

# IRS nearly toothless, Falwell aide claims: Political endorsements continue

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Jerry Falwell is misleading churches into thinking they can endorse political candidates, two Washington-based watchdog groups warned in complaints to federal agencies. One critic noted that a Falwell associate declared that the IRS lacks the bite to prosecute churches that step over the line.

Falwell, an icon of religious conservatives and founder of the Moral Majority, insists there was nothing improper about a July 1 e-mail in which he solicited donations to help reelect President Bush. "For conservative people of faith, voting for principle this year means voting for the reelection of George W. Bush," he wrote in a "Falwell Confidential" e-mail sent to supporters.

Soon after, Americans United for Separation of Church and State filed a complaint with the Internal Revenue Service, saying Falwell violated his tax-exempt status that prohibits the endorsement of political candidates. Falwell said the statement was legal because it was funded by the Liberty Alliance, a separate organization registered as a lobbying group, not his church.

In a subsequent July 21 e-mail, Falwell urged churches to "ignore" the warnings from Americans United. He included an analysis from Mathew Staver, president of the affiliated Liberty Counsel, which said "the IRS has almost no teeth" to prosecute churches.

That is a dangerous message for churches to follow, countered the Campaign Legal Center, a campaign finance watchdog group. It said that Liberty Alliance violated corporation laws that restrict endorsements to private communications not intended for the general public. "Campaigning for incorporated entities is blatantly illegal," said Gerald Herbert, director of litigation for the group. "This content . . . aimed at getting the general public to contribute and vote for a federal candidate shows

complete disregard for the federal election laws.”

The Campaign Legal Center filed complaints with both the IRS and the Federal Election Commission, urging immediate action. “This is not a close or difficult case,” it told the IRS.

Barry Lynn, director of Americans United, urged churches not to listen to Falwell. “His distortions could have serious consequences for any pastor foolish enough to take his advice. The IRS should step in now,” Lynn said. *-Religion News Service*