

Not 'Piling On'

Roll Call

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Former Rep. Steve Gunderson's (R-Wis.) Feb. 27 letter to the editor protested what he called the "new national pastime" of "piling on" as applied to the foundations and charities established and operated by Members of Congress. But his solution to the problems of the disreputable ones piles on lots of soft soap for Congressional consumption without remedying the problem.

Whether it is Jack Abramoff's clearly objectionable Capital Athletic Foundation or the ostensibly well-intentioned charities created by some of Gunderson's former colleagues such as Texas GOP Rep. Tom DeLay (the DeLay Foundation), Tennessee GOP Sen. Bill Frist (World of Hope), Pennsylvania GOP Sen. Rick Santorum (Operation Good Neighbor Foundation), the problem is that these foundations can and are being used by donors - both corporate interests and K Street lobbyists - as mechanisms for buying and selling influence, access and face-time with Members of Congress.

These foundations and others are not the creations of legislators' personal wealth, but public charities that solicit contributions from donors who for the most part are able to prevent the public disclosure of their names and their donation amounts because of the confidentiality rules applying to 501(c)(3) nonprofit organizations. To the extent that intrepid journalists have been able to learn the identities of some donors, the corporate contributors to these politicians' foundations have much more than charitable intentions in mind. Their goals may range from signaling support of to maintaining visibility with the politicians whose favor they curry, and sometimes getting lobbying-like access without having to acknowledge or account for the lobbying. Just look at the donors to Frist's World of Hope, Sen. Ted Stevens' (R-Alaska) Ted Stevens Foundation, and the more recent disclosures around Santorum's Operation Good Neighbor to see the agendas.

For most of these highly publicized political foundations, the staff are hardly experts in the nonprofit field, much less experts in childrens' services, AIDS, community improvement or any of the other formal mission statements of the foundations. They are the politicians' campaign and political action committee staff, either earning a little extra money on top of their campaign

fundraising income or parking themselves in nonprofit jobs between campaign cycles.

Gunderson counts 65,000 grantmaking foundations (although the Foundation Center indicates that there are more than 80,000), but the Council on Foundations counts only 2,000 members that purportedly sign on and conform to its accountability standards. As the numerous scandals brought to the attention of the Senate Finance Committee demonstrate, self-regulation works only for the nonprofits and foundations that are looking to follow the letter and the spirit of the rules - i.e., the ones that are likely to seek out membership in an association such as the council, and be willing to sign its predetermined standards of accountability. For the majority of the nation's foundations, it's too easy to give lip service to the standards of accountability and, like Abramoff's foundation, assume that minimal IRS oversight and enforcement will allow them to do nearly whatever they want.

For the vast majority of the 80,000 foundation grantmakers, the nation needs a mix of tougher self-regulation, stronger federal and state standards, and adequately funded IRS and state attorney general enforcement. But for the foundations of Members of Congress, the standard has to be higher, because it is all too easy for donors and lobbyists to use nonprofit status to circumvent campaign finance and lobbying disclosure regulations and standards. The foundations and charities of politicians should be compelled to disclose to the public the names of all donors and the amounts they are contributing, else we allow nonprofits to become the next loophole in lobbying reform.

Why should politicians' foundations be treated differently than the foundations of, say, Hollywood stars and major sports figures? Because unlike Bono, Michael Jordan and Bob Geldof, Members of Congress make the laws of our land and allocate the multitrillions of dollars in the federal budget. Asking for a different standard of disclosure for political foundations isn't piling on, it's simply common sense.

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