

FREEDOM FROM RELIGION *foundation*

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

October 29, 2012

SENT VIA MAIL & EMAIL

gab@wi.gov

The Honorable David Deininger
Chair
Wisconsin Government Accountability Board
PO Box 7984
Madison WI 53707-7884

Re: Unregulated Billy Graham Campaign Expenditures

Dear Judge Deininger and Board Members:

I am writing on behalf of the Freedom From Religion Foundation (“FFRF”) and our 19,000 members including 1,400 in Wisconsin, to ask you to investigate whether campaign activities by Rev. Billy Graham and the Billy Graham Evangelistic Association are in compliance with Wisconsin campaign finance regulations, and whether such regulations should be expanded. FFRF is a nationwide nonprofit working to protect the constitutional principle of separation of state and church.

Billy Graham and his evangelical association have run a series of full-page print ads in Wisconsin newspapers urging Wisconsin voters to vote for certain candidates. On Sunday, Oct. 21, a full-page ad ran in the Wisconsin State Journal. Graham's face dominated half of the ad, which reproduced his signature. The text attributed to Graham read:

“On November 6, the day before my 94th birthday, our nation will hold one of the most critical elections in my lifetime. We are at a crossroads and there are profound moral issues at stake. I strongly urge you to vote for candidates who support the biblical definition of marriage between a man and woman, protect the sanctity of life and defend our religious freedoms. The Bible speaks clearly on these crucial issues. Please join me in praying for America, that we will turn our hearts back toward God.”

The ad is clearly marked “Paid advertisement by the Billy Graham Evangelistic Association,” a 501(c)(3) tax-exempt charity. Tax exempt organizations are forbidden by the IRS to engage in partisan politicking, which includes actions making clear whom tax-exempt entities want people to vote for or against. This is to avoid taxpayers subsidizing political speech.

A similar full-page ad ran again in the Oct. 28 State Journal, as well as the Milwaukee Journal Sentinel. The ad featured a photo of the evangelist's face taking up two-thirds of the page, and this statement by him:

“The legacy we leave behind for our children, grandchildren, and this great nation is crucial. As I approach my 94th birthday, I realize this election could be my last. I believe it is vitally important that we cast our ballots for candidates who base their decisions on biblical principles and support the nation of Israel. I urge you to vote for those who protect the sanctity of life and support the biblical definition of marriage between a man and a woman. Vote for biblical values this November 6, and pray with me that America will remain one nation under God.”

By dint of the coded wording of the ads, their timing and the knowledge of the general public of their meaning, the message constitutes a call for Wisconsin voters to vote for certain known Republican candidates for state and federal office.

We understand that the evangelical association has not registered as a political group with the state. We further understand that the Government Accountability Board regulates expenditures on communications made for political purposes.

It is troubling that well-funded evangelical groups can skirt Wisconsin campaign regulations by advocating for the election of candidates but failing to register with the state. Here, the ads ask Wisconsin voters to “vote for” a group of candidates. This call for votes goes beyond mere “issue advocacy.” The evangelical association has expressly entangled itself in advocating for the election of candidates. While candidates aren’t identified by name only, it could not be more clear whom Wisconsin voters are being asked to vote for.

As a 501(c)(3) non-profit organization that follows state and federal election laws, FFRF is alarmed at this blatant abuse. Non-profit groups are to be conducted with educational and charitable purposes, not for the purpose of political campaign advocacy. When non-profit groups become involved in political elections, they should be subject to regulation.

We urge you to make a determination as to whether expenditures by Billy Graham’s association are in compliance with GAB regulations. If deemed compliant, we urge you to make necessary amendments so that all political messages aimed at a group of candidates are subject to election regulations.

It is noteworthy that regulation by the state should not be a burden for the evangelical association, which reported \$122 million in net assets for the year 2011, and spent over \$3.5 million on advertising and promotion. Billy Graham and his association have the financial wherewithal and the sophistication to comply with the election laws.

We ask that you investigate this matter. If the Billy Graham Evangelical Association is found to have skirted GAB regulations, we ask that you make appropriate adjustments to the regulations to prevent this kind of abuse in future campaigns. May we hear from you at your earliest convenience?

Very truly,

Annie Laurie Gaylor

Annie Laurie Gaylor
Co-President

ALG:pce

Enclosures