

## Johnson Amendment Talking Points

- It is a gross mischaracterization of the wide latitude of freedoms that houses of worship enjoy in the United States to claim that their rights of free speech are being abrogated by the Johnson Amendment. These claims mask the more sinister intentions to channel money directly into political campaigns to influence elections.<sup>1</sup> In 2016, Rev. Jerry Falwell, Jr. was quoted in the *New York Times* saying that repealing the Johnson Amendment would “create a huge revolution for conservative Christians and for free speech.” It is simply false to claim that churches and other houses of worship cannot engage in political speech or that pastors as individuals are unfairly fettered. Houses of worship can engage in political speech, and clergy are free to speak their mind in their personal capacity.
- The limit on 501(c)(3) organizations, including houses of worship, pertains only to abstaining from endorsing or opposing candidates in political campaigns. In return for this restriction, 501(c)(3) organizations receive preferential tax benefits, including being exempt from federal income taxes and allowing donors to the organizations to deduct their donations from their income tax. Eliminating the Johnson Amendment would allow houses of worship to continue the preferential tax status they currently enjoy while simultaneously giving them the unlimited capacity to covertly funnel those donations to elected officials and their campaigns. Moreover, houses of worship are not required under current law to provide financial information to the IRS or federal government. All other 501(c)(3) organizations provide information about donations, expenses, and assets to the IRS via the annual Form 990.
- Removing the Johnson Amendment protections could allow houses of worship to create slush funds for politicians, transform clergy into mouthpieces for political candidates and threaten the integrity of both houses of worship and the democratic process. Churches, synagogues, and mosques should not be political action committees. True religious liberty as a reflection of our democratic ideals in that it protects both freedom of religion and freedom from religion—safeguarding each individual’s liberty, without allowing any one religion to be imposed on all.
- We cherish religious freedom as a fundamental right that protects houses of worship, religiously affiliated organizations, and religious individuals—regardless of their beliefs about religion. But we reject views of religious freedom or free speech that privilege the religious views of some while

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<sup>1</sup> <https://www.citizen.org/sites/default/files/devil-in-the-details-johnson-amendment-report.pdf>

disregarding the beliefs of others or that empower institutions to the detriment of the people whom those organization claim to serve.

- The Johnson Amendment serves as a shield preventing political campaigns from entering into the pulpit. It also prevents tax-deductible donations to unscrupulous houses of worship from being routed directly to political candidates.
- There is no assault on the free speech of churches or religious institutions. Rather, by seeking to repeal or weaken the Johnson Amendment these institutions seek to redefine fundamental liberties and consolidate money and power. It was Supreme Court Justice Sandra Day O'Connor who said "Those who would renegotiate the boundaries between church and state must therefore answer a difficult question: Why would we trade a system that has served us so well for one that has served others so poorly?"
- We believe that true religious liberty respects individuals, supports the common good, and reflects the foundational principles of our nation. Separation of church and state as well as religious freedom grounded in the rights of individuals to exercise their beliefs without being imposed upon by the government are cornerstones of our democracy and the Johnson Amendment works to maintain that critical barrier and as such it should not be weakened or eliminated.
- We urge members of this Annual Conference to stand for an expansive view of religious liberty that protects individual religious freedom and freedom of speech; one that does not compromise the integrity of religious institutions or our democratic process. Maintaining a vibrant Johnson Amendment is a key element in that protection. We urge committee members to support the Johnson amendment.

For an explanation of the Executive Order signed by President Trump by the General Council on Finance and Administration [click here](#).

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