

There are groups that benefit from existing outside of the system so that they have the freedom and flexibility to organize in radical, loose, and informal ways.

We Have Been the Answer All Along— Thinking About the 501(c)(3)

Marin Watts

Director of Operations and Communications

Since I started at TJFP three years ago, I've read 451 grant applications—each and every one that has come through the door. Every application that I've read has filled me with inspiration and restored my faith in the world. The challenges our communities face are immeasurable. But what kicks me out of bed every morning are the amazing trans leaders around the country that organize and live for their vision of justice and transformation. There's so much brilliance in these applications!

Lately, I've noticed that more and more groups are planning to use their grant money to apply for non-profit status. For example, this year we had 63 grantees who were not 501(c)(3)s and did not have a fiscal sponsor. 19 percent of those groups mentioned that they were planning to apply for 501(c)(3) status. In addition, 41 of our grantees were fiscally sponsored, and 14 percent of those groups were also hoping to use TJFP funds to become a 501(c)(3). I'm also hearing an increased desire for non-profit status from folks I meet at conferences or in conversation.

Why are so many groups prioritizing becoming non-profits? I've been reading *The Revolution Will Not Be Funded* and wondering about this and what it means for the trans justice movement. What are the benefits of non-profit status? Does it actually help groups find funding? Once they have access to certain



Mariposas Sin Fronteras, Tucson, AZ, 2017 TJFP Grantee



Black Trans Media, Brooklyn, NY, 2017 TJFP Grantee

funding streams, what changes? Also, what are the downsides of having 501(c)(3) status or a fiscal sponsor? Are there dangers to becoming this type of organization? What might non-profit status cost the movement in the long run? What other structures can people turn to instead?

Since TJFP was founded five years ago, we have received 661 applications from trans leaders pushing and fighting, no matter what stands in their way, to get what they want and need for survival. Every one of these groups are powerful, bold, and fight like hell for our people. 47 percent of these groups also had no fiscal sponsorship or non-profit status. But that doesn't stop them from organizing in rural communities where they are running car pools to and from health clinics, and providing support services for those who are in need of trans-affirming health care. Or from hosting monthly legal workshops to assist with personal documents and name changes. Or working near border towns to

make sure that immigrant trans and gender non-conforming people have support, food, and legal assistance available to them. It doesn't stop youth-led groups from coming together in and out of schools to create spaces where they can emotionally support one another and have access to safe housing. Or from creating infrastructures of support for our trans elders and envisioning micro communities that are self sustaining. These brilliant organizing strategies and more have emerged because trans lives are overlooked, neglected, and—most often in communities of color—violently threatened, and these strategies also exist and even thrive outside of traditional non-profit structures.

However, this transformative work can only be done on a shoestring budget out-of-pocket, running on fumes and people power for so long, before most groups decide to try their luck with philanthropic institutions for additional resources. Usually, though, these foundations and wealthy donors aren't

directly impacted by transphobic violence and ongoing structures of neglect and oppression, and they don't have as much engagement with the work that's being done on the ground. But these are the funders who dictate which groups get support, and more often than not, they will only fund groups with non-profit status. In fact, most foundations won't even let you apply without it. When your group is looking for philanthropic resources, it isn't just an advantage to have a non-profit structure. Most of the time, it's the only option. That's where the money is.

Non-profit status also means that many people—not just funders—tend to view your group's work in a different light. Becoming a 501(c)(3) can be seen as a milestone. You've been doing amazing work, getting things done all along, and you want to formalize and get recognized for all the heart and time you put into the everyday grind. It means you've taken the time and gotten some sort of formal internal structure laid out, created bylaws, a budget, and developed a plan for the future. Plus, you've gotten an actual stamp of approval to validate the hours and energy that you put in.

But non-profit status may not always be the right fit. It can be hard to stick to your guiding mission and values when you are forced to prioritize a funder's deliverables, budgets, and timelines. Sometimes we even see foundations imposing their vision for justice onto the groups that they are funding. Also, some work understandably needs distance from the formalities of the non-profit structure. There are groups that benefit from existing outside of the system so that they have the freedom and flexibility to organize in radical, loose, and informal ways.

When you apply for non-profit status, you are also required to hand over information to the government about your group and how you're organizing. Especially in this moment,

we've heard folks raise concerns about how information might be used against them in the future. For some groups, it isn't helpful to be recognized or formalized by the U.S. government—instead it becomes yet another way for our government to monitor our movements. But then again, where else are you going to find the money to do the work that needs to get done?

We're stuck between a rock and a hard place. Is non-profit status the only way to go? How do we uplift, validate, and recognize all the ways this work is being done to help our communities? What are alternative ways we can fund our comrades? How can we share resources and support each other?

Whatever you decide to do and whichever form your group takes, there's no right or wrong way, and TJFP is here to encourage you and be your cheerleader. Our trans ancestors have given their lives and paved the way for our movements to grow and work together towards a collective vision of liberation. And for as long as TJFP has existed, one thing has always been clear in each and every application: no matter how it gets done, everyone wants justice for our people. It will take all of us to achieve it—it's not done alone. Together we are what we want and need.

We have always been the answer.



Cólectivo intercultural TRANSgrediendo (CITG), Jackson Heights, NY, 2017 TJFP Grantee