Progress for Whom?:

Analyzing How LGBTQ Legal Victories Influence

U.S. Anti-LGBTQ Organizations Foreign Expenditures

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**Introduction**

Does LGBTQ equality within the U.S. inadvertently harm equality efforts elsewhere? Within the last decade, and particularly during the Obama Administration, the U.S. legal landscape for LGBTQ individuals improved. Namely through the overturning of the Defense of Marriage Act in 2013, legalization of marriage equality in 2015, and the Supreme Court finding workplace discrimination against LGBTQ citizens unconstitutional in 2020. Consequently, there is increasing concern that anti-LGBTQ organizations are turning their focus internationally in search of more fertile territory. Indeed, new research is finding that transnational anti-LGBTQ networks are growing, particularly through forums like the U.S.-based World Congress of Families, and advancing new forms of regressive policy. Therefore, we seek to understand if U.S.-based anti-LGBTQ organizations are increasing their international expenditures due to the legal environment improving at home.

To investigate this question, we leverage a unique source of data: nonprofit tax forms from the IRS – the Form 990. These documents detail a wealth of financial information on U.S. organizations, including where and how they are spending money internationally. In 2016, the IRS made 3.2 million records electronically available on Amazon Web Services (retroactively beginning around 2013) and continued to update for filings ending in tax year 2020. Thus, these data cover a time frame of significant legal changes within the U.S. (2013-2020). Using causal inference designs, we exploit policy interventions both at the federal and state-level to determine if pro-LGBTQ policy changes increase anti-LGBTQ organization’s international expenditures.

Preliminary findings paint a mixed portrait regarding how U.S.-based anti-LGBTQ organizations spend money internationally. First, these organizations do spend significant amounts of money abroad – averaging roughly $64 million a year compared to $2 million for all other organizations. These dollars provide the necessary investments to advance documented anti-LGBTQ efforts, like sponsoring conferences, gathering signatures for referenda, and strategic litigation. However, there does not appear to be significant increases over time in relation to policy advancements. If anything, there is some evidence that foreign spending is decreasing. This may be due to the election of Donald Trump and changing perceptions that anti-LGBTQ organizations can still make inroads within the U.S. – as demonstrated in the increase in anti-trans laws and resurgence of “no promo homo” laws limiting the teaching of LGBTQ content in classrooms. Nevertheless, the clear growth and success in transnational anti-LGBTQ networks suggests that either the utilization of network structures results in a more efficient use of resources necessary to achieve these outcomes or there is an alternative source of funding outside of nonprofits, such as U.S.-based churches or other foreign actors, supporting these efforts.

**Background**

Recent years have seen a marked increase in anti-LGBTQ activism across the transnational plane. Coordinated efforts seeking to limit the rights of LGBTQ individuals have transpired in places as diverse as Brazil, Ghana, Romania, Taiwan, and the U.S. These campaigns reflect a broader coordination amongst anti-LGBTQ or “pro-family” actors internationally. While likeminded actors first loosely came together to subvert women’s rights during the U.N.’s 1994 International Conference on Population and Development in Cairo, intentional networking did not transpire until the formation of the World Congress of Families in 1997. That year, U.S. and Russian academics joined efforts to create the “last-best-hope” for humanity by linking disparate advocates who believe the natural family unit is under threat due to gender justice and, increasingly, LGBTQ rights. Transnational coordination efforts eventually reached the U.N. with the establishment of the U.N. Family Rights Caucus in 2008 and Civil Society for the Family and Group of Friends of the Family in 2015. Especially within Europe, these anti-LGBTQ efforts have been part of broader “anti-gender” campaigns seeking to rollback women’s rights, gender studies, and reassert a masculine national image.

