Approaching Candidates: Maintaining Nonpartisanship and Charity Status of Gurdwaras

Gurdwaras with 501(c)(3) status cannot support or oppose candidates for public office, but they can—and should— remain active in civic life in many other ways. Gurdwaras may educate the sangat on issues, engage elected officials, advocate for public policies, register voters, encourage voting, and host nonpartisan candidate forums. The key distinction is simply that a gurdwara may *not* take sides between candidates.

What Are the Red Lines to Avoid?

A gurdwara should never use its institutional voice, property, funds, or resources to help elect or defeat a candidate. For instance, representatives of the gurdwara should not:

- Tell the sangat whom to vote for or against.
- Endorse or oppose a candidate from the stage, online, or in official communications. Such messages can include:
    - *"Let's make sure we send X back to Congress."*
    - *"X has always stood with our community. Support him this November."*
    - *"Remember everything X has done for us when you vote."*
- Make monetary or in-kind campaign contributions.
- Use gurdwara resources to support or oppose a candidate.
- Display campaign signs or distribute partisan campaign materials on gurdwara property.
- Allow campaign fundraising through the gurdwara.

Can Elected Officials Visit a Gurdwara?

Yes. Gurdwaras may welcome and engage elected officials—including during election season. An official may visit to learn about the Sikh community, discuss public-policy concerns, attend a religious or cultural event, commemorate an occasion, or meet with the sangat. The key question is whether the visitor is there as an elected official or as a candidate?

If they visit as an elected official, keep the visit focused on their official role. Do not discuss their campaign, the upcoming election, or whether the sangat should support them. A neutral introduction is appropriate: *"We are honored to welcome Congresswoman X to our gurdwara today. Thank you for taking the time to visit our community."* Even if Congresswoman X is running for reelection, the gurdwara does not automatically have to invite her opponent when she is appearing solely in her official, non-candidate capacity.

What If Candidates Want to Engage with Sangats?

Simply put, gurdwaras should proceed with much greater care when engaging candidates—people who are not already elected officials, but are actively seeking elected office. If a candidate is invited, the gurdwara should not provide an opportunity that favors that candidate over their opponents. If a given candidate is invited to speak from a gurdwara's main stage, candidates seeking the same office should proactively be offered a genuinely equal opportunity to come speak from the main stage that same day.

A better and safer option than individual candidate visits is hosting a nonpartisan candidate forum. Consider bringing candidates together for a nonpartisan forum at a venue that is not on stage but in the langar hall or other shared public space in the gurdwara. A proper forum should:

- invite all qualified candidates for the office;
- provide substantially equal speaking opportunities;
- use neutral questions and procedures;

- cover a broad range of issues;
- use a neutral moderator; and
- avoid commentary favoring or opposing any candidate.

If an invited candidate is unable to participate, their absence does not prevent the forum from proceeding. If such a forum is held in a community space rather than on the main stage, sangat members can also ask substantive questions and engage in dialogue with the candidates.

Social Media Counts, Too

These same guidelines apply to official gurdwara social-media accounts. Posts should remain factual, neutral, and focused on the purpose of the interaction. For example, *"Thank you to Councilmember X for visiting the gurdwara today and meeting with community members about sangat safety"* is generally safer than *"Thank you to our great friend Councilmember X for always standing with the Sikh community!"* During an election, even without explicitly saying "vote for him/her," language that praises or aligns the gurdwara with a candidate could communicate endorsement.

Individuals Still Have Political Rights

Note that these restrictions apply to gurdwaras registered as 501(c)(3) organizations, not to individual sangat members. Sangat members may personally support or oppose candidates, either individually or through separate organizations, including 501(c)(4) organizations that can engage in political campaign endorsements and related activities. However, such political activity should remain clearly separate from the gurdwara (e.g. hosting an individual candidate at one's home rather than at the gurdwara). Gurdwara property, funds, mailing lists, social media accounts, or other organizational resources should not be used to support or oppose candidates.

What *Can* a Gurdwara Do?

Restrictions on interactions with candidates do not mean that gurdwara cannot engage the sangat in civic life. As 501(c)(3) organizations, gurdwaras can:

1) **Register Voters:** Conduct nonpartisan voter-registration drives.
2) **Encourage Voting:** Share voting deadlines, polling information, and other resources.
3) **Educate the Sangat:** Discuss public-policy issues affecting Sikhs, even during election season.
4) **Educate Candidates and Elected Officials:** Explain Sikh community concerns, develop Sikh policy manifestos, provide educational materials, and ask substantive policy questions.
5) **Advocate for Public Policy:** Support or oppose legislation and communicate with lawmakers, subject to the rules governing 501(c)(3) lobbying.
6) **Host Nonpartisan Candidate Forums:** As mentioned above, such forums give the sangat an opportunity to hear fairly from candidates without endorsing or opposing any of them.

