

**Short Form
Return of Organization Exempt From Income Tax**

2012

**Open to Public
Inspection**

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code
(except black lung benefit trust or private foundation)

Sponsoring organizations of donor advised funds, organizations that operate one or more hospital facilities, and certain controlling organizations as defined in section 512(b)(13) must file Form 990 (see instructions). All other organizations with gross receipts less than \$200,000 and total assets less than \$500,000 at the end of the year may use this form.

▶ The organization may have to use a copy of this return to satisfy state reporting requirements.

Department of the Treasury
Internal Revenue Service

A For the 2012 calendar year, or tax year beginning January 1, 2012, and ending December 31, 2012

B Check if applicable:
 Address change
 Name change
 Initial return
 Terminated
 Amended return
 Application pending

C Name of organization
George Mason Environmental Law Clinic aka Free Market Environmentl Law Clinic
 Number and street (or P O box, if mail is not delivered to street address) Room/suite
9033 Brook Ford Rd
 City or town, state or country, and ZIP + 4
Burke, VA 22015-3614

D Employer identification number
45-1602963

E Telephone number
571-243-7975

F Group Exemption Number ▶

G Accounting Method: Cash Accrual Other (specify) ▶

H Check if the organization is not required to attach Schedule B (Form 990, 990-EZ, or 990-PF).

I Website: ▶ <http://fmelawclinic.org/>

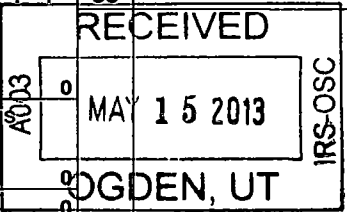
J Tax-exempt status (check only one) - 501(c)(3) 501(c) () ◀ (insert no.) 4947(a)(1) or 527

K Check if the organization is not a section 509(a)(3) supporting organization or a section 527 organization and its gross receipts are normally not more than \$50,000. A Form 990-EZ or Form 990 return is not required though Form 990-N (e-postcard) may be required (see instructions). But if the organization chooses to file a return, be sure to file a complete return.

L Add lines 5b, 6c, and 7b, to line 9 to determine gross receipts. If gross receipts are \$200,000 or more, or if total assets (Part II, line 25, column (B) below) are \$500,000 or more, file Form 990 instead of Form 990-EZ ▶ \$

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (see the instructions for Part I)
 Check if the organization used Schedule O to respond to any question in this Part I

		1	2	3	4	5a	5b	5c	6a	6b	6c	6d	7a	7b	7c	8	9	10	11	12	13	14	15	16	17	18	19	20	21									
Revenue	1	Contributions, gifts, grants, and similar amounts received															\$172,888																					
	2	Program service revenue including government fees and contracts															0																					
	3	Membership dues and assessments															0																					
	4	Investment income															0																					
	5a	Gross amount from sale of assets other than inventory					0																															
	5b	Less: cost or other basis and sales expenses					0																															
	5c	Gain or (loss) from sale of assets other than inventory (Subtract line 5b from line 5a)							0																													
	6	Gaming and fundraising events																																				
	a	Gross income from gaming (attach Schedule G if greater than \$15,000)								0																												
b	Gross income from fundraising events (not including \$ of contributions from fundraising events reported on line 1) (attach Schedule G if the sum of such gross income and contributions exceeds \$15,000)								0																													
c	Less: direct expenses from gaming and fundraising events																																					
d	Net income or (loss) from gaming and fundraising events (add lines 6a and 6b and subtract line 6c)																																					
7a	Gross sales of inventory, less returns and allowances																																					
b	Less: cost of goods sold																																					
c	Gross profit or (loss) from sales of inventory (Subtract line 7b from line 7a)																																					
8	Other revenue (describe in Schedule O)																																					
9	Total revenue. Add lines 1, 2, 3, 4, 5c, 6d, 7c, and 8																																					
Expenses	10	Grants and similar amounts paid (list in Schedule O)																																				
	11	Benefits paid to or for members																																				
	12	Salaries, other compensation, and employee benefits																																				
	13	Professional fees and other payments to independent contractors																																				
	14	Occupancy, rent, utilities, and maintenance																																				
	15	Printing, publications, postage, and shipping																																				
	16	Other expenses (describe in Schedule O)																																				
17	Total expenses. Add lines 10 through 16																																					
Net Assets	18	Excess or (deficit) for the year (Subtract line 17 from line 9)																																				
	19	Net assets or fund balances at beginning of year (from line 27, column (A)) (must agree with end-of-year figure reported on prior year's return)																																				
	20	Other changes in net assets or fund balances (explain in Schedule O)																																				
	21	Net assets or fund balances at end of year. Combine lines 18 through 20																																				



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Part V Other Information (Note the Schedule A and personal benefit contract statement requirements in the instructions for Part V) Check if the organization used Schedule O to respond to any question in this Part V

Table with columns for question number, question text, and Yes/No checkboxes. Includes questions 33 through 45b regarding organizational activities, financials, and compliance.

