



EDUCATE YOUR MEMBERS OF CONGRESS

Resources & Information About The Johnson Amendment

The Johnson Amendment is a federal law that prohibits tax-exempt organizations, including houses of worship, from endorsing or opposing candidates. This provision protects the integrity of houses of worship and non-profit organizations and prevents them from being used as tools of political candidates and those seeking political power. Even so, President Trump has vowed to “get rid of and totally destroy the Johnson Amendment,” and some Members of Congress have introduced legislation to do just that.

There is a tremendous need to educate Members of Congress and their staffs about what the Johnson Amendment is and why it is important to keep it. Therefore, communities across the United States are visiting the offices of their elected Representatives and Senators to drop-off literature that will educate the office staff and to send the message to elected members of Congress that their constituents care about this issue and do not want to see any repeal or weakening of the current law.

HERE IS HOW IT WORKS:

- 1) Select a day during the July 4 recess (July 3 - 7) that works with your schedule.**
- 2) Invite a friend or two to go with you.** Groups of two or more always convey a greater sense of strength.
- 3) Look up the office locations of your Representative and both of your Senators.** It is important to visit all three if at all possible.
- 4) Print out copies of this informational materials packet to bring with you.**
- 5) Call the office before you arrive** to make sure staff members are there.
- 6) When you arrive be sure to let staff members know that you are a constituent** and why you're there. Here is a sample script you can use:

“Hi my name is _____, and I am a member of _____ (list group or faith community you are with, and then allow your friends to introduce yourself and share what groups or house of worship they are affiliated with). As constituents we wanted to drop off some important educational materials on the Johnson Amendment for Representative/Senator _____ and his/her staff. The Johnson Amendment is a federal law that prohibits tax-exempt organizations, including houses of worship, from endorsing or opposing candidates. This provision protects the integrity of houses of worship and non-profit organizations and prevents them from being used as tools of political candidates and those seeking political power. If Representative/Senator _____ or his/her staff have any questions they can contact me at _____ (give all your pertinent information or simply leave a card). Thank you.”

- 7) Tell us about each of your visits!** Email Bill Mefford at mefford@au.org to let us know how it went and if there was any conversation, or, better yet, take a selfie outside the office and send it to Bill – we would love to share it with others!

You can share your photo on social media using #CommunityNotCandidates.



TALKING POINTS

Supporting The Johnson Amendment

The Johnson Amendment protects the integrity of tax-exempt organizations, including houses of worship, by ensuring they do not endorse or oppose candidates. Americans do not want our charities and houses of worship to be torn apart by partisan campaign politics.

CHARITIES AND HOUSES OF WORSHIP ARE TAX FREE BECAUSE THEY WORK FOR THE COMMON GOOD, NOT SO THEY CAN SUPPORT POLITICAL CANDIDATES

- If we repeal or weaken the Johnson Amendment, taxpayers would essentially be forced to subsidize the political campaign activities of churches and other non-profits. Changing the law would also incentivize donations to organizations to support political candidates when the whole purpose of the tax-exemption is to support work that serves the community.
- The repeal or weakening of current law would dismantle the non-profit structure as we know it and fundamentally change the character of tax-exempt organizations.

POLITICAL PARTIES AND CANDIDATES SEEKING POWER SHOULDN'T BE ALLOWED TO USE OUR CHURCHES AND CHARITIES AS POLITICAL CAMPAIGN TOOLS

- Current law ensures that sanctuaries remain sacred and houses of worship focus on fostering community and performing good works. This also applies to secular non-profit organizations, who without the pressure to shift their resources to candidates and campaigns, can focus on fulfilling their missions.
- No one wants political candidates and those seeking political power to be able to use houses of worship and other charities for their own personal political gain. This is especially true when these entities are receiving special tax-exempt status.

CHANGING CURRENT LAW TO ENCOURAGE CHURCHES TO ENDORSE AND OPPOSE POLITICAL CANDIDATES WILL DIVIDE CONGREGATIONS

- Americans do not need or want more places to be divided from one another over political candidates running for office.
- Changing the law could lead to divisions within houses of worship and among congregants, as they become split along party lines. It could also pit houses of worship against each other.
- Changing the law could also divide charities along party lines. For example, a community could see two adversarial food pantries spring up—one that is run by and funded by Republicans and only serves those who will support Republican candidates, and the other that is run by and funded by Democrats and only serves those who will support Democratic candidates.

