Press&Dakotan



# What Was The IRS Thinking?

Leonard

PITTS

#### BY LEONARD PITTS JR. Tribune Media Services

Well, this is a fine mess.

After years of moaning about various "conspiracies" against them, conservative activists finally have a real (i.e., not manufactured by Fox or inflated by Limbaugh) piece of evidence to take before the court of public opinion.

Meaning, of course, last week's revelation that the Internal Revenue Service has been giving extra scrutiny to groups with the words "tea party" or "patriot" in their names. Extra scrutiny from the IRS is about as welcome as extra scrutiny from the proctologist, so one can hardly blame conservative groups for complaining, as they've done since last year. Unfortunately, those complaints got no traction until Friday, when the IRS admitted the practice. Lois Lerner, director of the IRS division in charge of tax exemption, was speaking at an American Bar Association conference in response to a question about whether the conservative groups had been singled out. She admitted they were.

These groups reportedly amounted to about a quarter of the 300 organizations flagged for review between 2010 and 2012, but according to Lerner, there was no political intent. Rather, she says, the words became a shortcut used by employees to help them sort through the explosion of groups seeking tax exemption under the Internal Revenue Code. The relevant Code section, 501 (c) (4), requires that any exempt group be working to promote "social welfare" and that political action not constitute its "primary activity." The groups the IRS flagged were not necessarily denied exemption, but were subjected to extensive questioning and required to produce membership lists and donor information.

Tuesday, the Justice Department launched an investigation. Two congressional committees are also looking into the matter. Every taxpayer not employed by the Obama administration should welcome the news.

Under the most charitable interpretation of the facts, this unit of the IRS used god-awful judgment. Under the

least charitable, it engaged in ideological harassment inimi-cal to and violative of, the First Amendment.

Taxpavers deserve to know which it is. And how long it has been going on. And whether groups of other ideological stripes have been similarly targeted. And how the malfea-

sance — assuming it is malfeasance — will be

punished. And what safeguards will be put into place to ensure this sort of thing never happens again.

Frankly, Congress needs to address the regulations governing which groups get tax exemption in the first place. The existing standard noted above is porous enough that groups most people would define as political (Crossroads GPS, Priorities USA) are somehow nevertheless declared tax exempt, free to flood campaigns with unlimited money from sources they are not required to disclose.

One could argue, then, that the tea party and patriot groups singled out by the IRS are guilty mainly of playing the same old cynical shell

game that has become all too familiar in recent years. But until that game is outlawed, the rules are what the rules are and they must apply evenly, regardless of ideological faith.

Some observers will find the controversial tea party and patriot groups less than sympathetic illustrations of that point. But every group is controversial to somebody. And only by vigilance toward everyone's rights do we protect anyone's rights.

It's too easy to imagine some future IRS office using different shortcut words ("pro-choice," let's say or "Islamic") to sort through applications for tax exemption. That possibility ought to temper any temptation among tea party foes to be cavalier toward this abridgement of conservatives' rights. Better they should be thankful nothing like this has happened to them.

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**OPINION** | OTHER THOUGHTS

# **Record Seizures Have Eerie Feel**

SACRAMENTO BEE (May 15): Protecting national security is one thing. Fishing expeditions that could intimidate and impede important watchdog reporting are another matter entirely.

The Justice Department certainly appears to have gone too far in trying to ferret out who leaked information on a secret CIA operation that foiled an al-Qaida plot to bomb a U.S.-bound airliner last year around the first anniversary of the killing of Osama bin Laden.

According to The Associated Press, federal prosecutors secretly seized phone records for April and May 2012 not only from the reporters and editor involved in that story, but from more than 20 phone lines in the news cooperative's offices in Washington, D.C., New York and Hartford, Conn., that house more than 100 journalists, as well as several of their personal phones.

While the records would not reveal what was said during the calls, they would show the phone numbers of people or agencies that reporters called, potentially including whistle-blowers and confidential sources. The AP is right in calling the sweeping dragnet an unjustified and unprecedented intru-sion into its newsgathering. All Americans, not just defenders of press freedom, ought to be alarmed by this threat to the First Amendment.

It is eerily Nixonian in its scope — and yet another scandalous distrac-tion in the early months of President Barack Obama's second term. ...

Attorney General Eric Holder, who announced last June he had appointed a U.S. attorney to probe the leak, called it one of the most serious he has seen. "It put the American people at risk — and that is not hyperbole," he told reporters Tuesday.

Holder, who removed himself from supervising the investigation be-cause he had been questioned, nonetheless said that prosecutors have followed all department rules. Among them is that phone records from news organizations can be subpoenaed only after "all reasonable attempts" have been made to get the information from other sources.

The Obama administration is telling Americans to trust its assurances that seizing so many phone records from so many reporters was proper and necessary. That's a lot to ask.

# A Choice That Could Save Lives

THE STAR-LEDGER, Newark, N.J. (May 14): Angelina Jolie, in publicizing her double mastectomy, now joins a pantheon of celebrities who have gone public with private pain to help others. It was a brave decision that will almost certainly save lives. And it should also ignite a discussion about the costs of genetic testing for women who are at high risk, as Jolie was.

