

Atheists Strike Back: IRS Will Monitor Churches for ‘Electioneering’

The Internal Revenue Service said it will monitor churches and other houses of worship for electioneering in a settlement reached with an atheist group.

The settlement was reached Friday in federal court in Madison, Wis., where the initial lawsuit was filed in 2012 by the Freedom from Religion Foundation, a Wisconsin-based atheist-advocacy group that claims 20,000 members nationwide.

The suit alleged the IRS routinely ignored complaints by the FFRF and others about churches promoting political candidates, issues or proposed legislation. As part of their tax-exempt status, churches and other religious groups are prohibited from engaging in partisan political activity.

At the time the suit was filed, the IRS maintained it was not ignoring complaints of electioneering but had failed to hire an official to investigate church politicking, which it had been ordered to do in 2009 as the result of another lawsuit.

However, under the current congressional investigation of the IRS for improperly monitoring conservative groups, there is a moratorium on all IRS investigations.

Indeed, in 2009, a federal court ordered the IRS to appoint a “high-ranking official” to investigate complaints of politicking by churches and other tax-exempt organizations. A spokesman for the IRS declined to comment on the settlement, saying the IRS does not comment on litigation.

Of particular concern to FFRF and other First Amendment-advocacy organizations is “Pulpit Freedom Sunday,” a project

of Alliance Defending Freedom, which focuses on freedom of religion issues. On Freedom Pulpit Sunday – which was last held in June 2013 with the participation of more than 1,100 churches – pastors are encouraged to advise their congregations on political matters, such as marriage and abortion rights, and even endorse or oppose candidates.

The Freedom from Religion Foundation is widely seen as the most litigious of the dozen or so national atheist-advocacy groups. It claims to have brought 40 First Amendment lawsuits since 1977 and currently is involved in legal challenges to a Ten Commandments monument, graduation prayers and a Catholic shrine on public land.

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