HOUSES OF WORSHIP AND THEIR LEADERS HAVE ROBUST FREE SPEECH RIGHTS AND CAN ALREADY SPEAK OUT ON POLITICAL AND SOCIAL ISSUES

- Houses of worship and all non-profits can speak out on political or social issues. For instance, houses of worship can take positions on issues of concern, lobby on legislation and endorse or oppose non-partisan referendum, host candidate forums and distribute answers to candidate questionnaires, and encourage people to vote, including through voter registration drives and driving people to the polls.
- Church leaders are absolutely free to support or endorse political candidates as private citizens or even run for office—just like any of us can.

AMERICANS DON'T WANT CHURCHES IN THE BUSINESS OF ENDORSING OR OPPOSING POLITICAL PARTIES AND CANDIDATES

- Changing the law is extremely unpopular. Two different polls conducted in March 2017 (one by Independent Sector and one by PRRI) found that more than 70% of voters want to keep the Johnson Amendment in place. Sixty-two percent of Republicans and fifty-six percent of white evangelical Protestants also support current law. Read more about the recent polls.



LEARN MORE AT [PROJECTFAIRPLAY.ORG](https://www.projectfairplay.org)



POLLING

Americans Broadly Support The Johnson Amendment

2017 INDEPENDENT SECTOR POLL¹

72% of Americans support the Johnson Amendment, including 66% of Trump voters, 78% of Clinton voters, and 77% of independent voters.

2017 PRRI POLL²

71% of Americans oppose allowing churches and places of worship to endorse political candidates while retaining their tax-exempt status.

62% of Republicans and 56% of white evangelical Christians also oppose allowing churches and places of worship to endorse political candidates while retaining their tax-exempt status.

2017 NATIONAL ASSOCIATION OF EVANGELICALS POLL³

“Nearly 90 percent of evangelical leaders do not think pastors should endorse politicians from the pulpit.”

2017 PEW RESEARCH CENTER POLL⁴

“Even among the religious groups that are most in favor of church endorsements of candidates – black Protestants and white evangelicals – just 45% of the former and 37% of the latter say it’s OK for churches to endorse political candidates. And support is lower still among Catholics (28%), the religiously unaffiliated (26%) and white mainline Protestants (21%).”

2016 LIFEWAY RESEARCH POLL⁵

“Eight in 10 (79 percent) say it is inappropriate for pastors to endorse a candidate in church. Three-quarters say churches should steer clear of endorsements.”

2012 PEW RESEARCH CENTER POLL⁶

“Pew Research Center surveys conducted over the past decade show a steady consensus that churches and other houses of worship should not come out in favor of one candidate over another during elections. Currently, about two-thirds of Americans take this view (66%), while 27% say churches should endorse one candidate over another.”

2008 PEW RESEARCH CENTER POLL⁷

“Two-thirds of the public (66%) say that churches and other houses of worship should not endorse one candidate over another, which is unchanged since 2004 (65%).”

2008 LIFEWAY RESEARCH POLL⁸

“When asked to respond to the statement, ‘I believe it is appropriate for churches to use their resources to campaign for candidates for public office,’ 85 percent disagree including 73 percent who disagree strongly.”

52% agree “that churches who publicly endorse candidates for public office should lose their tax exemption.”

1 <http://independentsector.org/resource/poll-americans-support-keeping-amendment/>

2 <https://www.prii.org/research/lgbt-transgender-bathroom-discrimination-religious-liberty/>

3 <https://www.nae.net/pastors-shouldnt-endorse-politicians/>

4 <http://www.pewresearch.org/fact-tank/2017/02/03/most-americans-oppose-churches-choosing-sides-in-elections/>

5 <http://blog.lifeway.com/newsroom/2016/09/08/skip-the-endorsements-in-church-say-most-americans/>

6 <http://www.pewforum.org/2012/07/26/section-2-religion-and-politics/>

7 <http://www.people-press.org/2008/08/21/more-americans-question-religions-role-in-politics/>

8 <http://www.lifeway.com/Article/LifeWay-Research-finds-Americans-wary-of-political-endorsements-from-pastors-and-churches>



