Community Letter in Support of Nonpartisanship
UPDATED September 5, 2017

The Honorable Jeff Denham
1730 Longworth House Office Building
United States House of Representatives
Washington, DC 20515

Dear Representative Denham:

The undersigned organizations strongly oppose proposals that would politicize the charitable nonprofit and philanthropic community by repealing or weakening current federal tax law protections that prohibit 501(c)(3) organizations from endorsing, opposing, or contributing to political candidates.

Nonpartisanship is a cornerstone principle that has strengthened the public’s trust of the charitable community. In exchange for enjoying tax-exempt status and the ability to receive tax-deductible contributions, 501(c)(3) organizations – charitable nonprofits, including religious congregations, and foundations – agree to not engage in “any political campaign on behalf of (or in opposition to) any candidate for public office.”

That provision of law protects the integrity and independence of charitable nonprofits and foundations. It shields the entire 501(c)(3) community against the rancor of partisan politics so the charitable community can be a safe haven where individuals of all beliefs come together to solve community problems free from partisan divisions. It screens out doubts and suspicions regarding ulterior partisan motives of charitable organizations, as undoubtedly would occur if even just a few charitable organizations engaged in partisan politics. Nonpartisan credibility is critical to the ability of 501(c)(3) organizations to work with elected officials of all parties at the local, state, and federal levels to address community needs.

Charitable nonprofits, including religious congregations, are free to speak on important matters of the day and advocate on public policy issues and legislation. Private foundations, while barred from most lobbying activities, are free to engage in public debates, promote public education efforts, and fund a wide range of issue-focused activities. The relevant language in Section 501(c)(3) merely prohibits partisan campaign intervention, defined to include endorsing or opposing candidates for public office, publishing or distributing statements for or against candidates, or using tax-deductible and other resources to support partisan campaign activities.

We are united in opposing any and all efforts to weaken or repeal this longstanding protection in the federal tax code (sometimes called the Johnson Amendment) that President Eisenhower signed into law in 1954. Weakening the law by allowing leaders of individual 501(c)(3) entities to endorse candidates for public office and engage in some partisan electioneering activities would damage the integrity and effectiveness of all charitable organizations and spawn litigation as innovative partisans seek to expand gray areas in the proposed legislation. Repealing the Johnson Amendment, an approach promoted by the President and some in Congress, would damage the federal Treasury as people take tax deductions for political contributions they could then funnel through charitable nonprofits, undercut fair elections by providing a loophole to avoid campaign contribution disclosure laws, and empower politicians to exert pressure for access to foundation assets and charitable funds for their own partisan campaigns rather than for the public good.
We urge you to join us in opposing efforts to weaken and/or repeal the current law that for six decades has successfully protected the integrity and effectiveness of charitable nonprofits and foundations by keeping them apart from partisan politics.

Respectfully,

California

10u Veteran, Inc.  Palm Springs
A Place Called Home  Los Angeles
Abrams Consulting  Santa Rosa
AchieveKids  San Francisco
Agile Rascal Theatre  Oakland
Alameda County Community Food Bank  Ukiah
Alex Rorabaugh Recreation Center  Oakland
Alternatives in Action  Bakersfield
Americans United for Separation of Church and State, Kern County, CA  Sacramento
Americans United for Separation of Church and State, Orange County, CA  Costa Mesa
Americans United for Separation of Church and State, Sacramento CA Chapter  Sacramento
Animal Legal Defense Fund  Cotati
Ann Martin Center  Emeryville
Art Without Limits  Santa Barbara
Asian Pacific Community Fund  Los Angeles
Assistance League of Palm Springs Desert Area  Rancho Mirage
Association of Fundraising Professionals, Orange County  Santa Ana
Baby2Baby  Los Angeles
Brooke Foundation Donor Advised Fund at RSF Foundation  Freestone
Butte County Child Abuse Prevention Council  Chico
C. S. Fund  Freestome
CA Destination Imagination  Ventura
Cabrillo Economic Development Corporation  San Francisco
California Association of Nonprofits (CalNonprofits)  Sacramento
California Council of Churches IMPACT  Sacramento
California for Democracy  Oakland
California School-Age Consortium  Berkeley
Cancer Care Network Foundation  Los Angeles
Catalina Island Museum Charities Housing  Avalon
Child Advocates of Silicon Valley  San Jose
Chinatown Service Center  Los Angeles
ChrisBooks Accounting  San Jose
Cinnabar Arts Corporation  Los Angeles
CLUE: Clergy & Laity United For Economic Justice Partnerships  Oakland
Community Education Foundation of the Valleys  Los Angeles
Community Medical Centers  Fresno
CompassPoint Nonprofit Services  San Francisco
Compton Foundation  Solana Beach
Create Possibility  San Francisco
Creativity Explored  Claremont
Crossroads, Inc.  Hillsborough
Crystal Springs Uplands School  Freestome
CS Fund  San Francisco
Davis Wright Tremaine LLP  Oakland
Dean & Margaret Lesher Foundation  La Quinta
Desert Ability Center  Mill Valley
Digital Democracy  Palo Alto
Earle Baum Center of the Blind, Inc.  San Francisco
Eddington Advisory Services  Facing History and Ourselves, Friends for Youth  San Francisco
Effective Nonprofits  San Francisco
Eleanor Smith & Associates  San Francisco
Elizabeth F. Gamble Garden Exponent Partners  San Francisco
Exponent Partners  San Francisco
Exponent Partners  San Francisco
Facing History and Ourselves, Friends for Youth  San Francisco
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- American Alliance of Museums
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- American Association of Teachers of German
- American Atheists
- American Bladder Cancer Society
- American Board of Venous & Lymphatic Medicine
- American Brass Chamber Music Association
- American Conference of Academic Deans
- American Heart Association
- American Historical Association
- American Jewish Committee
- American Jewish Committee Association
- American Medical Association Foundation
- American Podiatric Medical Association, Inc.
- American Red Cross
- Americans for the Arts
- Americans Promoting Study Abroad
- Americans United for Separation of Church and State
- Amyloidosis Foundation
- Animal Legal Defense Fund
- Annie E. Casey Foundation
- Anti-Defamation League
- Asian Pacific American Legal Resource Center
- Association for Jewish Outreach Professionals
- Association of American Colleges and Universities
- Association of American Colleges and Universities
- Association of Art Museum Directors
- Association of Direct Response Fundraising Counsel
- Association of Fundraising Professionals
- Association of Immunization Managers
- Association of Jewish Outreach Professionals
- Association of Nature Center Administrators
- Astraea Lesbian Foundation for Justice
- Baptist Joint Committee for Religious Liberty
- Baptist Women in Ministry
- Barr Foundation
- BoardSource
- Brady Campaign and Center to Prevent Gun Violence
- Camp Fire
- Campion Foundation
- Catholic Charities USA
- Catholic Mobilizing Network
- Center for Health, Environment & Justice
- Center for Inquiry
- Charles Stewart Mott Foundation
- Citizen Schools
- CleanSlateNow
- Commonwealth Fund
- Council on Foundations
- Council for Global Equality
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California

