

# Q & A On NCJW's 501(C)(3) Status On Election Related Activities

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 the activities in which the organization can legally participate. Below are a series of frequently asked questions and answers regarding permissible activity by NCJW and its sections. All election-related activities should first be cleared with the NCJW Washington office.

## **Can NCJW sections or members endorse a candidate or party?**

No, only as private individuals can NCJW members engage in specific campaigns. Their role in NCJW must be completely distinct from any personal activity in which a candidate or party is endorsed, supported, or promoted in anyway.

## **Can NCJW endorse and work for or against referenda or ballot initiatives?**

Yes, we can get involved in 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 who are “pro-choice” or “supportive of Israel” (for example) is similar to endorsing an individual candidate directly.

## **Can NCJW do candidate questionnaires?**

Yes, but with restrictions. NCJW must:

- Distribute the questionnaire to every candidate.
- Ask a broad range of unbiased questions.
- Distribute responses with no editorial comment, and without stating NCJW's views.
- Print responses exactly as received from the candidates without edits.

## **Can NCJW host candidate forums?**

Yes, with restrictions. NCJW must ensure that:

- All candidates who are considered serious contenders 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 that candidate to send a campaign representative to participate in the forum. If they do not, and only one candidate is left to attend the forum, you may have to cancel. In the case of questionnaires, make it clear that you received no response from a candidate. Again, if only one candidate provides answers, you should not publicize the questionnaire. In the case of a multi-candidate race where some participants are available and some are not, or most have completed a questionnaire, please contact the NCJW Washington office to determine next steps.

### **May we invite someone who is running for office to speak?**

It is safer not to invite candidates to speak even at programs unrelated to elections. 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 he/she must not refer to their candidacy or electioneer in any way. Clarify in your program, etc. that the speaker's 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 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 the voting records cover a broad range of issues.
- Limit distribution of the voting records to NCJW members if the publication states NCJW's positions on issues and whether the candidate voted in accordance with those. Under no circumstances should it be distributed to the general public.

### **What are some basic tips 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 Lindsay Morris at 202 375 5066 or [lindsay@ncjwdc.org](mailto:lindsay@ncjwdc.org) to have your activity or event approved or any questions answered.