

Community Letter in Support of Nonpartisanship

UPDATED September 5, 2017

The Honorable David B. McKinley
2239 Rayburn House Office Building
United States House of Representatives
Washington, DC 20515

Dear Representative McKinley:

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,

West Virginia		In Touch and Concerned, Inc.	
Augusta Levy Learning Center		Jackson County Developmental Center	Morgantown
Aurora Lights	Morgantown	Junior League of Wheeling	Millwood
Beckley Area Foundation, Inc.	Beckley	Just For Kids Child Advocacy Center	Wheeling
Big Brothers Big Sisters of the Tri-State	Huntington	King's Daughters Child Care Center	Beckley
Big Creek People in Action		League of Women Voters of Thurston County	Wheeling
Burlington United Methodist Family Services	Burlington	Markley Memorial Chapel	Olympia
CAMC Foundation	Charleston	Martinsburg ReNew	Huttonsville
Catholic Charities West Virginia	Wheeling	Member KVP	Martinsburg
Charles Town Now	Charles Town	Midwives Alliance of WV	Charleston
Child and Youth Advocacy Center	Lewisburg	Mission West Virginia, Inc.	Hillsboro
Church Without Walls Ministries, Inc.	Martinsburg	MiTec	Hurricane
Collective Impact, LLC		Mountain Hospice, Inc.	Elkins
Community Networks, Inc.	Martinsburg	New River Gorge Learning Co-op	Belington
Covenant House	Charleston	Ohio Valley Environmental Coalition	Fayetteville
Dana & Ethel Ervin Scholarship Fund	Miami	Ohio Valley Recovery, Inc.	Huntington
Facing Hunger Food Bank	Huntington	Philanthropy West Virginia	Wheeling
Family Refuge Center, Lewisburg, WV	Lewisburg	Piney Creek Watershed Association	Beckley
Friends of the Cheat, Inc.	Kingwood	Pocahontas County Family Resource Network	Marlinton
Friends of the Lewis House, Inc.	Oak Hill	Potomac Highlands Fuller Center	Franklin
Fuller Center for Housing of Beckley, Inc.	Beckley	Preston Community Arts Center	Kingwood
Future of Nursing West Virginia	Charleston	Preston County Parks and Recreation Commission	
Global Outreach Foundation	Charles Town	Raising Clarity	Berkeley Springs
Good Samaritan Free Clinic	Martinsburg	Ruckman Heritage Scholarship Foundation	Lewisburg
Greenbrier County Committee on Aging	Lewisburg	Spark! Imagination and Science Center	Morgantown
Greenbrier Valley Theatre	Lewisburg	St. Agnes Catholic Church, Social Concerns Committee	Harpers Ferry
Habitat for Humanity of Kanawha and Putnam	Charleston	St. John's / St. Vincent's Home, Inc.	Wheeling
HomeOwnership Center, Inc.	Elkins	Stone Strategies	Charleston
Huntington WV Area Habitat for Humanity	Huntington		

TEAM for West Virginia Children, Inc.	Huntington
Terrell Ellis & Associates, Inc.	Charleston
The Grant Advantage	
Trillium Performing Arts Collective	Lewisburg
Tug Valley Recovery Shelter	Williamson
United Way of Greenbrier Valley	Lewisburg
United Way of Southern West Virginia, Inc.	Beckley
United Way of the River Cities	Huntington
Unity Center Wheeling WV	Wheeling
Wellspring of Greenbrier, Inc.	Rupert
West Allis Players Community Theater	Milwaukee
West Virginia Nonprofit Association	
West Virginia Statewide Independent Living Council	Huntington
Wheeling Health Right, Inc.	
WV FREE	Charleston
WV Professional Dance Company	Beckley

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 Art Museum Directors
 Association of Direct Response Fundraising Counsel
 Association of Fundraising Professionals
 Association of Immunization Managers
 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

National Organizations

Abila
 Accreditation Council for Psychoanalytic Education, Inc.
 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
 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 Medical Association Foundation
 American Physiological Society

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
 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
Jewish Alliance for Law and Social Action
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
National 4-H Council
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
National Association for Shoplifting
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
Public Citizen
Rockefeller Brothers Fund
Secular Coalition for America
Senior Executives Association
Seva Foundation
Skillman Foundation
Silicon Valley Community Foundation
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

Community Letter in Support of Nonpartisanship

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West Virginia

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

Weingart Foundation

William and Flora Hewlett Foundation

Words Without Borders

World Day of Prayer USA

World Neighbors, Inc.

Youth Services America

YWCA USA