

June 11, 2025

The Honorable Marjorie Taylor Greene
Chairwoman, Subcommittee on Delivering on Government Efficiency
2157 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Melanie Stansbury
Ranking Member, Subcommittee on Delivering on Government Efficiency
2106 Rayburn House Office Building
Washington, D.C. 20515

Via email

Dear Chairwoman Greene and Ranking Member Stansbury,

On behalf of the NAACP Legal Defense and Educational Fund, Inc. (“LDF”), we write to share our strong concerns about the Delivering on Government Efficiency Subcommittee (the “Subcommittee”) hearing, “Public Funds, Private Agendas: NGOs Gone Wild,” on June 4, 2025. Founded in 1940 by Thurgood Marshall, LDF is the nation’s oldest civil rights legal organization. For more than 80 years, LDF has relied on the Constitution and federal and state civil rights laws to pursue equality and justice for Black people and communities and other people of color in the United States. LDF’s mission has always been transformative and designed to achieve racial justice, equality, and an inclusive society.

At the hearing, members and witnesses propagated harmful rhetoric and falsehoods regarding nongovernmental organizations (“NGOs”), nonprofits, and charitable organizations and the lawyers and staff who safeguard them by upholding the rule of law and defending democracy.¹ Nonprofit and/or charitable organizations play a fundamental role in creating equitable and thriving communities by enriching the lives of everyone—regardless of age, gender, race, or socioeconomic status. It is illegal for any representative of the federal government to threaten nonprofit and/or charitable organizations with the revocation of their federal tax-exempt status in an attempt to suppress their speech simply because the president, agents of the executive branch, and members of Congress disagree with the organization’s viewpoint and, more importantly, these groups’ role in holding the federal government accountable.

Nonprofit and/or charitable organizations play a critical role in our democracy and do vital work to improve the lives of Americans and the communities they serve. As minority witness, Diane Yentel, President and CEO of the National Council of Nonprofits, stated during her testimony, “nonprofit organizations partner with government at all levels to meet essential

¹ During the Subcommittee hearing, members of Congress and witnesses used the terms “NGOs,” “nonprofits,” and “charitable organizations” interchangeably. However, these entities are not all the same and have some distinctions.

needs that neither the private sector nor government alone can fully address.”² From small towns to large cities, nonprofit and/or charitable organizations serve the public good by improving lives, strengthening communities, bolstering the economy, and ensuring the government is meeting the needs of their stakeholders. Likewise, nonprofit and/or charitable organizations provide essential food and shelter, job training, disaster relief, and crisis support, among other vital services. For Black communities, nonprofit and/or charitable organizations address systemic inequities, preserve culture and identity, build economic power, advocate for equality, and strive for social justice.

Despite this essential work, the Trump Administration and members of Congress are targeting nonprofit and/or charitable organizations and the lawyers who represent them because of the communities they serve and the positions they advance. In recent months, nonprofit and/or charitable organizations have arbitrarily and unlawfully had their funding levels reduced, eliminated, or frozen by the Trump Administration.³ President Trump’s and the Subcommittee’s actions to harass nonprofit and/or charitable organizations are a thinly veiled attempt to radically reshape the federal government and undermine the civil and human rights protections essential to a functioning democracy. These smear tactics and retributive actions against nonprofit and/or charitable organizations endanger our communities, public safety, and the health of our democracy.

At LDF, we know this tactic all too well. Silencing dissent is a well-worn page from the authoritarian playbook, long used to discredit civil society. At “the height of the Civil Rights Movement, LDF and its lawyers were regularly attacked by Southern governments for representing clients dedicated to pursuing racial equality, leading to a number of Supreme Court decisions, including the landmark decision *NAACP v. Button*, 371 U.S. 415 (1963).”⁴ Today, that playbook is being deployed with particular intensity against civil and human rights organizations—groups that have historically held power to account and defended the most marginalized.

² Diane Yentel, *Testimony of Diane Yentel, President and CEO of the National Council of Nonprofits Before the House Subcommittee on Delivering Government Efficiency (DOGE) Hearing on “Public Funds, Private Agendas: NGOs Gone Wild,”* (June 9, 2025, 1:10 PM), <https://oversight.house.gov/wp-content/uploads/2025/06/Yentel-Written-Testimony.pdf>.

