

Candidate Do's and Don'ts:

What Your Campaign Should and Should Not Do When Reaching Out to a 501(c)(3) Organization

In this election season, candidate campaigns, organized under federal tax law as 527 organizations, are quickly staffing up with new employees whose role is to spread their candidate's message. A campaign staffer's job is to help their candidate win, and they may not understand that the tactics they want to use may not be compatible with the rules for a 501(c)(3) nonprofit. So it's understandable that some misunderstandings may arise about the kind of contact the law allows between campaigns and 501(c)(3) nonprofit organizations.

Reaching out to 501(c)(3)s

Here at Bolder Advocacy, our [technical assistance hotline](#) receives many questions from 501(c)(3) public charities on how to respond to questions and other contacts from political campaigns. It's important for campaign staffs to know that while 501(c)(3)s are not prohibited from interacting with candidates, there are some important constraints on what they can do with, say about, or offer to candidates. Most importantly, 501(c)(3) charitable organizations are absolutely prohibited from supporting or opposing any candidate for public office. 501(c)(3)s must be nonpartisan in their interactions with candidates and campaigns. While a charitable organization may provide information to candidates on the issues it works on, it must offer the same information to all candidates in the race. Violating this rule could cause a 501(c)(3) to lose its tax-exempt status, threatening its ability to provide vital services to the community it serves.

The following is a list of things candidates or their campaigns should not ask of a 501(c)(3) organization.

WHEN REACHING OUT TO 501(C)(3) ORGANIZATIONS:

- Don't ask a 501(c)(3) to support your campaign.
- Don't ask a 501(c)(3) to organize volunteers.
- Don't ask a 501(c)(3) to do research for you or provide you with talking points, unless the information and talking points are publicly available or part of a candidate briefing guide the 501(c)(3) has made available to all candidates in your race.
- Don't ask a 501(c)(3) to refrain from providing the same information you seek to other campaigns.
- Don't ask a 501(c)(3) to promote your campaign materials, plans, or policy positions and papers, even if they align with the mission of the nonprofit.
- Don't ask a 501(c)(3) to re-tweet your campaign tweets or to tweet about the candidate's support for the organization's issues.
- Don't do anything that would create the impression a 501(c)(3) organization supports your election or the defeat of your opponent.

- Don't hold a press conference in front of a 501(c)(3)'s building and signage. Even though you may want to indicate support for the goals the organization works toward, you can create the impression the nonprofit supports your candidacy and cause harm to the organization's reputation and tax status.
- Don't be angry if a 501(c)(3) refuses to allow you to visit their site. If a 501(c)(3) allows one candidate to tour their facility, it must make the same opportunity available to your opponents. For some 501(c)(3)s, particularly those working on issues that have a partisan divide, having a highly ideological candidate visit could be a threat to the safety or well-being of the community served by the nonprofit. For example, a refugee-serving nonprofit would be ill-advised to give a tour of its site to a candidate whose campaign revolved around anti-immigrant animus. If your opponent(s) pose a threat to the people served by a nonprofit, don't ask to tour their facilities. If you win the election, you can seek a tour in your capacity as a public official.
- If you are invited to tour a nonprofit's site, don't publicize your visit unless the nonprofit gives you permission. Do understand that publicity may not be wanted or possible, as the host organization needs to remain nonpartisan. If your opponents do not accept the charity's invitation, the organization will not want to appear to be supporting your candidacy.

While it may seem like there are a lot of requests you cannot make of 501(c)(3)s, here is what you can do:

- Do find out which types of nonprofit groups you can work with.
- Do attend community events, including town hall meetings, where voters can talk to you.
- Do listen to what organizations are saying about key issues and solutions; if organizations send you briefing materials, read them.
- Do search nonprofit's websites to find data and even policy positions you can use in your campaign.
- Do allow people who work for 501(c)(3)s to support your campaign by not listing their organizational affiliation (unless you do so for identification purposes only).
- Do encourage voting and support fair election processes.
- Do fill out candidate questionnaires and attend debates so voters know where you stand on the issues that affect your community.



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