a client who seeks "to amend or otherwise challenge existing [welfare] law." This meant that, even with non-federal funds, a recipient of federal funds could not argue that a state welfare statute violated a federal statute or that a state or federal welfare law violated the Constitution. If a case was underway when such a challenge became apparent, the attorney had to withdraw. The Court distinguished this situation from that in *Rust v. Sullivan* on the ground "that the counseling activities of the doctors under Title X amounted to governmental speech," whereas "an LSC-funded attorney speaks on behalf of the client in a claim against the government for welfare benefits." [1022] Furthermore, the restriction in this case "distorts the legal system" by prohibiting "speech and expression upon which courts must depend for the proper exercise of the judicial power," and thereby is "inconsistent with accepted separation-of-powers principles." [1023]

But, in *United States v. American Library Association, Inc.*, a four-Justice plurality of the Supreme Court upheld the Children's Internet Protection Act (CIPA), which provides that a public school or "library may not receive federal assistance to provide Internet access unless it installs software to block images that constitute obscenity or child pornography, and to prevent minors from obtaining access to material that is harmful to them." [1024] The plurality considered whether CIPA imposes an unconstitutional condition on the receipt of federal assistance by requiring public libraries to limit their freedom of speech if they accept federal funds. The plurality, citing *Rust v. Sullivan*, found that, assuming that government entities have First Amendment rights (it did not decide the question), CIPA does not infringe them. This is because CIPA does not deny a benefit to libraries that do not agree to use filters; rather, the statute "simply insist[s] that public funds be spent for the purposes for which they were authorized." [1025] The plurality distinguished *Legal Services Corporation v. Velazquez* on the ground that public libraries have no role comparable to that of legal aid attorneys "that pits them against the Government, and there is no comparable assumption that they must be free of any conditions that their benefactors might attach to the use of donated funds or other assistance." [1026]

Finally, the unconstitutional conditions doctrine may have limited application on incidental restrictions on speech. In *Rumsfeld v.*

[1022] 531 U.S. at 541, 542.
[1023] 531 U.S. at 544, 546.
[1024] 539 U.S. 194, 199 (2003).
[1025] 539 U.S. at 211.
[1026] 539 U.S. at 213 (emphasis in original). Other grounds for the plurality decision are discussed under "Non-obscene But Sexually Explicit and Indecent Expression" and "The Public Forum."