

Community Letter in Support of Nonpartisanship

April 5, 2017

The Honorable Kenny Marchant
2369 Rayburn House Office Building
United States House of Representatives
Washington, DC 20515

Dear Representative Marchant:

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,

Abbe & Associates: Fundraising and Nonprofit Consultants	Arlington	Foundation Communities	Austin
Abell Photography		Girl Scouts of Central Texas	Austin
Abila	Austin	Girl Scouts of Northeast Texas	Dallas
All Blind Children of Texas	Austin	Granny's Place Ministries	Duncanville
Alley Theatre	Houston	GrantBook	
Amarillo Habitat for Humanity	Amarillo	Guardian Angels for Solder's Pet	
American Heart Association	Dallas	Habitat for Humanity Denton County	Denton
Americans United for Separation of Church & State - San Antonio, TX Chapter	San Antonio	Habitat for Humanity of Grayson County	Sherman
Americans United for Separation of Church and State - Houston chapter	Houston	Habitat for Humanity of Greater Garland	Garland
Appamada	Austin	Habitat for Humanity of San Angelo	San Angelo
Arts Council of Midland	Midland	Habitat for Humanity of Smith County	Tyler
Associated Plumbing-Heating-Cooling Contractors of Texas, Inc.	Buda	Habitat for Humanity, Williamson County	Round Rock
Austin Habitat for Humanity	Austin	Hispanic Baptist Convention of Texas	San Antonio
Bay Area Turning Point, Inc.		House of Hope, Inc.	Glenn Heights
BEST of Texas Robotics	Plano	Houston Children Give Back	Houston
Bexar County Opportunities Industrialization Center, Inc.	San Antonio	Houston Habitat for Humanity	
Big Medium	Austin	IT'S TIME TEXAS	Austin
Brazos Bend Guardianship Services	Rosenberg	Join Us For Justice, the El Paso Chapter of Americans United	El Paso
Caritas of Austin	Austin	Journal of the History of Ideas, Inc.	College Station
Chavisjah Supportive Services	Missouri City	Latinitas	Austin and El Paso
Children Helpers Foundations	Cape Coast	Launch Pad Job Club	Austin
Christian Women's Job Corps of El Paso		LevelUp Institute	Austin
Community Integrated Employment	Addison	Lions Club International	Bellmead
Congregation Agudas Achim	Austin	Live Theatre League of Tarrant County	Fort Worth
Cultivating Leaders Achieving Scholastic Success	Fort Worth	Longview Habitat for Humanity Inc.	Longview
Dallas Parks Foundation	Dallas	Madeleine Crouch & Co., Inc.	Dallas
El Buen Samaritano Episcopal Mission	Austin	Midland Habitat for Humanity	Midland
Equity for Women in the Church, Inc.	Dallas	Mission Granbury Inc.	
For the Children, Inc., d/b/a Arts & Entertainment 4 DFW Youths	Plano	North Collin County Habitat for Humanity	McKinney
Fort Bend Habitat for Humanity	Stafford	Pasadena Habitat for Humanity	Pasadena
Fort Hood Area Habitat for Humanity	Killeen	Peace of Christ Church	Round Rock
Fort Worth Area Habitat for Humanity, Inc.	Fort Worth	RBWI	Brownsville
		REACH	Dallas

Resource Center	Dallas	American Brass Chamber Music Association
San Antonio Lighthouse For The Blind	San Antonio	American Conference of Academic Deans
Sewa International	Houston	American Heart Association
Sexual Assault Resource Center	Bryan	American Historical Association
Social Velocity	Austin	American Jewish Committee
South Main Baptist Church, Houston	Houston	American Medical Association Foundation
South Texas Literacy Coalition	Edinburg	American Physiological Society
Standish Foundation for Child & Family Centered Healthcare	Austin	American Podiatric Medical Association, Inc.
State of Texas Alliance for Recycling		American Red Cross
Swan Songs	Austin	Americans for the Arts
Taps 'n Tunes Productions Inc.	Hurst	Americans Promoting Study Abroad
Texas Association of Nonprofit Organizations	Houston	Americans United for Separation of Church and State
Texas Baptists Committed	Allen	Amyloidosis Foundation
Texas One Voice dba One Voice Texas	Houston	Annie E. Casey Foundation
Texoma Health Foundation	Denison	Asian Pacific American Legal Resource Center
The Arc of Fort Bend County	Sugar Land	Association for Jewish Outreach Professionals
The Baby Stewart Foundation		Association of American Colleges and Universities
The Fallen Linemen Organization		Association of Art Museum Directors
Thousands Watching	Houston	Association of Direct Response Fundraising Counsel
Trinity Center	Austin	Association of Fundraising Professionals
United Way of Greater Baytown Area & Chambers County	Baytown	Association of Immunization Managers
United Way of Greater Houston	Houston	Association of Nature Center Administrators
United Way of Mid & South Jefferson County	Port Arthur	Astraea Lesbian Foundation for Justice
Vision Weavers Consulting, LLC	Humble	Baptist Joint Committee for Religious Liberty
Vistage Group 3627	Houston	Baptist Women in Ministry
Volunteers of America Texas	Arlington	Barr Foundation
Waco Habitat for Humanity	Waco	BoardSource
Young Women's Christian Association of San Antonio, TX	San Antonio	Brady Campaign and Center to Prevent Gun Violence
YWCA of Lubbock	Lubbock	Camp Fire

National Organizations

Abila		Charles Stewart Mott Foundation
Accreditation Council for Psychoanalytic Education, Inc.		Citizen Schools
AdoptAClassroom.org		CleanSlateNow
Alliance for Strong Families and Communities		Commonwealth Fund
Alfred P. Sloan Foundation		Council on Foundations
American Alliance of Museums		Council for Global Equality
American Association of Anatomists		Dance USA
American Association of Physics Teachers		Dementia Society, Inc.
American Association of Teachers of German		Democracy 21
American Bladder Cancer Society		Destination & Travel Foundation
American Board of Venous & Lymphatic Medicine		Dietel Partners, LLC
		Disability Rights Advocacy Fund
		Ecology Project International
		Engineering Conferences International

Feed the Children
Feeding America
Food & Water Watch
Ford Foundation
Forum of Regional Associations of Grantmakers
Free Press
Girl Scouts of the USA
Girls Inc.
Global Integrity
Goodwill Industries, International
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 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 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
NAMI, National Alliance on Mental Illness
National Center for Appropriate Technology
National Center for Fire and Life Safety
National Committee for Responsive Philanthropy
National Council of Behavioral Health
National Council of Churches
National Council of Nonprofits
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 Commonwealth Fund
The Dibble Institute
The Educational Foundation of America
The Honor Society of Phi Kappa Phi
The Michael J. Fox Foundation
The Ocean Foundation
The Pulmonary Fibrosis Foundation
The Voter Participation Center
TIDES
Unemployment Services Trust
Union for Reform Judaism
United Way Worldwide
University Professional & Continuing Education Association
US Lacrosse
Vasculitis Foundation

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Texas

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