

Election Year Advocacy: Candidate Questionnaires and Voter Guides

How can 501(c)(3) organizations keep their issues in the forefront during an election year?

501(c)(3) organizations are prohibited from supporting or opposing candidates or political parties. However, they can engage in nonpartisan election-related activities to educate voters about candidates' positions on issues. Here are a few guidelines for preparing and disseminating candidate questionnaires and voter guides.

As part of their nonpartisan voter education activities, 501(c)(3) organizations can prepare and distribute candidate questionnaires and voter guides to educate the voting public about the candidates' views on the issues. However, candidate questionnaires cannot be used to show whether candidates agree with the 501(c)(3)'s views, or vice versa, nor can they seek pledges from candidates. The Internal Revenue Service does not look at the questionnaire in isolation but they consider all of the facts and circumstances leading up to the production and distribution of the questionnaire and voter guide to determine whether a 501(c)(3) is engaging in prohibited political activity.

Guidelines for candidate questionnaires and voter guides

- Distribute the questions to all candidates
- Do not include questions that hint at the "correct" answer
- Do not include pledges (for example, if elected I agree to support all civil rights issues)
- Do not compare the candidate responses to the organization's views on the issues
- Use open-ended questions: avoid yes/no, support/oppose, or multiple choice formats unless you allow the candidate to explain their answer
- Include questions on a broad range of issues
For example: questions on the impacts of poverty including the issues of housing, education, healthcare, employment, and welfare reform reflect a broad range of issues.
- Provide a word limit for responses to avoid an impression of favoring one candidate over the other
- Publish all responses and print the answers in full - do not paraphrase or summarize the candidates' positions and do not edit the responses
- Publish all responses in the same font, the same print size, and in an impartial way
- Make the questionnaires generally available to the public

What to do if not all candidates respond?

If all candidates do not respond, the organization must decide whether publishing the questionnaire would appear to be supporting or opposing a candidate for office. As a 501(c)(3), an organization cannot provide a venue for one candidate without offering a venue for all. If only one candidate responds, the charity should not publish the questionnaire. The charity may, however, encourage the non-responding candidates to respond.

What else can a 501(c)(3) public charity do to protect itself?

Public charities can include disclaimer language on all of their nonpartisan election related communications clarifying the organization's position.
For example: *"The Alliance for Justice is a nonpartisan organization that neither supports nor opposes any political party or candidate for office."*