The Honorable Paul Ryan
Speaker
H-232 The Capitol
Washington, D.C. 20515

The Honorable Mitch McConnell
Senate Majority Leader
S-230 The Capitol
Washington, D.C. 20510

The Honorable Nancy Pelosi
House Democratic Leader
H-204 The Capitol
Washington, D.C. 20515

The Honorable Chuck Schumer
Senate Democratic Leader
S-221 The Capitol
Washington, D.C. 20510

The Honorable Kevin Brady
Chairman
House Ways and Means Committee
1102 Longworth House Office Building
Washington, D.C. 20515

The Honorable Orrin Hatch
Chairman
Senate Committee on Finance
219 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Richard Neal
Ranking Member
House Ways and Means Committee
1139E Longworth House Office Building
Washington, D.C. 20515

The Honorable Ron Wyden
Ranking Member
Senate Committee on Finance
219 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Speaker Ryan, Majority Leader McConnell, Leader Pelosi, Leader Schumer, Chairman Brady, Chairman Hatch, Ranking Member Neal, and Ranking Member Wyden:

We, the 99 undersigned religious and denominational organizations strongly oppose any effort to weaken or eliminate protections that prohibit 501(c)(3) organizations, including houses of worship, from endorsing or opposing political candidates. Current law serves as a valuable safeguard for the integrity of our charitable sector¹ and campaign finance system.

Religious leaders often use their pulpits to address the moral and political issues of the day. They also can, in their personal capacities and without the resources of their houses of worship, endorse and oppose political candidates. Houses of worship can engage in public debate on any issue, host candidate forums, engage in voter registration drives, encourage people to vote, help transport people to the polls and even, with a few boundaries, lobby on specific legislation and invite candidates to speak. Tax-exempt houses of worship may not, however, endorse or oppose candidates or use their tax-exempt donations to contribute to candidates' campaigns. Current law simply limits groups from being both a tax-exempt ministry and a partisan political entity.

¹ Some have suggested a desire to remove this safeguard only as it applies to houses of worship and to keep all other 501(c)(3) organizations at the status quo. This path, however, is constitutionally problematic under *Texas Monthly v. Bullock*, 489 U.S. 1 (1989).

As religious organizations, we oppose any attempt to weaken the current protections offered by the 501(c)(3) campaign intervention prohibition because:

People of faith do not want partisan political fights infiltrating their houses of worship.

Houses of worship are spaces for members of religious communities to come together, not be divided along political lines; faith ought to be a source of connection and community, not division and discord. Indeed, the vast majority of Americans do not want houses of worship to issue political endorsements.² Particularly in today’s political climate, such endorsements would be highly divisive and would have a detrimental impact on civil discourse.

Current law protects the integrity of houses of worship. If houses of worship endorse candidates, their prophetic voice, their ability to speak truth to power as political outsiders, is threatened. The credibility and integrity of congregations would suffer with bad decisions of candidates they endorsed. Tying America’s houses of worship to partisan activity demeans the institutions from which so many believers expect unimpeachable decency.

Current law protects the independence of houses of worship. Houses of worship often speak out on issues of justice and morality and do good works within the community but may also labor to adequately fund their ministries. Permitting electioneering in churches would give partisan groups incentive to use congregations as a conduit for political activity and expenditures. Changing the law would also make them vulnerable to individuals and corporations who could offer large donations or a politician promising social service contracts in exchange for taking a position on a candidate. Even proposals that would permit an “insubstantial” standard or allow limited electioneering only if it is in furtherance of an organization’s mission would actually invite increased government intrusion, scrutiny, and oversight.

The charitable sector, particularly houses of worship, should not become another cog in a political machine or another loophole in campaign finance laws. We strongly urge you to oppose any efforts to repeal or weaken protections in the law for 501(c)(3) organizations, including houses of worship.

