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PROTECTING FAITH AND FREEDOM

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October 22, 2021

Vice President Kamala Harris
c/o Melissa Rogers, Executive Director
White House Office of Faith-Based and Neighborhood Partnerships
Via email: Melissa.Rogers@who.eop.gov

Dear Madame Vice President:

Voter turnout is critical in the final days of the Virginia gubernatorial campaign, when so much hangs in the balance for our Commonwealth. And yet recent reports of a planned strategy to screen a video message during worship services in which you urge voters to turn out for Governor McAuliffe raises serious concerns about the politicization of religious communities and potential violations of federal tax restrictions on 501(c)(3) organizations.

I write to you today as the president of Interfaith Alliance, a national policy and advocacy group that works to advance an inclusive vision of religious freedom, and as a longtime resident of Virginia. I have worked and raised my family here, volunteering my personal time and energy to support candidates and officials whose values I share. It was a distinct privilege to accept Governor McAuliffe's appointment to serve as co-chair of the Commission on Diversity, Equity, and Inclusion in 2017 during his first term as governor.

I have also served as a congregational rabbi for nearly four decades and witnessed the profound ways that houses of worship enrich in the public and private lives of my friends and neighbors. By providing religious, moral, and communal resources to their members, these institutions enhance the quality of life for participants and the communities in which they operate. And in this particular moment, as so many mourn the loss of loved ones and grapple with isolation brought on by the COVID-19 pandemic, they remain an enduring source of strength in challenging times.

Religious conviction and care for one another can inspire powerful political action. And yet I have never endorsed a candidate for public office from the pulpit, even when members of my own congregation were running. Why? Because it's one thing to organize congregants to *get out the vote* - and something quite different to tell them *who to vote for*.

This week, CNN and others reported that more than 300 historically Black churches plan to show a video message from you in their morning worship services that aims to drive turnout for Governor McAuliffe ahead of Election Day.¹ If this reporting is correct, this effort is an egregious violation of the separation of religion and government and jeopardizes the tax-exempt status of hundreds of houses of worship throughout the Commonwealth.

Out of respect for the essential role that religious institutions play in the Commonwealth and in recognition of the federal tax code prohibition on partisan politicking from the pulpit, I urge your team to withdraw your participation from this effort.



In 1954, Congress approved an amendment to the federal tax code to prohibit 501(c)(3) organizations, including houses of worship, from engaging in political campaign activity. This ban became known as the Johnson Amendment and has only been strengthened over time through congressional and regulatory action. The IRS is clear that these institutions “must not participate in, or intervene in, any political campaign on behalf of (or in opposition to) any candidate for public office” - including showing favor toward or explicit endorsement of a candidate.² Should they do so, houses of worship risk losing their tax exempt status.³

Partisan politicking not only sows division in our congregations, but endangers the financial wellbeing of these essential institutions. Candidates in races up and down the ballot can accomplish their goals, partner with community stakeholders to get out the vote, *and* ensure all parties involved abide by the tax code. But endorsements from the pulpit, by video or otherwise, undermine this effort.

Respectfully,

A handwritten signature in black ink, appearing to read "Rabbi Jack Moline".

Rabbi Jack Moline
President, Interfaith Alliance

¹ Eva McKend and Dan Merica, *McAuliffe fights to engage politically exhausted Democrats in close of Virginia campaign*, CNN, Oct. 16, 2021, <https://www.cnn.com/2021/10/16/politics/democrats-virginia-mcauliffe-governor/index.html>.

² Tax Guide for Churches & Religious Organizations, I.R.S. Pub. 1828, Cat. 21096G at 4 (revised Aug. 2015), <https://www.irs.gov/pub/irs-pdf/p1828.pdf>.

³ Vote 2020: A Campaign Season Guide for Houses of Worship, Interfaith Alliance Foundation, <https://interfaithalliance.org/cms/assets/uploads/2019/06/2020-house-of-worship-booklet.pdf>.