

Don't gag speech of nonprofits

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The government can restrict how a group spends federal money, but it should not restrict a group's right to free speech.

That's why the U.S. Senate should throw out part of a House-passed bill that could unfairly gag nonprofits.

The bill is admirable in that it sets up a fund to finance affordable housing for the poor and gives priority to Katrina survivors.

For-profit builders, state housing agencies and nonprofits are invited to apply.

The bill appropriately demands accountability from fund recipients by tracking usage, and sets certain limits. It forbids them from using the money for activities such as advocacy, lobbying, traveling and tax advice.

But then it adds a completely unreasonable limit only on nonprofits, including churches.

"For one year before applying, nonprofits and their affiliates cannot have engaged in federal election activity, electioneering communication, or lobbying," says the bill.

This amendment was added after some Republicans, including its sponsor Rep. Michael G. Oxley, R- Ohio, were concerned that the fund could be used for political purposes.

This limit is discriminatory because it doesn't apply to for-profit builders.

And it is too broad. It restricts legal, nonpartisan, democratic activities, such as voter registration efforts and driving the elderly and the disabled to polling stations.

In essence, to qualify for the fund, a nonprofit would have to give up its right to free speech.

This would not only hamper the work of nonprofits, it also will scare them away from "many kinds of completely legal public policy advocacy and election time public information," says the National Committee for Responsive Philanthropy, a group that monitors the nonprofit and philanthropic sectors.

Nonprofits provide valuable services, especially for low-income and other needy people.

Nonprofits have bolstered the struggle for affordable housing nationwide, and by placing this gag order, the government would lose a crucial partner.

Democracy also would be a loser.

In 2004, 64 percent of the nation's population voted, up from 60 percent in 2000. The number might have been lower if many groups, including nonprofits, hadn't helped to register, transport and inform people.

Blocking nonprofits from a federal fund unless they limit their speech is wrong.

Senators, including Russ Feingold and Herb Kohl of Wisconsin, should not allow such a restriction.

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