Jolie, 37, wrote about her decision to have the procedure done as a preventive measure in today's New York Times. Her mother died of ovarian cancer at the age of 56 in 2007. She has six children with actor Brad Pitt — three adopted, three biological — and the thought of leaving them motherless was a strong motivating factor for the actress. She has been expert at using her celebrity to advance the causes she cares about - refugees and rural poverty among them - so perhaps her personal announcement is not so strange.

Jolie's genetic tests revealed she carried the faulty gene that gave her a heightened risk of developing breast cancer, and to a lesser extent ovarian cancer. That's when she decided to take action and have both breasts removed in February; breast reconstruction followed nine weeks later. ...

Jolie's announcement brings to mind other high profile declarations of disease and illness: Betty Ford's battle with breast cancer in 1974 was the first to bring the big C out of the closet for many women. Later, Ford would do another public service by openly discussing her alcoholism and addiction to pills, and establishing a clinic to treat addictions. In more recent years, Magic Johnson's announcement that he was infected with HIV raised

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WASHINGTON - Breaking news: Conservative organizations suddenly have found common cause with one of their favorite objects of contempt — the benighted Mainstream Media.

Or as the tea party queen and former Alaska governor likes to put it, the "lamestream media.

**BY KATHLEEN PARKER** 

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In a twist of irony, the two groups have coalesced around a common enemy: the U.S. government

Revelations the past few days that the Internal Revenue Service has been giving special attention to conservative groups seeking tax-exempt status have converged with the news that the Justice Department has been seizing phone records of The Associated Press. Reaction from both camps has been outrage seasoned with constitutional fervor.

Not to overstate, but nothing less than free speech is at stake, about which no one should be confused.

Briefly, the IRS singled out specific groups with words such as "tea party," "patriot" or "9/12" in their names for special scrutiny, including asking for donor lists. Needless to say, this would have a chilling effect on donors who prefer anonymity, but it also smacks of intimidation. The implication: Criticize the government and you will pay. Literally. The targeting, moreover, was not a rogue operation by some random field agents in Cincinnati, as originally claimed, but, according to The Washington Post, involved IRS officials in Washington.

"Outrageous" was the term President Obama used Monday during a joint news conference with British Prime Minister David Cameron. Obama promised to get to the bottom of it even though, as president, he can't directly contact the IRS about a tax matter. This is owing to the legacy of Watergate, when then-President Richard Nixon used the IRS to intimidate his perceived enemies. The unavoidable comparison is, well, unavoidable.

Obama can rattle some cages, though, given his administration's almost daily scandal production, he's going to be a busy zookeeper for the foreseeable future. No sooner had the Benghazi hearing concluded than the IRS story broke, followed by reports of the Justice Department probe. The latter's investigation pertained to reporters' phone records over a two-month period affecting four bureaus, including the AP's congressional office, and more than 20 lines potentially used by hundreds of reporters and, significantly, their sources.

onneone with an ir none and a la snouid mumg "snooze" on their wakeup call right about now. When the choice is between distrusting reporters and distrusting the

pastime of self-proclaimed "new media," often meaning

Americans accustomed to hating the media - a popular

government, there's no contest, especially when the aggrieved are groups of people (tea partyers and self-proclaimed patriots) whose chief organizing principle is distrust of government.

Reporters, though they are merely human with all the attendant imperfections, are fundamentally on the patriot team. They're sort of like cops: You hate them when their blue lights appear in the rear view, but you love them when

something goes bump in the night. Though some journalists and even some in-

stitutions can be politically biased, a news organization exists for the purpose of reporting on organized power, especially the government. If tea party people worry that government is bearing down on them through its confiscatory powers via the IRS, then they have double reason for concern when the media are threatened.

Who in the White House or the Congress will be willing to speak off the record if they fear being exposed to or by the Justice Department? This isn't only outrageous; it is dangerous.

The government can legitimately investigate journalists in the interest of national security, as has been claimed here. Officials say that an AP story last May about a failed al-Qaeda plot raised flags about potentially dangerous leaks. But there is a serious question whether the AP situation warranted such a massive and covert search.

Out of fairness (or fear of punitive repercussions?), early reaction to these revelations has focused on the incompetence of the Obama administration rather than any sinister intent. Similarly, the administration's incorrect reporting of events in Benghazi are claimed to have been the product of miscommunication and inter-agency turf squabbles rather than a deliberate attempt to mislead the public leading into the presidential election.

Whatever.

Pending a verdict from investigators investigating investigators, it is abundantly clear that something is awry at 1600 Pennsylvania Avenue, not least of which is an apparent failure to understand the basic principles of American governance. Incompetence may be an explanation, but it is hardly reassuring.

Kathleen Parker's email address is kathleenparker@washpost.com.

