

Better Safeguards Needed for Regulatory Agencies

By Paul Craney

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John F. Kennedy once said, “There are risks and costs to action. But they are far less than the long range risks of comfortable inaction.”

The IRS, a regulatory office of the federal government, is neck high in a deep scandal that is drowning the public’s trust toward government and politics. Hundreds of conservative non-profit groups were the target of the IRS and for years, their status as organizations were in jeopardy. It’s plausible that these conservative groups spent hundreds of thousands of dollars on accounting and attorney fees to respond to audits and inquiries by the IRS.

The National Review reported that the IRS targeted the Leadership Institute, a conservative non-profit group in northern Virginia, and demanded “copies of applications for internships and summer programs,” and “a list of all interns and students selected in 2008.”

The Politico reported that the IRS “asked tea party groups to see donor rolls, it asked for printouts of Facebook posts. And it asked what books people were reading.”

Some would say it’s no secret to anyone that the IRS was mistreating conservative non-profit groups; they are just acknowledging it now. I would suspect there are still more groups that are apprehensive to speak up because they are in the process of dealing with the IRS.

One of the best displays of incompetence came last week when Lois Lerner, the IRS official who oversees tax-exempt groups, fumbled over follow-ups with the media, stating at one point, “I’m not good at math.” The claim that the targeting was only done by low level staffers at an IRS branch in Cincinnati is in dispute as growing evidence suggests other offices across the country acted in a similar fashion.

Virginia Sen. Tim Kaine, the former chairman of the Democratic National Committee, condemned the agency’s actions, saying, “The administration should take swift action to get to the bottom of this to ensure those responsible for misconduct are held accountable and establish appropriate safeguards to prevent this from ever happening again.”

What is an appropriate safeguard? If I am not mistaken, isn’t it already unlawful for the IRS, or for that matter any regulatory agency, to target specific groups due to their beliefs? What right do regulatory agencies have in knowing lists of interns, donor names and what books people are reading?

When IRS officials are asking organizations what books they are reading and no one at the IRS starts screaming from the rooftop, there is a comprehensive, systematic problem.

Before we can identify what an appropriate safeguard is, we need to see if there is outrage shared by our elected officials. Last Monday, I sent a letter along with Barbara Anderson of the Citizens for Limited Taxation and Christine Morabito of the Greater Boston Tea Party, to each Massachusetts member of Congress and our two U.S. senators asking them to publicly condemn the IRS' behavior.

From my count, here is where the Massachusetts delegation stands. (By the time you read this column, opinions may have changed.)

Sen. Elizabeth Warren, when questioned by WBZ, condemned the IRS' actions. I asked Warren's office on two occasions if they have issued a statement, and I did not get a response to this specific question. The other Massachusetts senator is Mo Cowan, and his office did not respond to my inquiries, nor could I locate any public statements.

Of the House members, most of the Massachusetts members of Congress have expressed their disappointment to a varying degree. Some immediately spoke up out of principle, like Rep. Michael Capuano, while others are harder to decipher, like Rep. Bill Keating.

In the Massachusetts Statehouse, House Republicans offered a resolution condemning the IRS' actions. The Democratic caucus would be wise to join their Republican colleagues; people in Massachusetts are tired of the politics of retribution and want bipartisan leadership.

Clearly the IRS was wielding its unchecked power, and unfortunately the politics of retribution is too common. As JFK said, there are risks and costs to action, but they are far less than the long range risks of comfortable inaction. It's time our local and national leaders did something to eliminate the politics of retribution. Examining the powers of unchecked regulatory agencies is a good start for an appropriate safeguard.

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