

## Q & A on NCJW's 501(c)(3) STATUS

NCJW is a 501(c)(3) tax-exempt non-profit organization, as determined by the Internal Revenue Service. While this status allows tax advantages for organizations such as NCJW, it also limits some of the political activities in which the organization can engage. Here are some frequently asked questions and answers regarding permissible activity by NCJW and its sections during an election year.

**Can NCJW sections or members endorse a candidate or party?** No, only as private individuals can NCJW members endorse. Their role in NCJW must be completely distinct from any personal activity endorsing, supporting, or promoting a candidate or party.

**Can NCJW endorse or work for or against referenda or ballot initiatives?** Yes, we can do advocacy for issue-related measures, and sections are encouraged to do so.

**Can NCJW encourage members to vote for candidates with certain views?** No, telling members to vote for candidates based on their positions is an endorsement of individual candidates.

**Can NCJW do candidate questionnaires?** Yes, with restrictions. NCJW must:

- ▶ Distribute the questionnaire to every candidate.
- ▶ Ask a broad range of unbiased questions.
- ▶ Print responses exactly as received from the candidates without edits, editorial comment, and without stating NCJW's views.

**Can NCJW host candidate forums?** Yes, with restrictions. NCJW must ensure that:

- ▶ All candidates are invited to participate.
- ▶ A broad range of unbiased questions are asked.
- ▶ Candidates do not solicit contributions.
- ▶ NCJW's views on the issues are not mentioned or available in writing at the event.

**What if one of the candidates cannot attend or does not respond to a questionnaire?** First, ask the candidate to send a campaign representative to participate in the forum. If only one candidate is left to attend the forum, you must cancel. In the case of questionnaires, make it clear when you release your results that you received no response from a candidate. Again, if only one candidate provides answers, you should cancel the questionnaire. In the case of a multi-candidate race where some participate and some do not, please contact the NCJW Washington office to determine next steps.

**May we invite someone who is running for office to speak at an event unrelated to the election?** It is safest not to invite candidates to speak at any program during the election cycle. If, however, you do invite a candidate to speak as an expert on an issue or as a sitting public official, make it clear to the invitee that they must not refer to their candidacy or electioneer in any way. Clarify in your program that the appearance does not constitute a political endorsement.

**In what sort of election activities is NCJW allowed to participate?** NCJW members can and should engage in voter registration, conduct public education and trainings about participation in elections, initiate get-out-the-vote drives that are directed at all voters irrespective of their views or party, and publish voting records if guidelines are observed.

**Are there restrictions on publishing voting records?** Yes. NCJW must:

- ▶ Include the entire legislative body/delegation.
- ▶ Ensure that a broad range of issues are covered.
- ▶ Limit distribution of the voting records to NCJW members if the publication states NCJW's positions on issues and compares those positions with the candidates' votes. It cannot be distributed to the general public.

**What are some basic tips for 501(c)(3) compliance when planning election activities?**

- ▶ Always include all candidates.
- ▶ Never state positions or editorialize on any questions asked of candidates.
- ▶ Present a broad and varied array of questions.
- ▶ Never endorse or oppose a candidate or party.
- ▶ Make sure your presentation is unbiased.

**Do I need approval for election-related activities?** Yes, please contact the NCJW Washington office at 202 296 2588 or [action@ncjwdc.org](mailto:action@ncjwdc.org) to have your activity or event approved.