

46. I submitted my credential application for an Iowa House workspace long before the beginning of session on December 5, 2023. As part of my application, I was asked to explain why I needed access to the House floor. I responded:

I frequently write and publish original reporting about Iowa legislative happenings, including Iowa House floor debates. Access to the House floor is important for newsgathering in many ways. During floor debates, reporters can obtain high-quality video and photographs, see what is happening in parts of the chamber that are not visible on the official video or from high up in the public gallery, and hear conversations in the well that are not audible from the public gallery. Reporters with work space on the House floor also are able to participate in the Speaker's weekly briefings.

47. On December 21, 2023, and again on January 4, 2024, I emailed Nelson inquiring about the status of my application.

48. Nelson responded on January 5, 2024. Exhibit K at 2. Again, she denied my application stating, "you do not meet the requirements of the Iowa House of Representative's press work space policy." *Id.* Again, she did not explain how I had failed to meet the requirements of her press credential policy.

49. I have not been able to gain access to the House press box or press briefings at any time during the 2019, 2020, 2021, 2022 and 2023 Legislative Sessions because of the House Chief Clerk applying her credentialing policy against me. As a result, I was unable to obtain access to valuable information and witness significant events in a manner equal to that of other Iowa statehouse reporters. Without equal access to the same opportunities to effectively gather and report political news like my

colleagues, I was disadvantaged against fulfilling my obligations as a member of the press and was limited in my ability to report the news to my readership.

50. Now the 2024 Legislative Session has begun, and I am, once again, unable to news gather and report on Iowa political news. The House press box was opened for access on the same day session began – January 8, 2024. On that day, numerous statehouse reporters, but not myself, were able to cover the gaveling in and opening remarks by the House leaders from both parties from the press box. Those reporters were able to obtain videos, photographs and audio recordings as part of their reporting materials that I could not obtain. They were able to speak to legislators and their staff, witness legislative action up close, be given legislative materials and attend impromptu press briefings that I could not.

51. On January 9, the governor delivered her Condition of the State speech in the Iowa House chamber. Again, I was not amongst the credentialed statehouse reporters who were able to report on the speech from the press area, including obtaining the necessary photos, audio, or video that are not equally obtainable from the public viewing areas of the House chambers.

52. The 90th Legislative Session is scheduled to continue until at least April 16th, not considering any potential special sessions that may need to occur. Without court intervention, I will be completely prevented from obtaining the House press credentials, and the access to the media-designated spaces on the House floor that those credentials provide, that I need to satisfy my duties as a member of the press and exercise my First Amendment rights. Iowa politics is something I report on

frequently and in depth. Without press credentials to the Iowa House floor, I will not be able to gather news or information on equal footing with other reporters concerning the Iowa House. I will continue to be separated from my colleagues and designated by Nelson as undeserving of entry into the areas they are permitted to occupy and use so to fulfill their obligations to the public as members of the press.

53. To this day, I have never received an explanation from Nelson or anyone on her behalf as to how I do not meet the press credential policy. The only criticisms I have received from Nelson is that I am a reporter for a “nontraditional” and “independent” publication. But the credential policy does not provide for denial on these bases. And Nelson has not told me how these terms are defined. Therefore, I am unable to determine how I can modify my speech or reporting in a way that satisfies Nelson and compels her to grant me a permit for media access.

54. I am not aware of any other Iowa statehouse reporters that Nelson has applied her policy or denied press credentials to in the way, and for the reasons, she has me.

55. I also cannot discern the meaning of terms that *are* found in Nelson’s credential policy. I am not aware of what the policy means when it limits credential access to journalists that disseminate “nonpartisan news to a broad segment of the public,” and does not allow a reporter to engage in any form of “advocacy” on any person or entity’s behalf. “Partisan news” and “advocacy” are subjective concepts; if one were to ask 100 individuals to state what they mean it’s likely you would get 100 explanations. And because news can reach many kinds of audiences, of varying sizes, through numerous methods – hard copy and digital – it is unclear what constitutes a sufficiently “broad

segment of the public.”

56. The ambiguity and vagueness of the press credential policy is chilling on my speech. Just as with Nelson’s arbitrary criteria, the press credential policy leaves me without notice as to how I can conform my reporting on Bleeding Heartland as a publication in order to satisfy the criteria. I believe the terms are purposefully broad, which allows their application to reporters like myself that Nelson does not want to gain access to House press box for viewpoint- and content-based reasons.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 19, 2024.

A handwritten signature in cursive script, appearing to read "Laura Belin", written in black ink on a white background.

Laura Belin