

Resolution No. [Resolution Number] [Type]

Report: [Report] Date Submitted: [Date Submitted]

Submitted By: Dr. Spencer Bloom, Delegate, Illinois

Reference Committee: [Reference Committee for Worksheet]

Total Net Financial Implication: [Total Net Financial Impl.] Net Dues Impact:

Amount One-time: Amount On-going:

ADA Strategic Forecast Outcome: Tripartite: Achieve a stable and successful Tripartite.

## RESOLUTION TO MODERNIZE CAMPAIGN RULES FOR ADA ELECTIONS AND PROTECT THE ASSOCIATION'S NONPROFIT STATUS

### Background:

The ADA Election Commission currently enforces Campaign Rules that restrict candidate speech and member access in ways that violate the spirit of democratic participation and the transparency expectations for nonprofit governance.

1. As outlined by the ADA Election Commission, any individual who did not announce intent to run at the preceding House session may not engage in campaign activities outside the trustee district until formally nominated [1].
2. These individuals are prohibited from attending district caucuses, giving interviews, or informing other districts of a candidacy, as any such communication is considered "campaigning" under current rules [1].
3. Candidates are barred from appearing in any interviews, forums, or public events unless every other opponent is invited and agrees to participate, effectively allowing one candidate to block others from public visibility [1].
4. These rules include no formal definition of "unfair practices" or any documented history of campaign misconduct. There is no structured appeals process, allowing for selective or subjective enforcement [1].
5. This insular framework is unlike that of other major nonprofit professional organizations. The American Bar Association and American Medical Association both allow declared candidates to participate in open forums, interviews, and member engagement opportunities upon declaration, without requiring unanimity among candidates [2].
6. The ADA Constitution states, "This Association shall be dedicated to the service of the public and of its members." Rules that restrict member access to leadership candidates or protect sitting trustees from public scrutiny may therefore conflict with the organization's foundational commitment to serve its membership [3].
7. Although the ADA's campaign rules are framed as neutral, their structure disproportionately benefits sitting trustees and previously announced candidates by allowing them continued national visibility while restricting challengers from public

engagement until formal nomination. This creates a functional advantage for incumbents and those embedded in ADA leadership, limiting equal access to the member electorate.

8. IRS guidance under §501(c)(6) states: “When an organization’s governing structure or practices appear to concentrate decision-making authority or obstruct member oversight, this may indicate operation for private rather than public purposes” [4]. Because these campaign restrictions directly affect ADA governance and leadership selection, they are not exempt from the accountability standards required of all 501(c)(6) member-directed organizations.

9. Failure to address these barriers increases risk of whistleblower complaints under IRS Form 13909, which allows any individual to report governance practices inconsistent with the organization’s tax-exempt obligations. Immediate modernization of the ADA’s campaign rules is necessary not only to restore trust and participation, but to fulfill our legal and ethical obligations as a nonprofit membership association and to reduce risk of reputational damage or IRS inquiry.

Resolved, that the American Dental Association revise its Campaign Rules and Election Commission policies to permit any declared candidate (defined as any individual who has submitted formal written notice of intent to the ADA Election Commission or staff) for elective office to communicate their candidacy and platform to all ADA members and districts, and to appear at district caucuses, interviews, and forums, regardless of whether all opposing candidates agree to participate, provided equal opportunity for invitation is given to all candidates; and be it further resolved,

that the ADA permit candidates for national office to participate in individual interviews, forums, or podcast appearances, provided that the interviewer signs an affidavit agreeing to offer the same opportunity to all other candidates, and that the affidavit be submitted to the ADA Election Commission and made publicly available; and be it further resolved,

that the changes outlined in this resolution take effect immediately upon adoption by the House of Delegates and apply to all campaign and governance procedures beginning with the 2026 election cycle.

## References:

[1] *Election Commission Statement on Individuals Who Have Not Announced Intent to Run for Elective Office*, memorandum sent June 6, 2025, by the ADA Election Commission to the ADA Board of Trustees, House of Delegates, Constituent Executive Directors and Presidents, Caucus Chairs, and 2025 Candidates for President-elect and Second Vice President. Also published on the candidate information page at [www.ada.org](http://www.ada.org).

[2] *American Bar Association Election Guidelines* ([www.americanbar.org](http://www.americanbar.org)); *American Medical Association Elections Manual* ([www.ama-assn.org](http://www.ama-assn.org)).

[3] *2025 Constitution and Bylaws of the American Dental Association*, Chapter I, Section 10.

[4] *Internal Revenue Code §501(c)(6); IRS Exempt Organizations Manual*, Election and Governance Section (<https://www.irs.gov/pub/irs-tege/eotopici03.pdf>).