



POLITICAL ACTIVITY

There are common misconceptions about the types of political activities that are allowed for nonprofit organizations. The Internal Revenue Code Section 501(c)(3), which governs charitable organizations, has specific guidance on this. Organizations that fail to comply run the risk of losing their charitable status, so Nonprofit Partners carefully ensures its sponsored projects who participate in political activity do so appropriately and legally. If you plan to engage in any type of political activity, we ask that you notify NP staff ahead of time to review.

Campaigning

Definition

The attempt to influence a political campaign. This is both support for or opposition to a political party or a specific candidate for any type of public office, including financial contributions, the publishing or distributing of statements, or the use of an organization's resources (staff, volunteers, office space, communication platforms, etc.). Statements do not need to expressly state to vote for or against a specific candidate to be considered campaign intervention if the message generally favors or opposes a certain candidate.

What's Allowed

Nothing. There is an absolute prohibition against 501(c)(3) nonprofits intervening in political campaigns.

Lobbying

Definition

The attempt to influence legislation, including contacting or urging the public to contact a legislative body in support of the adoption or rejection of legislation. Legislation includes an action by Congress, state legislatures, city councils, or other elected bodies with respect to bills or resolutions; confirmation of an individual for office; and ballot initiatives. It does not include actions by courts, administrative agencies, or executive branch bodies. To be considered lobbying, communication must refer to and reflect a view on a specific legislative proposal or legislation introduced before a legislative body.



What's Allowed

Nonprofits can engage in lobbying as long as it does not constitute a substantial part of the organization's activities. Federal funds of any type cannot be used for lobbying. For example, if an employee's salary is paid out of a federal grant, that employee is prohibited from taking part in any lobbying activities.

Advocacy

Definition

The attempt to influence public opinion, consisting of actions or statements that are not meant to intervene in a specific campaign and do not fall under the definition of lobbying.

What's Allowed

A nonprofit organization can do an unlimited amount of advocacy, but organizations must be careful that advocacy does not cross into prohibited political activity. This is especially important during election years. Public education on certain topics may be considered campaigning if the topic is particularly associated with one candidate or party, is done close to an election, or if it is not a part of the organization's usual advocacy.

Non-Partisan Voter Educational Activities

Definition

Activities encouraging people to vote, such as organizing a public forum, publishing voter education guides, or conducting get-out-the-vote drives.

What's Allowed

Organizations have to be extremely careful not to favor or oppose any candidate or party while educating the public. For example, if an organization wants to hold a candidate forum, it must invite all candidates. Even if all candidates are included, if the organization asks more difficult questions to certain candidates or only focuses on issues contested by one candidate, the debate may be considered campaign intervention. A public forum or debate where all candidates are invited, treated equally, and asked unbiased questions would not be considered campaign intervention.