	Yes	No
46 Did the organization engage, directly or indirectly, in political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I	46	<input checked="" type="checkbox"/>

Part VI Section 501(c)(3) organizations only

All section 501(c)(3) organizations must answer questions 47-49b and 52, and complete the tables for lines 50 and 51

Check if the organization used Schedule O to respond to any question in this Part VI

	Yes	No
47 Did the organization engage in lobbying activities or have a section 501(h) election in effect during the tax year? If "Yes," complete Schedule C, Part II	47	<input checked="" type="checkbox"/>
48 Is the organization a school as described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E	48	<input checked="" type="checkbox"/>
49a Did the organization make any transfers to an exempt non-charitable related organization?	49a	<input checked="" type="checkbox"/>
b If "Yes," was the related organization a section 527 organization?	49b	<input type="checkbox"/>

50 Complete this table for the organization's five highest compensated employees (other than officers, directors, trustees and key employees) who each received more than \$100,000 of compensation from the organization. If there is none, enter "None."

(a) Name and title of each employee paid more than \$100,000	(b) Average hours per week devoted to position	(c) Reportable compensation (Forms W-2/1099-MISC)	(d) Health benefits, contributions to employee benefit plans, and deferred compensation	(e) Estimated amount of other compensation
None				

f Total number of other employees paid over \$100,000 **0**

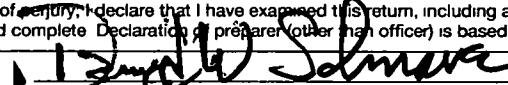
51 Complete this table for the organization's five highest compensated independent contractors who each received more than \$100,000 of compensation from the organization. If there is none, enter "None."

(a) Name and address of each independent contractor paid more than \$100,000	(b) Type of service	(c) Compensation
None		

d Total number of other independent contractors each receiving over \$100,000 **0**

52 Did the organization complete Schedule A? **Note:** All section 501(c)(3) organizations and 4947(a)(1) nonexempt charitable trusts must attach a completed Schedule A **Yes** **No**

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here	 Signature of officer	Date
	David W. Schnare, Director	5-11-2013
	Type or print name and title	

Paid Preparer Use Only	Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
	Firm's name	Firm's EIN		Phone no.	
	Firm's address				

May the IRS discuss this return with the preparer shown above? See instructions **Yes** **No**

SCHEDULE A
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Public Charity Status and Public Support

Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.

▶ Attach to Form 990 or Form 990-EZ. ▶ See separate instructions.

OMB No. 1545-0047

2012

Open to Public Inspection

Name of the organization George Mason Environmental Law Clinic aka Free Market Environmentl Law Clinic	Employer identification number 45-1602963
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Part I Reason for Public Charity Status (All organizations must complete this part.) See instructions.

The organization is not a private foundation because it is: (For lines 1 through 11, check only one box.)

- 1 A church, convention of churches, or association of churches described in **section 170(b)(1)(A)(i).**
- 2 A school described in **section 170(b)(1)(A)(ii).** (Attach Schedule E.)
- 3 A hospital or a cooperative hospital service organization described in **section 170(b)(1)(A)(iii).**
- 4 A medical research organization operated in conjunction with a hospital described in **section 170(b)(1)(A)(iii).** Enter the hospital's name, city, and state: _____
- 5 An organization operated for the benefit of a college or university owned or operated by a governmental unit described in **section 170(b)(1)(A)(iv).** (Complete Part II.)
- 6 A federal, state, or local government or governmental unit described in **section 170(b)(1)(A)(v).**
- 7 An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in **section 170(b)(1)(A)(vi).** (Complete Part II.)
- 8 A community trust described in **section 170(b)(1)(A)(vii).** (Complete Part II.)
- 9 An organization that normally receives: (1) more than 33 1/3% of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions—subject to certain exceptions, and (2) no more than 33 1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See **section 509(a)(2).** (Complete Part III.)
- 10 An organization organized and operated exclusively to test for public safety. See **section 509(a)(4).**
- 11 An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2). See **section 509(a)(3).** Check the box that describes the type of supporting organization and complete lines 11e through 11h.

a Type I b Type II c Type III—Functionally integrated d Type III—Non-functionally integrated

e By checking this box, I certify that the organization is not controlled directly or indirectly by one or more disqualified persons other than foundation managers and other than one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2).

f If the organization received a written determination from the IRS that it is a Type I, Type II, or Type III supporting organization, check this box

g Since August 17, 2006, has the organization accepted any gift or contribution from any of the following persons?