Sincerely,

African American Ministers in Action
Alabama Cooperative Baptist Fellowship

² E.g., National Association of Evangelicals, *Pastors Shouldn’t Endorse Politicians*, Evangelical Leaders Survey (February 2017), <https://www.nae.net/pastors-shouldnt-endorse-politicians/> (finding 89% of evangelical leaders oppose pastors endorsing candidates from the pulpit); Bob Smietana, *Skip the Endorsements in Church, Say Most Americans*, LIFEWAY RESEARCH (Sept. 8, 2016), <http://lifewayresearch.com/2016/09/08/skip-the-endorsements-in-church-say-most-americans/> (finding 79% of Americans believe it is inappropriate for a pastor to publicly endorse political candidates during a church service and 75% agreeing that churches should steer clear of endorsements); Daniel Cox, Ph.D. and Robert P. Jones, Ph.D. *Majority of Americans Oppose Transgender Bathroom Restrictions*, Public Religion Research Institute (March 10, 2017), <http://www.prrri.org/research/lgbt-transgender-bathroom-discrimination-religious-liberty/> (finding 71% of Americans and all major religious groups in the country oppose allowing churches to endorse political candidates while retaining their tax-exempt status).

Alliance of Baptists
American Baptist Churches USA
American Baptist Home Mission Societies
American Friends Service Committee
American Jewish Committee (AJC)
Anti-Defamation League
Association of Welcoming and Affirming Baptists
B'nai B'rith International
Baptist Fellowship Northeast
Baptist General Association of Virginia
Baptist Joint Committee for Religious Liberty
Baptist Peace Fellowship of North America ~ Bautistas por la Paz
Baptist Women in Ministry
Bend the Arc: A Jewish Partnership for Justice
California Council of Churches IMPACT
Catholics in Alliance for the Common Good
Central Conference of American Rabbis
Christian Life Commission
Christian Methodist Episcopal (CME) Church
Churchnet, a ministry of the Baptist General Convention of Missouri
Colorado Council of Churches
Cooperative Baptist Fellowship
Cooperative Baptist Fellowship Heartland
Cooperative Baptist Fellowship Kentucky
Cooperative Baptist Fellowship of Arkansas
Cooperative Baptist Fellowship of Florida
Cooperative Baptist Fellowship of Georgia
Cooperative Baptist Fellowship of Mississippi
Cooperative Baptist Fellowship of North Carolina
Cooperative Baptist Fellowship of Oklahoma
Cooperative Baptist Fellowship of Texas
Cooperative Baptist Fellowship of Virginia
Disciples Center for Public Witness
Ecumenical Catholic Communion
Ecumenical Ministries of Oregon
The Episcopal Church
Equal Partners in Faith
Evangelical Lutheran Church in America
Evergreen Association of American Baptist Churches
Faith Action Network- Washington State
Faith in Public Life
Faith Voices Arkansas
Faithful America

Florida Council of Churches
Franciscan Action Network
Friends Committee on National Legislation
Greek Orthodox Archdiocese of America
Hadassah, The Women's Zionist Organization of America, Inc.
Hindu American Foundation
Hispanic Baptist Convention of Texas
Interfaith Alliance
International Society for Krishna Consciousness (ISKCON)
Islamic Networks Group
Islamic Society of North America
Jewish Community Relations Council, Greater Boston
Jewish Community Relations Council of Greater Washington
Jewish Council for Public Affairs
The Jewish Federations of North America
Jewish Women International
Kentucky Council of Churches
Mid-Atlantic Cooperative Baptist Fellowship
National Advocacy Center of the Sisters of the Good Shepherd
National Baptist Convention of America
National Council of Churches
National Council of Jewish Women
National Sikh Campaign
NETWORK Lobby for Catholic Social Justice
New Baptist Covenant
North Carolina Council of Churches
Oklahoma Conference of Churches
Pastors for Oklahoma Kids
Pastors for Texas Children
Pax Christi, Montgomery County, MD chapters
Pennsylvania Council of Churches
Presbyterian Church (USA), Washington Office of Public Witness
Progressive National Baptist Convention
Reconstructionist Rabbinical Assembly
Religions for Peace USA
Religious Institute
Rhode Island State Council of Churches
Seventh-day Adventist Church in North America
South Carolina Christian Action Council
South Dakota Faith in Public Life
T'ruah: The Rabbinic Call for Human Rights
Tennessee Cooperative Baptist Fellowship
Texas Baptists Committed

Texas Faith Network
Texas Impact
Union for Reform Judaism
Unitarian Universalist Association
Unitarian Universalist Service Committee
Unitarian Universalists for Social Justice
United Church of Christ, Justice and Witness Ministries
The United Methodist Church, General Board of Church and Society
Virginia Council of Churches
Women of Reform Judaism
Women's Alliance for Theology, Ethics and Ritual (WATER)

Cc: All Members of Congress