Conducting this work takes significant resources. While some note the instrumental role of the Russian Orthodox Church and the Vatican in helping these efforts, U.S.-based organizations are near-universally recognized as primary sources of funding. For example, the U.S.-based Alliance Defending Freedom, a legal advocacy organization, set up an international wing to litigate cases, like submitting briefs to the Romanian Supreme Court in favor of allowing a national referendum to constitutionalize a heterosexual definition of marriage. This expansion in international work coincided with foreign expenditures increasing from just under $100,000 in 2010 to roughly $2.5 million in 2019. Now, a continuous stream of research is seeking to document the efforts of U.S.-based organizations, especially evangelical organizations, in this anti-LGBTQ/anti-gender/pro-“natural family” work. For example, in 2020, openDemocracy issued a report highlighting how over 20 U.S. nonprofits spent $280 million internationally from 2008-2018. Moreover, the Southern Poverty Law Center also issued a 2020 report noting the dramatic rise in anti-LGBTQ hate organizations within the U.S. in recent years – suggesting a bigger pool of organizations that can then finance efforts internationally. To date, however, there has yet to be any systematic analysis into these expenses to determine if they are indeed increasing over time and what the causes of such increases are.

A common explanation for why anti-LGBTQ organizations are increasing their foreign expenditures is due to policy victories within the U.S. As LGBTQ activists achieved banner accomplishments like marriage equality, this changed perceptions that advocacy dollars may go further elsewhere within the international community. In a clear instantiation of this phenomenon, in 2018, Brian Brown, president of the World Congress of Families (WCF), attended a WCF-sponsored conference in Ghana. There, he stated the U.S. was becoming a “lost cause” while Ghana has a chance to do something about changing “family values.” Today, Ghana’s parliament is considering the Promotion of Proper Human Rights Sexual Rights and Ghanaian Family Values bill which would dramatically curtail the rights of LGBTQ individuals. Sponsors of the bill directly attribute the idea back to the WCF conference in 2018. In 2014, Kapya Kaoma, an African pro-LGBTQ advocate, wrote an op-ed in the LA Times speaking to this concern:

“If you live in the United States, it’s easy to be lulled into thinking that the battle for broader civil rights for gay people is nearly over. The last few years have brought important victories in courts, legislatures and at the ballot box, and momentum is firmly on the side of increased equality. That’s not true, however, in other parts of the world. The vitriol that has fueled U.S. culture wars for so long is now being exported, and some of our most ardent culture warriors are finding a far more receptive audience abroad.”

While this popular perception exists, it is also an empirical question we can directly evaluate – which has yet to be done. In what follows, we begin our investigation into the extent to which U.S.-based anti-LGBTQ organizations increase their foreign expenses following legal victories either at the federal level or in the state the organization is headquartered

**Data and Methods**

*Foreign Expenditures.* To measure foreign expenditures, we use the amount reported by anti-LGBTQ organizations on their Form 990. The Form 990 is the annual tax form required by all nonprofits with gross receipts of over $200,000. Nonprofits with gross receipts from $200,000 to $50,000 are required to file a 990EZ. The 990EZ does not require the same level of disclosure of foreign expenditures. Thus, we limit our analysis to only organizations that have over $200,000 in gross receipts. In 2016, the IRS made available all e-filed 990 filings (roughly 65% of total) electronically available on Amazon Web Services. Data was retroactively posted with 2013 becoming the first year of complete data. This data repository is continuously updated with all filings ending in the 2020 tax year being posted by the end of 2021 calendar year. Importantly, we limit our analysis to just organizations that report foreign expenditures of more than $0 at some point. In other words, we exclude organizations that *never* report spending money abroad as these are fundamentally U.S.-centric organizations. We use two measures of foreign expenditures: raw dollars and the percent of foreign expenditures out of total expenditures. Importantly,

To determine is an organization is “anti-LGBTQ” several steps were taken. First, we include all organizations designated as such by the Southern Poverty Law Center and by PFLAG (formerly the Parents, Families, and Friends of Lesbians and Gays). Second, include all U.S. organizations that participated at any one of the 13 World Congress of Families world conferences from 1997 and 2018. Third, we include those who signed onto any “pro-family” resolution or participated in any “pro-family” event within the U.N. sponsored by the U.N. Family Rights Caucus or Civil Society for the Family. Fourth, we did a systemic analysis of national newspapers like the New York Times and Wall Street Journal to identify organizations that participated in anti-LGBTQ demonstrations or lobbying events, especially around the numerous state marriage bans. Finally, we scanned nonprofit mission statements as reported on the Form 990 to find reference to those that indicate anti-LGBTQ animus. This was typically those that started they helped people “overcome” homosexuality or promoted “biblical sexuality” or “biblical marriage.” All other organizations are categorized as “Non-Anti-LGBTQ” as point of comparison.

