

Nonpartisanship protects the integrity and independence of charitable nonprofits, houses of worship, and foundations. The tax law, sometimes called the **Johnson Amendment**, shields the entire 501(c)(3) community from the rancor of partisan politics and enables individuals of all beliefs to come together to solve community problems free from partisan divisions. The broad charitable nonprofit and foundation communities are united in calling on Congress to oppose any effort to repeal or weaken the Johnson Amendment.

The Issue: Proposals in Congress would repeal or significantly weaken the final clause of Section 501(c)(3) (known as the Johnson Amendment), which provides that in exchange for tax-exempt status and the ability to receive tax-deductible contributions, a charitable nonprofit, religious organization, or foundation may “not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.” For 60+ years, that provision has been a valuable protection that keeps charitable nonprofits, religious institutions, and foundations focused on their missions rather than diverting their time, money, and other resources to engage in partisan electioneering.

The Consequences: If enacted, the legislative proposals would politicize charitable nonprofits, houses of worship, and foundations, plunging them into the caustic partisanship that bedevils our country. It would hurt the public and damage the capacity of organizations in a wide variety of ways, including this sampling:

- Erosion of public trust as organizations become known as *Democratic* charities or *Republican* charities.
- Insistence on endorsements by candidates and their operatives when “no” no longer means no.
- Donors “buying” endorsements from charitable nonprofits for favored candidates for public office.
- Diversion of resources from mission as pressure is applied to 501(c)(3) organizations to redirect charitable resources (money, staff time, facilities, member lists – as well as their brand value) to partisan political campaigns.
- Pressure on nonprofits when foundations endorse candidates and let donees know.
- Board turmoil when members or donors insist on endorsement of family members, business colleagues, friends. Politics supplant mission!

The Proposed Change Is Not Needed: Nonprofits – and their individual leaders – already have tremendous free speech protection under existing law. Charitable nonprofits, houses of worship, and foundations, are allowed to advocate on policy issues relevant to their missions and the people they serve. Religious leaders can legally preach on moral and

What is the Johnson Amendment?

- The Johnson Amendment provides that 501(c)(3) organizations cannot endorse or oppose candidates for office, make campaign contributions, or coordinate activities with candidates, PACs, and political parties.
- It was offered by then-Senator Lyndon Johnson to the Tax Reform Act of 1954. It was signed into law by President Eisenhower, and re-enacted and strengthened in bills signed by President Reagan.

policy issues such as abortion, immigration, social justice, and religious liberty. In their personal capacity, nonprofit board members, volunteers, and staff – including clergy – can freely speak out on partisan issues, make campaign contributions, and even run for office. They just cannot carry out these partisan, election-related activities on behalf of the 501(c)(3) organizations with which they are associated.

What the Public Thinks: The vast majority of Americans and charitable nonprofits, houses of worship, and foundations firmly believe that 501(c)(3) organizations should remain dedicated solely to the public good and should stay away from raw partisan politics:

- A poll conducted in March 2017 found that nearly [three out of four American voters](#) (72 percent) want to keep current rules protecting 501(c)(3) organizations from partisan political activity. A separate survey conducted in February by the National Association of Evangelicals found that [89 percent of pastors](#) oppose the idea of clergy mixing partisan politics and religion by endorsing candidates from the pulpit. These results are consistent with numerous polls conducted over several years.
- Almost [100 national and state religious and denominational organizations](#) wrote in a letter to Congress stressing: “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.”
- The [Community Letter in Support of Nonprofit Nonpartisanship](#), signed by more than 4,700 charitable, religious, and philanthropic organizations from all 50 states, strongly opposes proposals to repeal or weaken the Johnson Amendment. (To see the organizations that signed, visit www.GiveVoice.org.)

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OPINION

The First Amendment to the U.S. Constitution
Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

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KENTUCKY VIEWS

The obstruction to Keystone harmed environment

President Trump did something good for the environment last week. He approved construction of the Keystone XL pipeline. Many environmentalists will take exception to that observation of course. Nonetheless it is true. The environmental movement's objections to the pipeline place symbolism ahead of reality. The pipeline will extend 1,179 miles from Alberta, Canada to an existing pipeline hub in Nebraska. This link will transport 830,000 barrels of crude oil a day from Canada to heavy-oil refineries on the Gulf Coast.

Environmentalists oppose the project largely because of the source of the Canadian crude. It comes from "oil sands." Environmentalists argue this is "dirty oil." They assert that its non-conventional extraction methods produce up to 17 percent more greenhouse gases than traditional oil production. They argue that building the pipeline will result in further development of the oil sands resource.

Former President Barack Obama's own State Department rejected that idea in two separate assessments, including most recently in 2015. Specifically the agency found that the Canadian oil sands will continue to be developed regardless of whether Keystone is built.

The delay of the pipeline meant more of the product was moved by rail — a method that is both dangerous and inefficient relative to pipeline transport. Loading the oil onto thousands of trains and hauling it thousands of miles obviously has its own significant environmental footprint, and a needless one at that.

It has also been widely noted that Canada has a ready alternative buyer for its oil: China. There was nothing to prevent TransCanada — the company seeking to build the Keystone XL — from piping the oil to Canada's west coast for export to that energy-hungry nation. TransCanada has been actively considering that.

None of this made an impression on President Obama. He took up the mantle of opposition to Keystone to the cheers of the global warming crowd and the horror of many in his own party. Shortly before the 2014 congressional elections a group of 11 Democratic senators wrote Obama pleading with him to approve the project. That included now-former Sen. Mary Landrieu of Louisiana, whose career Obama sacrificed on the altar of doctrinal purity.

