

# House bill would allow churches to become involved in politics

By ALAN COOPERMAN  
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WASHINGTON — Although the House passed a campaign finance bill last week aimed at plugging a major source of special-interest money, it is considering another measure that could open a new pipeline from an unlikely source: churches.

Analysts say the bill, sponsored by Rep. Walter B. Jones Jr., R-N.C., would allow churches to endorse candidates and spend money to help elect them. Under current law, churches may address political issues and invite politicians to speak, but they risk their tax-exempt status if they specifically call for a candidate's election or defeat.

The Houses of Worship Political Speech Protection Act has 112 co-sponsors, nearly all of them Republicans. They include Majority Leader Dick Armey and Majority Whip Tom DeLay, both of Texas. The bill would exempt churches from a 1954 provision — inserted into the tax code at the urging of then-Sen. Lyndon B. Johnson — that prohibits nonprofit groups from directly supporting or opposing candidates.

Jones said his bill is not intended to affect campaign finance. "It is strictly a speech issue," he said. "This does not do anything but allow churches to say 'George Bush' — by name — 'is pro-life, Al Gore is pro-choice.'"

But the lawyer who drafted the bill, Colby May, said it would allow a church to spend money on political campaigns as long as the spending did not amount to a "substantial part" of the church's activities. The IRS and courts have interpreted simi-

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lar language in a related portion of the tax code to allow nonprofit groups to spend anywhere from 5 percent to 20 percent of their revenue for lobbying.

"We took that language because there's already a history of the courts interpreting that language on lobbying," May said. "You take it from lobbying and apply it to political campaigns."

Should the bill become law, May said, churches "could endorse candidate X, and 'endorse' means they could engage in distributing voter information about candidate X, they could distribute bumper stickers that are all about candidate X, and so on."

May directs the Washington office of the American Center for Law and Justice, a nonprofit law firm active in conservative political causes. Its board members include television evangelist Pat Robertson, who has strongly supported Jones's bill. So have several other religious leaders, including James Dobson of Focus on

the Family, James Kennedy of Coral Ridge Ministries, Richard Land of the Southern Baptist Convention and Rabbi Daniel Lapin of Toward Tradition.

Every election season, the Washington-based group Americans United for Separation of Church and State sends letters reminding churches, synagogues and mosques that they are not allowed to make political endorsements, and warning that violators risk losing their tax-exempt status. Current law allows religious leaders to speak from their pulpits about political issues, such as abortion, and some do so quite forcefully.

But Jones said many ministers feel a "chilling effect," particularly because of what he considers to be the IRS's selective enforcement against the Christian right.

"I believe that the churches, synagogues and mosques in this country are protected by the Constitution so they may have political speech," he said. "They had political speech, there was never a problem, until Johnson put this amendment into the law."

His bill is pending in the House Ways and Means Committee. Jones said the panel may hold a hearing in April, perhaps in conjunction with a similar bill offered by Rep. Philip M. Crane, R-Ill. Crane's bill, also supported by the House GOP leadership but with only 14 co-sponsors, would replace the substantiality test with a "bright line." It would allow churches to spend up to 5 percent of their gross revenue on political campaigns and up to 20 percent on lobbying, with the total not to exceed 20 percent.