

Foraker Stands for Protecting Nonprofit Nonpartisanship

Nonprofit organizations, including faith organizations, are woven into the fabric of Alaska's communities and economies. Charitable 501(c)(3) organizations are diverse in mission, values, and impact, but there are a few areas where we all agree. First, accepting charitable philanthropy is vital to our ability to serve people and communities. And, second, charitable organizations thrive in a nonpartisan environment.

The charitable sector brings people together to advance issues and create change in Alaska and our nation. Through charitable nonprofits, people who believe in a cause – regardless of their culture, background, nationality, religious affiliation, or political leanings – unite to support that cause through giving, volunteering, and engagement. This non-partisanship has been a hallmark of America's charitable nonprofit sector for more than 60 years.

Imagine a day when the line between politics and charitable work becomes so blurred that charitable nonprofits including religious institutions are actively engaged in encouraging people to vote for or against a particular candidate for public office. Imagine a day when nonprofits are no longer standing up for transparency and holding themselves accountable to the public's trust. We do not want to see this day in Alaska or in our nation. And we need your help to make sure this day never comes.

The national effort to repeal the Johnson Amendment is unnecessary, harmful, and unwelcome. The consequences of repealing the amendment are real.

1) The separation of church and state is at risk when religious congregations that currently do not have to file the form 990 with the IRS because of their religious status will be tipped into filing because of the "de minimis" language. For the first time ever, this would actually require the IRS to demand access to a congregation's financial records in order to determine whether expenses are indeed minor. The IRS has little reason today to want to look at the finances of a congregation.

2) Our congregations face the threat of "dark money" entering their organizations when those who do not file with the IRS are allowed to move funds from the pulpit to the candidate with no check and balance or transparency. (Dark money refers to partisan dollars that can be anonymously funneled into 501(C)(4) social welfare organizations as a result of the U.S. Supreme Court's Citizens United decision.)

3) Charitable missions will be worn down when nonprofit board members, donors, volunteers, and congregations demand that an organization takes a side in local, state, and federal elections rather than standing up for their missions. This will divide a team, a community, or a congregation.

4) Public trust in the sector will be eroded and charitable contributions threatened when donors demand candidate endorsements at all levels of government – and then those or other donors stop supporting an organization that remains neutral or supports the "other side."

5) Effectiveness of the board, which is at the heart of successful organizations, will be limited when board members with contrary political views create ill-will that can polarize the board on issues unrelated to mission.

6) Mission-focused resources will be redirected and reduced when 501(c)(3) organizations are put in the position of having to divert staff time, facilities, fund development, programs, and their reputations to partisan political campaigns and electioneering.

We feel strongly that the repeal of the Johnson Amendment is completely unnecessary. Nonprofits and their individual staff, board members, and volunteers already have many legal avenues to freely express their views on a wide range of policy issues. And as individual Americans they are still afforded the right to free speech. Changes to the Johnson Amendment will only harm religious freedom and free speech – values that are fundamental to our nation and our people.