	Yes	No
(i) A person who directly or indirectly controls, either alone or together with persons described in (ii) and (iii) below, the governing body of the supported organization?	11g(i)	
(ii) A family member of a person described in (i) above?	11g(ii)	
(iii) A 35% controlled entity of a person described in (i) or (ii) above?	11g(iii)	

h Provide the following information about the supported organization(s).

(i) Name of supported organization	(ii) EIN	(iii) Type of organization (described on lines 1–9 above or IRC section (see instructions))	(iv) Is the organization in col. (i) listed in your governing document?		(v) Did you notify the organization in col. (i) of your support?		(vi) Is the organization in col. (i) organized in the U.S.?		(vii) Amount of monetary support
			Yes	No	Yes	No	Yes	No	
(A)									
(B)									
(C)									
(D)									
(E)									
Total									

Part II Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)

(Complete only if you checked the box on line 5, 7, or 8 of Part I or if the organization failed to qualify under Part III. If the organization fails to qualify under the tests listed below, please complete Part III.)

Section A. Public Support

Calendar year (or fiscal year beginning in) ►	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.")						
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
3 The value of services or facilities furnished by a governmental unit to the organization without charge						
4 Total. Add lines 1 through 3						
5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f)						
6 Public support. Subtract line 5 from line 4.						

Section B. Total Support

Calendar year (or fiscal year beginning in) ►	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
7 Amounts from line 4						
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources						
9 Net income from unrelated business activities, whether or not the business is regularly carried on						
10 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part IV.)						
11 Total support. Add lines 7 through 10						
12 Gross receipts from related activities, etc. (see instructions)					12	
13 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here ► <input type="checkbox"/>						

Section C. Computation of Public Support Percentage

14 Public support percentage for 2012 (line 6, column (f) divided by line 11, column (f))	14	%
15 Public support percentage from 2011 Schedule A, Part II, line 14	15	%
16a 33 1/3% support test—2012. If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization ► <input type="checkbox"/>		
b 33 1/3% support test—2011. If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization ► <input type="checkbox"/>		
17a 10%-facts-and-circumstances test—2012. If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part IV how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization ► <input type="checkbox"/>		
b 10%-facts-and-circumstances test—2011. If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part IV how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization ► <input type="checkbox"/>		
18 Private foundation. If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions ► <input type="checkbox"/>		

Part III Support Schedule for Organizations Described in Section 509(a)(2)

(Complete only if you checked the box on line 9 of Part I or if the organization failed to qualify under Part II. If the organization fails to qualify under the tests listed below, please complete Part II.)

Section A. Public Support

Calendar year (or fiscal year beginning in) ▶	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.")	\$0	\$0	\$0	\$27,945	\$172,888	\$200,833
2 Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose	\$0	\$0	\$0	\$0	\$0	\$0
3 Gross receipts from activities that are not an unrelated trade or business under section 513	\$0	\$0	\$0	\$0	\$0	\$0
4 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf	\$0	\$0	\$0	\$0	\$0	\$0
5 The value of services or facilities furnished by a governmental unit to the organization without charge	\$0	\$0	\$0	\$0	\$0	\$0
6 Total. Add lines 1 through 5	\$0	\$0	\$0	\$27,945	\$172,888	\$200,833
7a Amounts included on lines 1, 2, and 3 received from disqualified persons	\$0	\$0	\$0	\$0	\$0	\$0
b Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of \$5,000 or 1% of the amount on line 13 for the year	\$0	\$0	\$0	\$0	\$0	\$0
c Add lines 7a and 7b	\$0	\$0	\$0	\$0	\$0	\$0
8 Public support (Subtract line 7c from line 6.)						

