



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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