

# FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 • MADISON, WI 53701 • (608) 256-8900 • WWW.FFRF.ORG

November 1, 2012

Nanette M. Downing  
Internal Revenue Service  
Exempt Organizations Classification  
1100 Commerce St.  
MC 4910 DAL  
Dallas, TX 75242

Re: Campaign Intervention

Dear Ms. Downing:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to report possible illegal political campaign intervention by the Green Bay, Wisconsin Catholic Diocese. FFRF is a nationwide nonprofit with over 19,000 members which works to protect the constitutional principle of separation of church and state.

A concerned citizen informed FFRF that Bishop David L. Ricken wrote an article on October 24, 2012 entitled, "An Important Moment," to be inserted in all parish bulletins in the diocese. Ricken begins, "It is almost time to vote and to make our choices for president and other political offices..." Ricken lists a "set of non-negotiables" for parishioners "to keep in mind as you approach the voting booth to complete your ballot." These issues include "abortion" and "homosexual 'marriage'." He further states, "These are areas that are 'intrinsically evil' and cannot be supported by anyone who is a believer in God... A well-informed Christian conscience does not permit one to vote for a political program that contradicts fundamental contents of faith and morals." His letter, which was printed on the Diocese letterhead, continues, "But what does this have to do with the election? Some candidates and one party have even chosen some of these as their party's or their personal political platform," and to vote for such a candidate or party "means that you could be morally 'complicit' with these choices which are intrinsically evil. This could put your own soul in jeopardy." Ricken also warns his diocese to "keep in mind" the "aggressive moves by the government to impose the HHS mandate, especially the move to redefine religion so that religion is confined more and more to the four walls of the Church..." Please see enclosed the entire article.

IRS regulations specify that 501(c)(3) organizations, which include churches and other religious organizations, are prohibited from "[participating in or intervening in]...any political campaign on behalf of (or in opposition to) any candidate for public office." Rev. Rul. 2007-41, 2007-25 I.R.B. (June 28, 2007).

The Diocese of Green Bay appears to have inappropriately intervened in a political campaign. Its bishop violated IRS regulations by actively opposing candidates for political office. Given these

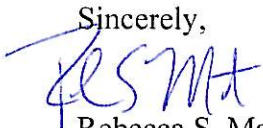
partisan activities, the Diocese of Green Bay violated the 501(c)(3) tax-exempt rules, which prohibit electioneering.

The issues identified by the bishop in the October 24<sup>th</sup> article as “intrinsicly evil” are generally what distinguish Republican and Democratic social platforms. In Wisconsin, these issues differentiate candidates for federal and state offices, i.e., one candidate for U.S. Senate is anti-abortion and anti-gay marriage, and the other candidate is a lesbian who supports marriage equality and abortion rights. Bishop Ricken’s article, published and distributed just two weeks before Election Day, is clearly urging people not to vote for the “one party” that embraces these “evil” positions. Likewise, a warning that the current HHS mandate is a “dangerous precedent” is a clear reference to the policy of the incumbent candidate for president, Barack Obama. He distinctly refers to the imminent presidential election. Though he does not explicitly state, “Vote for Romney” or any other specific candidate, it is clear to the reader that Ricken is urging members of his diocese to vote against President Obama and other Democratic candidates in the upcoming election on November 6th.

FFRF respectfully requests that the IRS commence an immediate investigation of the Diocese of Green Bay. The IRS should take appropriate action to remedy any violations of 501(c)(3) regulations.

Thank you for your time and attention to this matter.

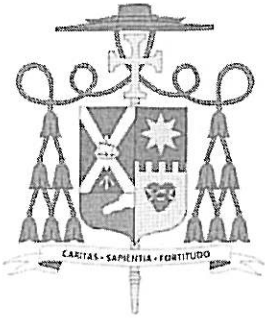
Sincerely,



Rebecca S. Markert  
Staff Attorney

Enclosure

RSM:ec



## DIOCESE OF GREEN BAY

P.O. Box 23825 • Green Bay, WI 54305-3825 • 920-272-8194 • FAX 920-435-1330

OFFICE OF THE BISHOP

October 24, 2012

Dear Brothers and Sisters in Christ,

### AN IMPORTANT MOMENT

It is almost time to vote and to make our choices for president and other political offices both local and national. You have often heard it said that this is a turning point in our country's history and I could not agree more.

The Church is not a political organism, but as you hopefully have learned in the US Bishops *Faithful Citizenship* material (which we have made widely available to you in the parishes, in the *Compass* and on-line), the Church has the responsibility to speak out regarding moral issues, especially on those issues that impact the "common good" and the "dignity of the human person."

I would like to review some of the principles to keep in mind as you approach the voting booth to complete your ballot. The first is the set of non-negotiables. These are areas that are "intrinsically evil" and cannot be supported by anyone who is a believer in God or the common good or the dignity of the human person.

They are:

1. abortion
2. euthanasia
3. embryonic stem cell research
4. human cloning
5. homosexual "marriage"

These are intrinsically evil. "A well-formed Christian conscience does not permit one to vote for a political program that contradicts fundamental contents of faith and morals." Intrinsically evil actions are those which have an evil object. In other words, an act is evil by its very nature and to choose an action of this type puts one in grave moral danger.

But what does this have to do with the election? Some candidates and one party have even chosen some of these as their party's or their personal political platform. To vote for someone in favor of these positions means that you could be morally "complicit" with these choices which are intrinsically evil. This could put your own soul in jeopardy.

The other position to keep in mind is the protection of religious liberty. The recent aggressive moves by the government to impose the HHS mandate, especially the move to redefine religion so that religion is confined more and more to the four walls of the Church, is a dangerous precedent. This will certainly hurt the many health care services to the poor given by our Catholic hospitals. Our Catholic hospitals in the Diocese give millions of dollars per year in donated services to the poor. In the new plan, only Catholic people can be treated by Catholic institutions.

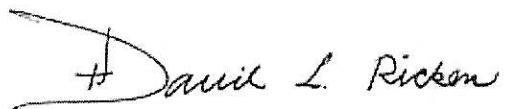
It has never been our mission to be exclusive of those who are not of our faith. This mandate also places Catholic business owners in a very precarious position in that they, too, will have to pay for those medical "services" which violate Catholic teaching. This has never been the American way and now these moves and others by the present government, will significantly alter and marginalize the role of religious institutions in our society.

These positions are indicators of a broader societal disposition to remove God from the public square and from any relation to society whatever. It is precisely religion and the free exercise thereof which has made this country great in the past.

Many people in our Diocese are presently without work. Our Catholic Charities is serving more and more people who are unemployed or under employed and can barely keep up with the demands. Work is so critical to the family and to the sense of human dignity. An economy which does the most for the common good is an economy that works and provides people gainful employment for the country's citizens. A government that works pays its bills and models for citizens what it means to be responsible and contributive.

Let us pray for the electorate and let's take action, that we may vote for good and moral leaders for this great country which will only remain great, if she continues to be and to do the good.

Sincerely yours in Christ,

A handwritten signature in cursive script that reads "David L. Ricken". The signature is written in dark ink and is positioned above the typed name.

The Most Reverend David L. Ricken, DD, JCL  
Bishop of Green Bay

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