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## Why we're fighting the IRS

Posted By [Chuck DeVore](#) On 9:32 AM 08/06/2013 In Opinion | [No Comments](#)

The Texas Public Policy Foundation has joined a class-action lawsuit, led by the Citizens for Self-Governance, against the Internal Revenue Service. TPPF has joined this action not just to vindicate its own rights under the law, but more important to defend free speech and the rule of law against an increasingly out-of-control IRS.

Last year, the IRS improperly released information about TPPF's donors, information that the IRS is required to keep confidential according to the federal Privacy Act. We assure our donors of the strictest confidentiality; our own analysts aren't privy to their information. Eventually, this list wound up in the hands of the press and was widely disseminated.

The IRS has not explained how this happened and it has not explained how often this has happened. Maybe this was an isolated case which arose from an innocent mistake. But the IRS has left us with no way to know that. And given the IRS's pattern of targeting conservative groups, and its increasing tendency to abuse its power, we have to find out the full extent of its abuses.

Across the country, conservative organizations are coming forward with appalling accounts of government intrusion and harassment. These groups come in all shapes and sizes, but they have one thing in common: They dissent from the current administration's policies, and as a result, have been targeted by the government.

The nonprofit Family Talk was threatened with losing tax exempt status after it criticized President Obama. Because Family Talk did not represent all viewpoints, the IRS decided it could not be considered an educational organization. Imagine what would happen to our universities if they were subjected to that rule!

The San Fernando Valley Patriots of California gave up on seeking tax-exempt status after the IRS sought to intrude ever more deeply into its activities. One of the group's leaders testified before Congress in June that she was given twenty days to answer a long list of such questions or else face "penalties of perjury."

In Iowa, the IRS threatened one pro-life group with criminal penalties if it staged planned protests outside Planned Parenthood clinics. When the group explained they simply planned to pray outside the clinics, the agency sent a letter demanding an explanation of how "prayer meetings held outside of Planned Parenthood are considered educational."

Another group was asked to describe the content of its prayers, and to explain how much time it spend in the activity of praying.

The IRS's release of our confidential donor information occurred during a time when the left was engaged in a concerted, well-organized, and well-funded effort to destroy the American Legislative Exchange Council (ALEC). One prominent tactic of this paranoid attack was to "expose the networks" by revealing information about ALEC's donors – and those of prominent ALEC partners such as TPPF, which was at the time defending ALEC vigorously. Both the timing and the substance of the IRS's release of our donor information was of a piece with this broader campaign.

TPPF has become the most influential state-based, free market public policy foundation in the country. We have been instrumental in advancing the cause of liberty – and stopping the left-wing agenda – in Texas, where we have promoted high-profile criminal justice reforms, environmental legislation, fiscal discipline, education reforms, and electricity-grid deregulation. We are increasingly prominent at the federal level, too, having filed three major briefs for the Supreme Court in the Obamacare case, and testifying before Congress on energy and environment. It is no surprise that we quickly found ourselves in the crosshairs of the left's assault on conservative think tanks.

In the improbable event that the IRS release of TPPF information was truly inadvertent and

coincidental, the lawsuit should clarify the matter. But whether intentional or not, the IRS action was a violation of the Privacy Act, and part of a larger pattern of abuses.

These outrageous violations of the privacy and free speech rights of TPPF and fellow conservative groups are more reminiscent of communist censorship than a true democracy. The IRS is violating our most cherished constitutional rights. We have to find out how this pattern of abuses came about and how far it went, so that we can make sure it never happens again.

Americans deserve a government they can trust. The IRS has made that impossible.

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