



Written by [Raven Clabough](#) on July 28, 2014

IRS Agrees to Atheist Group's Demands to Monitor Sermons

The Internal Revenue Service continues to extend its already vast overreach, this time by agreeing to monitor church sermons as part of an agreement the government made on July 17 with the aggressively atheistic Freedom From Religion Foundation.

Freedom Outpost reported, "The Internal Revenue Service settled a lawsuit brought by the Freedom from Religion Foundation. The 2012 lawsuit was settled after the IRS agreed to monitor what is said in houses of worship, something that is a clear violation of the First Amendment, since no law can be written by Congress to this effect."



The Freedom From Religion Foundation, based in Wisconsin, brought the suit against the IRS, asserting that the group had been ignoring complaints that churches were violating their tax-exempt statuses. According to the group's suit, churches promote political issues, legislation, and candidates from the pulpit.

FFRF asserted, "Pulpit Freedom Sunday ... has become an annual occasion for churches to violate the law with impunity. The IRS, meanwhile, admittedly was not enforcing the restrictions against churches."

FFRF claims that the churches are acting in violation of the 1954 Johnson Amendment, which states that non-profits cannot endorse candidates.

A 2009 court ruling determined that the IRS must staff someone to monitor church politicking, but the Freedom From Religion Foundation claims that the IRS has not been adhering to the ruling.

Erik Stanley, senior legal counsel for Alliance Defending Freedom and head of the [Pulpit Initiative](#), told LifeSiteNews that "the IRS has no business censoring what a pastor preaches from the pulpit." Stanley states that his organization is currently "attempting to bring the era of IRS censorship and intimidation to an end by challenging the Johnson Amendment, which imposes unconstitutional restrictions on clergy speech."

He contends that churches should not have to choose between tax-exempt status and freedom of speech. "No one would suggest a pastor give up his church's tax-exempt status if he wants to keep his constitutional protection against illegal search and seizure or cruel and unusual punishment," he said.

Stanley insists that not only would it be unfair for churches to have to choose between one or the other, but that "churches are automatically tax exempt out of recognition that the surest way to destroy the free exercise of religion is to begin taxing it." "Churches are constitutionally entitled to a tax exemption and that exemption cannot be conditioned on the surrender of constitutional rights."

In celebration of its victory with the IRS, the Freedom From Religion Foundation issued a press release



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wherein it outlined its win:

The IRS has now resolved the signature authority issue necessary to initiate church examinations. The IRS also has adopted procedures for reviewing, evaluating and determining whether to initiate church investigations. While the IRS retains “prosecutorial” discretion with regard to any individual case, the IRS no longer has a blanket policy or practice of non-enforcement of political activity restrictions as to churches.

The press release also acknowledges, however, that the judge in the case could not order immediate action since a moratorium has been placed on the investigations by the IRS of tax exempt groups after the 2013 scandal in which the IRS was found to have been targeting Christian and conservative groups.

The scandal involves the Tax Exempt and Government Entities Division of the IRS openly targeting Tea Party and other conservative groups that applied for tax-exempt 501c4 “social welfare” organization status between 2010 and 2012. Those groups faced additional audits and scrutiny by the agency. The audits cost the organizations tens of thousands of dollars and many hundreds employee hours, and ultimately delayed the groups from receiving tax-exempt status.

But FFRF contends that it may still bring a lawsuit against the IRS again if necessary after the moratorium is lifted:

As a result, FFRF has reached a point where no further immediate changes realistically can be accomplished through continued litigation. The dismissal of the pending action, however, is expected to be without prejudice, which means that further legal action by FFRF to enforce anti-electioneering provisions is not precluded in the future if necessary.

Regardless of this, the FFRF views the settlement as a win overall. “This is a victory, and we’re pleased with this development in which the IRS has proved to our satisfaction that it now has in place a protocol to enforce its own anti-electioneering provisions,” said FFRF Co-President Annie Laurie Gaylor in a [press release](#) “Of course, we have the complication of a moratorium currently in place on any IRS investigations of any tax-exempt entities, church or otherwise, due to the congressional probe of the IRS,” she added. “FFRF could refile the suit if anti-electioneering provisions are not enforced in the future against rogue political churches.”

This is just one of many items on the FFRF anti-Christian agenda. In 2012, the group targeted the presence of a cross at a World War I memorial at a fire department in Rhode Island, though the cross had been there for nearly 100 years.

Earlier this year, the FFRF demanded that Wisconsin Governor Scott Walker remove a Christian reference from his Twitter and Facebook accounts. The group’s president, Annie Laurie Gaylor, had sent [a letter](#) to the governor insisting that it is “improper for a state employee, much less for the chief executive officer of the state, to use the machinery of the state of Wisconsin to promote personal religious views.”

The FFRF had also targeted prayer offerings at the city council meetings of Cuyahoga Falls, Ohio, as well as at the city council meetings in Pueblo and Colorado Springs, Colorado.

Unfortunately for the FFRF, a May Supreme Court ruling has determined that prayer at these meetings is permissible. In *Town of Greece v. Galloway*, the court determined that prayer offered by members of the clergy at town board meetings does not violate the Establishment Clause of the First Amendment.

The case pertained to prayer at town board meetings in Greece, New York, and was forwarded by a pair



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of non-Christians who complained that all the town of Greece government meetings between 1999 and 2007 were opened with specifically Christian invocations.

“The prayer opportunity in this case must be evaluated against the backdrop of historical practice,” the majority wrote in its opinion. “As a practice that has long endured, legislative prayer has become part of our heritage and tradition, part of our expressive idiom, similar to the Pledge of Allegiance, inaugural prayer, or the recitation of ‘God save the United States and this honorable Court’ at the opening of this Court’s sessions.”



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