



Written by [R. Cort Kirkwood](#) on November 13, 2009

## ACORN Sues Federal Government

ACORN, the beleaguered leftist group nailed in a prostitution video sting, has sued the federal government because Congress cut off its federal funding.

The group, also under federal investigation for its nationwide campaign of voter-registration fraud, claims Congress acted unconstitutionally because the bill that turned off the taxpayer spigot had "malicious and punitive intent" and was a bill of attainder, [the Politico website reports](#). The suit, filed by the leftist [Center for Constitutional Rights](#), also claims "Congress violated the Fifth Amendment by skirting due process before doling out the punishment of the funding cut,"



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The suit maintains that ACORN was victimized by "heavily funded and orchestrated political campaigns."

### The ACORN Story

Congress cut off ACORN's federal funds because of the sting conducted by two undercover filmmakers working for [BigGovernment.com](#). In [city](#) after [city](#), [they filmed](#) ACORN employees [advising them](#) how [to open brothels](#) and [smuggle underage Salvadoran prostitutes](#) across the border. As the website rolled out videos one by one over about a week's time, ACORN's usual political allies [ran for the bushes](#).

[The Census Bureau ended](#) ACORN's participation in the 2010 Census, while [the IRS said](#) the group may no longer participate in its program of volunteer tax advisers. Even President Barack Obama, [its former attorney](#) and chief ally in Washington, D.C., [said something was amiss](#). Then Congress cut off the funding.

The prostitution sting came on top of ACORN's trouble with federal and state authorities [over voter-registration fraud](#) in at least a dozen states. As well, a major embezzlement scandal the group was fighting [took a turn for the worse](#) when Louisiana's Attorney General announced that the losses were about five times more than previously thought.

### ACORN Strikes Back

[ACORN struck back](#) with a lawsuit against the filmmakers, and now thinks it can [take on Uncle Sam](#).

The irony of this lawsuit is that [it contradicts](#) what ACORN said when the federal funding was cut off: that ACORN didn't need the money because it was such a small part of its annual budget. The group has collected \$53 million in taxpayer funds since 1994.

[As Politico reported:](#)

The court filing claims ACORN has been bruised badly by the legislation. It says it has had to lay



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off employees, close offices and “drastically” reduce services.

But the complaint also offers a small peak into and how much ACORN truly relies on the government for money. It cites FEMA pulling back roughly \$1 million in funding for fire safety assessments after the legislation passed. The filing also shows that the organization lost out on a \$780,000 EPA grant to educate poor communities about asthma and a separate grant to set up public computer centers for the poor in five cities.

Constitutional lawyer [Jonathan Turley](#) told Politico that ACORN may have a case if it can prove its loss of funding amounts to an unconstitutional [bill of attainder](#), a legislative act that singles out a group for punishment without a trial. The group has a “plausible case,” [he says](#). Turley was the last successful lawyer in a case regarding a bill of attainder.

[Others argue](#) that ACORN’s suit wrongly presumes it has a right to the money.



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