The Honorable Ami Bera  
1431 Longworth House Office Building  
United States House of Representatives  
Washington, DC 20515

Dear Representative Bera:

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  Costa Mesa
Americans United for Separation of Church and State, Orange County, CA  Sacramento
Americans United for Separation of Church and State, Sacramento CA Chapter  Cotati
Animal Legal Defense Fund  Emeryville
Ann Martin Center  Santa Barbara
Art Without Limits  Los Angeles
Asian Pacific Community Fund  Rancho Mirage
Assistance League of Palm Springs Desert Area  Santa Ana
Association of Fundraising Professionals, Orange County  Los Angeles
Baby2Baby  Chico
Brooke Foundation Donor Advised Fund at RSF Foundation  Freestone
Butte County Child Abuse Prevention Council  Ventura
C. S. Fund  San Francisco
CA Destination Imagination  Sacramento
Cabrillo Economic Development Corporation  Sacramento
California Association of Nonprofits (CalNonprofits)  California Council of Churches IMPACT
California Council of Churches  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  Sacramento
Community 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  Freeston
CS Fund  San Francisco
Davis Wright Tremaine LLP  Mil Valley
Dean & Margaret Lesher Foundation  La Quinta
Desert Ability Center  Oakland
Digital Democracy  Palo Alto
Earle Baum Center of the Blind, Inc.  San Francisco
Eddington Advisory Services  San Francisco
Effective Nonprofits  San Francisco
Eleanor Smith & Associates  San Francisco
Elizabeth F. Gamble Garden  San Francisco
Exponent Partners  San Francisco
Facing History and Ourselves, Friends for Youth  San Francisco
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Pacific Links Foundation
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Pasadena Conservatory of Music
Paso Pacifico
Patricia D. and William B. Smullin Foundation
Patriots and Paws
Peninsula Family Service
Philanthropy California (a joint initiative of Northern California Grantmakers, San Diego Grantmakers, and Southern California Grantmakers)
Point Foundation
Pro Kids, The First Tee of San Diego
Rancho Santa Fe Foundation
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Respite and Research for Alzheimer's Disease
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United Ways of California
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Vegan Outreach
Vesper Society
Vista Center for the Blind & Visually Impaired
Wave Foundation
Waves of Gratefulness
Weingart Foundation
Western Methodist Justice Movement
William and Flora Hewlett Foundation
Women Organizing for Change in Agriculture and Natural Resource Management
WomenShelter of Long Beach
Youssef and Kamel Mawardi Fund
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AdoptAClassroom.org
Alliance for Strong Families and Communities
Alfred P. Sloan Foundation
America Solidaria U.S.
American Alliance of Museums
American Association of Anatomists
American Association of Physics Teachers
American Association of Teachers of German
American Atheists
American Bladder Cancer Society
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American Brass Chamber Music Association
American Conference of Academic Deans
American Heart Association
American Historical Association
American Jewish Committee
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Anti-Defamation League
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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
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Catholic Mobilizing Network
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League of American Orchestras
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Local Learning: The National Network for Folk Arts in Education
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Migraine Research Foundation
Mentors International
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National Association of Health Data Organizations
National Association of State Boating Law Administrators (NASBLA)
National Association of Watch and Collectors National Association for Shoplifting Prevention
NAMI, National Alliance on Mental Illness
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National Center on Shaken Baby Syndrome
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OPERA America
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Seva Foundation
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