The Bottom Line

Before any election-related activity, ask one simple question: Are we helping the sangat participate in civic life, or are we helping a candidate win? A gurdwara can help people register, vote, understand issues, engage policymakers, and hear fairly from candidates. Under IRS rules, however, it cannot use its institutional voice or resources to help elect or defeat a particular candidate. Nonpartisanship does not mean disengagement, it only means engaging everyone *without* campaigning for anyone.

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Can Gurdwaras Lobby and Partake in Election-Related Activities?

Federal tax law prohibits all houses of worship—including gurdwaras—from supporting or opposing candidates for public office. At the same time, it recognizes the important role faith communities play in civic engagement. As a result, "churches" (the IRS term for all houses of worship) may engage in many nonpartisan election-related activities. A 501(c)(3) organization's role during an election must remain educational and focused on encouraging civic participation. While "churches" may engage in a variety of activities, those activities must not tell sangat members how to vote or whom to vote for. Ultimately, the key distinction is between candidate campaigning, which is prohibited, and public policy advocacy, which is generally permitted.

Gurdwaras May:

1) Educate voters and candidates about issues affecting the Sikh community.
2) Conduct nonpartisan voter education and civic engagement programs.
3) Organize nonpartisan voter registration and get-out-the-vote efforts.
4) Sponsor candidate forums or debates conducted on a nonpartisan basis.
5) Permit a candidate to visit the gurdwara, talk to sangat members, and speak from the stage so long as they do not discuss the election and equal opportunity is given to other contenders. Ideally, a gurdwara should proactively invite all candidates running in a given race for this kind of opportunity.
6) Share a photograph on social media of a candidate visiting the gurdwara, so long as there is no formal endorsement of the candidate included in the post.
7) Establish a separate 501(c)(4), which may engage in some partisan political activity.
8) Support or oppose ballot measures, subject to applicable lobbying limits.

Gurdwaras May Not:

1) Endorse or oppose candidates for public office, including verbally from the stage.
2) Make campaign contributions, whether monetary or in-kind.
3) Allow organizational resources to be used to support or oppose candidates.
4) Permit partisan campaign literature distribution on gurdwara property.
5) Post partisan campaign signs on gurdwara property.
6) Publish statements or post on social media in a way that explicitly or implicitly favors or opposes a candidate.

Note that these restrictions apply to the organization itself, not to individual sangat members or religious leaders acting solely in their personal capacities.

Limited Nonpartisan Lobbying Is Permitted

Federal tax law distinguishes between lobbying and campaign activity. While campaigning for candidates is prohibited, "churches" may advocate for public policy issues. Under the Internal Revenue Code, 501(c)(3) organizations, including "churches," may not devote a "substantial" part of their activities to lobbying. Although neither the IRS nor the courts have defined a precise limit, many nonprofit tax practitioners generally view lobbying that represents approximately 3 to 5% of overall organizational activities as a benchmark.

What Counts as Lobbying?

- Contacting legislators to support, oppose, or propose legislation.
- Urging the public to contact legislators regarding legislation.

- Advocating for the passage or defeat of specific legislation.
- Communicating a position on a ballot initiative to the public.

For instance, if a gurdwara signs a coalition letter supporting a bill such as hate crime legislation, that action constitutes lobbying. However, if the time and resources devoted to the activity are only a small part of the gurdwara's overall operations, it is generally permissible. Similarly, if a gurdwara organizes a Sikh awareness day at the state capitol, associated expenditures would come under lobbying. This would include staff time spent organizing and participating, volunteer time spent lobbying in the name of the gurdwara, transportation costs, meals and other related event expenses.

Recordkeeping Considerations

Unlike most public charities, "churches" are not required to file Form 990 with the IRS. However, they still must ensure that lobbying remains an insubstantial part of their activities. To demonstrate compliance, gurdwaras should maintain brief and internal records of:

- Staff time devoted to lobbying.
- Volunteer lobbying activities conducted on behalf of the gurdwara.
- Expenses associated with lobbying efforts.
- Any organizational activities used to assess the proportion of resources devoted to lobbying.

Maintaining these records helps ensure that the gurdwara can continue advocating for important community issues while remaining compliant with federal tax law and preserving its nonpartisan status, should a specific tax audit ever arise.

What Does Not Count as Lobbying?

Not every discussion of public issues is lobbying. Generally, discussing broad social, moral, or policy principles without referencing specific legislation is not lobbying. Examples include:

- Educational programs on civil rights, immigration, or religious freedom.
- Public awareness campaigns that do not urge action on specific legislation.
- Letters or statements expressing general values or broad policy priorities.

Finally, "churches" may praise or criticize incumbent elected officials for their official actions, voting records, or policy positions as long as they do not encourage support for or opposition to those officials as candidates.

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