³ At the same time, the Trump Administration has issued executive orders targeting law firms such as Perkins Coie LLP, Paul, Weiss, Rifkind, Wharton & Garrison LLP, Jenner & Block LLP, Wilmer Cutler Pickering Hale and Dorr LLP, and Susman Godfrey LLP in an attempt to extrajudicially punish them for the clients and causes they represent, creating a chilling effect and potentially denying the most vulnerable in our communities with legal representation. These efforts are part of a coordinated campaign to intimidate, harass, and silence all entities, including civil society groups that the Trump Administration perceives as threats because they do not align with this Administration’s extreme and dangerous agenda.

⁴ Brief of the Amicus Curiae NAACP Legal Defense & Educational Fund, Inc. in Support of Plaintiff’s Motion for Summary Judgment, *Perkins Coie LLP v. U.S. Dept. of Justice*, 1:25-cv-00716, (D.D.C. 2025).

LDF unequivocally condemns the threats and coordinated attacks on nonprofit and/or charitable organizations and the lawyers who work to protect and preserve the work they do. LDF was alarmed that members of Congress sought to advance these attacks during the Subcommittee hearing. During the hearing, several members of the Subcommittee and each of the majority witnesses were unwarrantedly critical of the role of nonprofit and/or charitable organizations and repeatedly spread mistruths and misleading claims about their function and activities. During her opening statement, Rep. Marjorie Taylor Greene, Chairwoman of the Subcommittee on Delivering on Government Efficiency, falsely stated that nonprofit and/or charitable organizations use taxpayers' dollars to funnel rapists and terrorists into the United States.⁵ Such statements are not only dangerous, but they also have the potential to cause irreparable defamatory reputational harm to long-standing civil society organizations. Similarly, during his opening statement, majority witness Scott Walker, President of the Capital Research Center, attacked lawyers and legal organizations that represent nonprofit and/or charitable organizations by criticizing Ms. Yentel for seeking out a national legal organization to represent the National Council of Nonprofits in its lawsuit against the Trump Administration over budget cuts.⁶ Mr. Walker's statement was a direct attack on lawyers who seek to uphold democratic principles. Civil and human rights lawyers who have chosen to take up the mantle of defending marginalized people and groups are agents for social change; not greedy, corrupt counsels serving "big government."

Furthermore, federal law prohibits the president, vice president, and agents of the executive branch from unilaterally revoking the federal tax-exempt status of any entity, either through an executive order or a simple pen stroke. Under the Internal Revenue Code, there are well-established procedures for revoking an organization's federal tax exemption. These procedures require individual, case-by-case audits of the organization(s), "with ample opportunity for the entity to defend itself, and include multiple routes of appeal."⁷ Therefore, it is illegal and erroneous for President Trump, agents of the executive branch, and members of Congress to threaten to unilaterally revoke the federal tax-exempt status of nonprofit and/or charitable organizations. Their threats of revocation are intended to stoke fear among nonprofit and/or charitable organizations and to misinform those who oversee and partner with nonprofit and/or charitable organizations.

Congress should fulfill its role as a check on this administration's excessive actions and not participate in the Trump Administration's pattern and practice of aggressively pursuing

⁵ *Public Funds, Private Agendas: NGOs Gone Wild: Hearing Before the Subcomm. on Delivering on Gov't Efficiency of the H. Comm. on Oversight & Gov't Reform*, 119 Cong. ____ (2025) (Statement of Marjorie Taylor Greene, Chairwoman, Subcomm. on Delivering on Gov't Efficiency).

⁶ *Id.* (Statement of Scott Walker, President, Capital Research Center).

⁷ Jeffrey S. Tenenbaum, *Nonprofits Under Fire: How the IRS Can—and Cannot—Revoke Federal Tax-Exempt Status*, NONPROFIT Q. (Apr. 21, 2025), <https://nonprofitquarterly.org/nonprofits-under-fire-how-the-irs-can-and-cannot-revoke-federal-tax-exempt-status/>.

organizations, including law firms, that President Trump disfavors or perceives as political opponents because they are opposed to his interests. LDF urges Subcommittee members to use their platform responsibly and not promote falsehoods about nonprofit and/or charitable organizations and their activities or threaten them with revocation of their federal tax-exempt status. Lastly, we urge you to encourage Subcommittee members to refrain from falsely accusing lawyers—who have taken sworn oaths to uphold the rule of law—of engaging in unethical behavior and to protect the independence of the private bar. These attacks not only undermine nonprofit and/or charitable organizations generally but also further a strategy to target and weaken the civil and human rights legal infrastructure essential to advancing justice and equality.

Sincerely,



Janai Nelson
President and Director-Counsel
Legal Defense and Educational Fund, Inc.