Section B. Total Support

Calendar year (or fiscal year beginning in) ▶	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
9 Amounts from line 6	\$0	\$0	\$0	\$27,945	\$172,888	\$200,833
10a Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources	\$0	\$0	\$0	\$0	\$0	\$0
b Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975	\$0	\$0	\$0	\$0	\$0	\$0
c Add lines 10a and 10b	\$0	\$0	\$0	\$0	\$0	\$0
11 Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on	\$0	\$0	\$0	\$0	\$0	\$0
12 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part IV.)	\$0	\$0	\$0	\$0	\$0	\$0
13 Total support. (Add lines 9, 10c, 11, and 12.)	\$0	\$0	\$0	\$27,945	\$172,888	\$200,833
14 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here ▶ <input checked="" type="checkbox"/>						

Section C. Computation of Public Support Percentage

15 Public support percentage for 2012 (line 8, column (f) divided by line 13, column (f))	15	%
16 Public support percentage from 2011 Schedule A, Part III, line 15	16	%

Section D. Computation of Investment Income Percentage

17 Investment income percentage for 2012 (line 10c, column (f) divided by line 13, column (f))	17	%
18 Investment income percentage from 2011 Schedule A, Part III, line 17	18	%
19a 33 1/3% support tests—2012. If the organization did not check the box on line 14, and line 15 is more than 33 1/3%, and line 17 is not more than 33 1/3%, check this box and stop here . The organization qualifies as a publicly supported organization ▶ <input type="checkbox"/>		
b 33 1/3% support tests—2011. If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33 1/3%, and line 18 is not more than 33 1/3%, check this box and stop here . The organization qualifies as a publicly supported organization ▶ <input type="checkbox"/>		
20 Private foundation. If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions ▶ <input type="checkbox"/>		

Part IV **Supplemental Information.** Complete this part to provide the explanations required by Part II, line 10; Part II, line 17a or 17b; and Part III, line 12. Also complete this part for any additional information. (See instructions).

Area with horizontal dashed lines for supplemental information.

SCHEDULE O
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Supplemental Information to Form 990 or 990-EZ

Complete to provide information for responses to specific questions on
Form 990 or 990-EZ or to provide any additional information.
▶ Attach to Form 990 or 990-EZ.

OMB No 1545-0047

2012

**Open to Public
Inspection**

Name of the organization

George Mason Environmental Law Clinic aka Free Market Environmental Law Clinic

Employer identification number

45-1602963

Supplement to Question 16:

\$ 50 Continuing Legal Education

\$ 611 Court filing costs

\$1,820 Court reporter costs

\$1,164 Law clinic corporate formation filing costs

\$1,693 Legal Research (Lexis)

\$ 28 Professional meetings

\$2,981 Travel (court appearances and speaking engagements)

\$ 51 Virginia corporation annual filing fees

Supplement to Question 20

\$35,000 Accounts receivable from American Tradition Institute (EIN 26-4239065)

Supplement to Question 24

\$35,000 Accounts receivable from American Tradition Institute (EIN 26-4239065)

Supplement to Question 28 - Ongoing litigation

The law clinic serves as the attorneys for the American Tradition Institute. The billable hours in these matters is shared by the FME Law Clinic and ATI, the division made on a case by case basis.

1. **ATI v. UVA.** This is a FOIA case that will establish what the Virginia law allows universities to keep secret from the public. It also addresses whether a FOI Act unconstitutionally abridges an alleged free speech right to academic freedom. The court acknowledged the validity of \$201,000 costs and fees to FME Law, but has not yet awarded them. The matter is now before the VA Supreme Court.

2. **Occoquan Watershed Coalition v. EPA.** This case raised the question as to whether EPA violated the 10th amendment rights of Virginia and Fairfax County when establishing a water quality criterion that would require the total local governmental budget for implementation. The matter was settled due to the outcome of other litigation. No costs or fees were awarded.

3. **ATI v. NASA.** A FOIA case seeking ethics records for a NASA employee who had over \$2 million in outside income. Because NASA refused to release the records, the Office of Government Ethics had to intervene and order them to release the records, placing the entire federal government on notice that they must properly file these ethics reports and release them when sought under FOIA.

FME Law received \$10,887.50 in costs and fees.

Name of the organization

Employer identification number

George Mason Environmental Law Clinic aka Free Market Environmental Law Clinic

45-1602963

4. AT1 v. EpeI. This is a commerce clause case challenging the constitutionality of the Colorado renewable energy standards. 30 states have such standards and all are unconstitutional. This case is in the discovery process. Cost and fees are being sought.

5. AT1 v. EPA. This case challenged whether EPA could expose volunteer subjects to carcinogens and deadly poisons without telling them the risks of these exposures. The court held EPA could. No costs and fees were awarded.

Supplement to Question 31 - Other programs: FME Law supplies legal advice and counsel to state attorneys general and state policy

institutes at no cost. FME Law has not tracked the number of such inquiries and is bound by the attorney-client privilege on these.