Dance USA
Dementia Society, Inc.
Democracy 21
Destination & Travel Foundation
Dietel Partners, LLC
Disability Rights Advocacy Fund
Easter Seals
Ecology Project International
Engineering Conferences International
Episcopal Relief & Development
Feed the Children
Feeding America
Fidesco USA
Food & Water Watch
Ford Foundation
Free Press
Girl Scouts of the USA
Girls Inc.
Global Integrity
Goodwill Industries International, Inc.
Grantmakers for Effective Organizations
Greater Nonprofits
GuideStar
Habitat for Humanity International
Harbor Compliance
HawkWatch International
Hindu American Foundation
Histiocytosis Foundation
Horizons National
Human Science Institute
Independent Sector
International Essential Tremor Foundation
International Hearing Dog, Inc.
International Performing Arts for Youth
International Primate Protection League
Issue One
Jessie Ball DuPont Fund
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Jewish Council for Public Affairs
Jewish Federations of North America
Leadership USA
League of American Orchestras
League of Women Voters
Leukemia Research Foundation
Local Learning: The National Network for Folk Arts in Education
Lumina Foundation
Lymphoma Foundation of America
Migraine Research Foundation
Mentors International
Morino Ventures, LLC
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National Alliance of Community Economic Development
National Association of Charitable Gift Planners
National Association of Health Data Organizations
National Association of State Boating Law Administrators (NASBLA)
National Association of Watch and Collectors Prevention
NAMI, National Alliance on Mental Illness
National Center for Appropriate Technology
National Center for Fire and Life Safety
National Center on Shaken Baby Syndrome
National Committee for Responsive Philanthropy
National Council of Behavioral Health
National Council of Churches
National Council of Nonprofits
National Council of Tribes
National Dance Education Organization
National Hartford Centers of Gerontological Nursing Excellence
National Human Services Assembly
National Indian Child Welfare Association
National LGBTQ Task Force
National Organization for Albinism and Hypopigmentation
National Runaway Safeline
National Safe Place Network
National Tongan American Society
NEO Law Group
North American Bramble Growers Research Foundation
OPERA America
Partnership for America's Children
Pension Fund of the Christian Church
Philanthropy for Active Civic Engagement
Project Wet Foundation
Project Managers Without Borders
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Senior Executives Association
Seva Foundation
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Smith’s Food and Drug
Social Velocity
The Arc of the United States
The Aspen Institute
The Association of Junior Leagues International, Inc.
The Commonwealth Fund
The Dibble Institute
The Educational Foundation of America
The George Gund Foundation
The Honor Society of Phi Kappa Phi
The Michael J. Fox Foundation
The Ocean Foundation
The Pulmonary Fibrosis Foundation
The United Methodist Church – General Board of Church and Society
The Voter Participation Center
TIDES
Unemployment Services Trust
Union for Reform Judaism
United Philanthropy Forum
United Way Worldwide
University Professional & Continuing Education Association
US Lacrosse
Vasculitis Foundation
Volunteers in Medicine
Volunteers of America
Voto Latino
Wallace Global Fund
WasteWater Education
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William and Flora Hewlett Foundation
Words Without Borders
World Day of Prayer USA
World Neighbors, Inc.
Youth Services America
YWCA USA