Obama tied the Keystone project in red tape for virtually the entirety of his presidency. In addition to lost congressional seats the move angered labor unions whose members sorely wanted the pipeline jobs. It was a significant reason some unions and many rank-and-file members deserted the Democratic ticket and voted for Trump in 2016.

It is hard to parse how the environmental movement reconciles its anti-pipeline stance with the many derailments and spills that occurred in Canada and the U.S., not to mention diesel emissions from the thousands of trains that hauled oil, while Keystone languished. It reminds us of the similarly harmful requirement that corn-based ethanol be mixed into auto fuel; this despite a 2011 government finding that this adds to rather than subtracts from green-



GUEST COLUMN

Politicians should look elsewhere for endorsements campaign contributions

If it ain't broke, don't fix it. For more than 60 years, the Johnson Amendment has successfully protected the charities serving you, me and our communities as a safe space free to advance our missions without the rancor of partisan politics. The law, proposed by Senator Lyndon Johnson and signed into law by President Eisenhower in 1964, prohibits churches and other charitable nonprofits and foundations from endorsing political candidates.

Some in Congress and the Trump Administration want to repeal or weaken the protections in the law. This change would allow preachers to endorse political candidates from the pulpit, but the impact and consequences go much further. That is why we, along with the vast majority of congregations, charitable nonprofits and foundations, strongly oppose efforts to change the law — endorsing or contributing to candidates, even if by only a few organizations, would destroy the nonpartisanship necessary for nonprofits to effectively solve problems in our communities.

Watering down or repealing the Johnson Amendment matters to all Kentuckians. When the nonprofit sector is damaged, the people we serve suffer most. For nonprofits to be safe places where people of all parties join forces to enhance the quality of life for all Kentuckians, we need your support.

The current protection applies to all 501 (c)(3) charitable nonprofits — including the homeless shelter, child care center, animal rescue organization, art museum, veteran's aid organization, nonprofit hospital, and your congregation. Your favorite causes would be affected, and parti-

shanship would harm each one. Your donations to charitable nonprofits are investments in solving community problems and caring for Kentucky's citizens. The public trust is vital to supporting these investments. Allowing people to make tax-deductible contributions to groups who endorse or oppose candidates would erode the integrity of the nonprofit sector. It is in everyone's interest to keep dark money out of charitable nonprofits and congregations.

Protecting the Johnson Amendment isn't a free speech issue — advocacy and candidate endorsement are not the same. Protecting the Johnson Amendment isn't a religious issue — the implications reach beyond the pulpit. Protecting the Johnson Amendment is not even a partisan issue. For more than six decades, the provision to maintain a neutral playing field has been respected and supported by both parties. While nonprofits may take public policy positions that are favored by one group of elected officials more than another group, candidate endorsement or opposition is detrimental to the neutrality and integrity of the sector.

Protecting the Johnson Amendment is common sense. Kentucky Nonprofit Network, our commonwealth's association of charitable nonprofits, and the Kentucky Council of Churches, representing eleven denominations, call on Kentuckians to stand with us in rejecting any effort to weaken or dismantle the Johnson Amendment. Send a loud and clear message to Washington that partisan politics have no place in charitable nonprofits and faith communities.

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Danielle Clore

COLUMNIST

Being hurt is better than being irrelevant

By now, Kentucky basketball fans have had time to process being on the wrong end of another game-winning shot in the NCAA Tournament. This time, North Carolina big man Luke Maye, a former walk-on, played the role of He-Who-Shall-Not-Be-Named.

Losing in such heart-throbbing fashion calls back to that infamous 1992 game, even if Maye is infinitely more likable than that Duke player from 25 years ago. I'm starting to notice a pattern, though, so forgive me in advance if I sit out the 2017 tournament. Despite the harsh parallels, looking back a quarter century helped me put this latest Elite 8 loss in perspective.

In my lifetime, Kentucky has gone from national pariah, to champions, to irrelevance and back to champions again. In 1992, we had just rebounded from a scandal that would have broken most programs. A team full of Kentucky kids had just made the Elite 8, pushing a program that had struggled to stay relevant since a 1978 national championship back to the top of the college basketball world. It's easy to understand the anguish that came next, with the Wildcats losing one of the greatest games ever played.

That scar has never really healed for the Big Blue faithful. The impact to the average Kentuckian was such that they raised their children to treat that one Duke player like Lord Voldemort. I was a precocious toddler then, so I'm sure I raised a tiny fist in anger when that guy stepped on Aaminu Timberlake's face.

If the best revenge is living well, Kentucky was a shining example in the following years. A title in '95 — the last year Rick Pitino was really a good guy — then another in 1996. I was old enough to remember these. I was nine years old in 1998, and I'm still a little upset at my mother for making me go to bed with the 'Cats down 10 at halftime to Utah.

Whether she was just militant about my bedtime or wanted to spare me the growing possibility of a loss, didn't she know these were the "Comeback Cats?" I'd have fought harder against bed had I known that One Shining Moment would be the last one for a long time.

The pain of 1992 was preferable to the increasingly mediocre performances of the 2000s. Five years later, I cried when Dwayne Wade and Marquese took out our best team since the last time the Wildcats won a title. I ran outside and shot basketball on a little concrete pad in our backyard until darkness set in. Two years after that, as a junior in high school, I remember the exhilaration of watching Kentucky kid Patrick Spikes clank in a 3-pointer at the buzzer to tie an Elite 8 game with Michigan State, only to watch the overtime period go entirely the Spartans' way. Three years after that, a tough but lesser-talented team led by Rameel Bradley Joe Crawford and Jody Meeks stumbled to an NIT bid.

Small Victories



Jesse Jones