*Pro-LGBTQ Policy Events.* We measure policy interventions at the federal and state level. At the federal level, we include indicators for the 2013 U.S. Supreme Court case overturning the Defense of Marriage Act and the 2015 case legalizing same-sex marriage. These two interventions apply to all nonprofits, assuming they existed at that period. We also include state-level indicators. Nonprofits are exposed to the “treatment” if they are headquartered in a U.S. state the year it legalized same-sex marriage. For example, New Jersey legalized marriage equality in 2013; thus all New Jersey-based anti-LGBTQ organizations would be coded as receiving the treatment in 2013.

**Preliminary Results**

Here, we present initial charts and figures to get a general sense of how expenditures are changing for the largest anti-LGBTQ organizations. Table 1 highlights expenses from 2014 to 2019, measured in millions of dollars. Here, we receive mixed evidence on these trends. While some organizations like ACTON Institute for the Study of Religion and Liberty, Alliance Defending Freedom, International Human Rights Group, and the Population Research Institute Population Research Institute say triple digit percent increases, others like Human Life International, International Christian Concern, and InterVarsity Christian Fellowship had *decreases* in foreign expenditures.



Next, turning to Figures 1-xx, we can track these expenses over time in comparison to non-Anti-LGBTQ organizations (or, rather, all other nonprofits that have engaged in foreign funding at any point). Figures 1 and 2 show national comparisons based on overall expenses in raw dollars and as a percentage of overall budgets. As Figure 1 highlights, anti-LGBTQ organizations spend significantly more than the non-Anti-LGBTQ organizations. Recall, the samples have already been narrowed to just those that do, in fact, spend money internationally. When moving to Figure 2, however, we see that as a percentage, anti-LGBTQ organizations spend much less. When using marriage equality in 2015 as a reference point, there’s some evidence that there are greater foreign expenditures following this even, but then trends subside. This may be due to the election of Donald Trump and such organizations perceive the U.S. to be hospitable territory once again. This is a direct counter to non-anti-LGBTQ organizations which continue a linear increase as a % of their budget.

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**Figure 1. Average Foreign Expenses (USD)**

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**Figure 2. Average Foreign Expenses (% of Total Expenses)**

Figure 3 highlight U.S. states with at least three anti-LGBTQ organizations headquartered there. Reference lines are included also exist for federal marriage equality. Here, we focus just on the percentage of foreign expenses out of total expenses. We see more mixed patterns but generally find little support that such policy interventions are resulting in greater foreign expenditures. State context does seem to matter, however, as anti-LGBTQ organizations in states with more supportive LGBTQ policy environments seeming to increase foreign expenses. However, such visual inspections may be misleading, of course, and further quantitative investigations are needed. Which we describe below.

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**Figure 3. Average Foreign Expenses (% of Total Expenses)**

**Next Steps:**

The next steps in this project are to use synthetic control methods to test a causal effect of policy interventions. This method compares treatment groups against a weighted combination of other units to create a control group in order to evaluate the effect of an intervention in comparative case studies. Synthetic control methods allow us to estimate what would have happened to the treated group had they not been exposed to the treatment. This method especially designed to understand policy interventions where the alternative untreated condition is hypothetical. In other words, it allows to test how anti-LGBTQ organizations would have spent money internationally had the 2015 marriage equality case not occurred. Thus, are current data structure and design are well setup for this type of modeling procedure. By evaluating foreign expenditures against this conservative, causal test, it will inform us if there are distinct policy effects or, rather, anti-LGBTQ organizations simply spend money internationally no different from the U.S. nonprofit sector writ-large.