# YOUR LETTERS

# **'Circle Of Protection'**

#### **Mary Alice Halverson, Yankton**

A wonderful article on May 10 ("When You Stand Up, Hunger Sits Down," Press & Dakotan/River City) reports a variety of "hunger helps" in our community: Contact Food Pantry, Sack Pack, Banquet and more.

Now, one more major help is needed. For every sack of groceries provided by local charities, hungry people get 18 sacks from federal programs. SNAP (formerly food stamps), WIC are primary ones. This means if all help was local, we'd need to do 18 times as much to keep people fed.

This week, the Agriculture committees in Congress are deciding possible cuts for "hunger help." We need to let Sen. Thune and Rep. Noem, both on Agriculture committees, know we need a "circle of protection" for vital food needs for our needy citizens.

What If ...?

#### **Brad Butzlaff, Yankton**

First, Secretary of State, Hillary Clinton had instructed Ambassador Stevens to go to Benghazi, Libya, to see about making it a permanent location for an American Consulate.

What do you suppose the White House and mainstream media would have done and said, if Secretary of State Clinton had been with Ambassador Stevens in Benghazi during the terrorist attacks there on Sept. 11, 2012?

awareness and helped remove the stigma associated with the virus that causes AIDS.

But Jolie's announcement is in many ways singular. She is an actress at the height of her stardom, beauty and sex appeal - the latter is a big factor in her popularity. She and Pitt have been expert at managing their fame as the hot celebrity couple of their generation. By going public with her personal challenge, while still very much in the public eve. Jolie has shown extraordinary courage, the kind that leaves her cinematic heroines in the dust.

## TODAY IN HISTORY

#### By The Associated Press

Today is Thursday, May 16, the 136th day of 2013. There are 229 days left in the vear

Today's Highlight in History: On May 16, 1943, the nearly month-long Warsaw Ghetto Uprising came to an end as German forces crushed the Jewish resistance and blew up the Great Synagogue. An estimated 7,000 Jews were killed during the uprising, while about 7,000 others were summarily executed. The remaining Jews, more than 40,000 of them, were deported to concentration camps. On this date: In 1763, the English lex-

icographer, author and wit Samuel Johnson first met his future biographer, James Boswell

In 1770, Marie Antoinette, age 14, married the future King Louis XVI of France, who was 15.

In 1868, the U.S. Senate failed by one vote to convict President Andrew Johnson as it took its first ballot on the 11 articles of impeachment against him.

In 1913, jazz musician and bandleader Woody Herman was born in Milwaukee.

In 1920, Joan of Arc was canonized by Pope Benedict XV.

In 1929, the first Academy Awards were presented. The movie "Wings" won best production," while Emil Jannings and Janet Gaynor were named best actor and best actress.

In 1939, the government began its first food stamp program in Rochester, N.Y. In 1948, CBS News correspondent

George Polk, who'd been covering the Greek civil war between communist and nationalist forces, was found slain in Salonika Harbor.

In 1953, Associated Press correspondent William N. Oatis was released by communist authorities in Czechoslovakia, where he'd been imprisoned for two years after being forced to confess to espionage while working as the AP's Prague bureau chief

In 1961, Park Chung-hee seized power in South Korea in a military coup. In 1975, Japanese climber Junko Tabei

became the first woman to reach the summit of Mount Everest.

In 1988, the Supreme Court, in Califor-nia v. Greenwood, ruled that police can search discarded garbage without a search warrant. Surgeon General C. Everett Koop released a report declaring nicotine was addictive in ways similar to heroin and cocaine.

# FROM THE BIBLE

We have a great high priest ... Jesus, the Son of God. Hebrews 4:14. Portals of Prayer, Concordia Publishing House, St. Louis

Ten years ago: President George W. Bush launched his re-election campaign The Senate committed \$15 billion to fight global AIDS. In Casablanca, Morocco, five simultaneous suicide attacks claimed the lives of 33 victims, in addition to a dozen suicide bombers.

Five years ago: President George W. Bush visited Saudi Arabia, where he failed to win help from Saudi leaders to relieve skyrocketing American gas prices. Osama bin Laden said in an audio statement that al-Qaida would continue its holy war against Israel and its allies until the liberation of Palestine. U.S. Marine Staff Sgt. Tyrone L. Hadnott, accused of raping a 14-year-old Japanese girl in Okinawa, Japan, was found guilty of abusive sexual conduct by a U.S. military court and sentenced to four years in prison, with the fourth year suspended. Robert Mondavi, the patriarch of California wine country, died in Yountville at age 94.

One year ago: Gen. Ratko Mladic went on trial at the Yugoslav war crimes tribunal in the Netherlands, accused of genocide, crimes against humanity and war crimes. Mary Richardson Kennedy, 64, the estranged wife of Robert Kennedy Jr. whose death sent America's great political family into grief again, died in Bedford, N.Y., a suicide

Today's Birthdays: Actor George Gaynes is 96. Jazz musician Billy Cobham is 69. Actor Bill Smitrovich is 66. Actor Pierce Brosnan is 60. Actress Debra Winger is 58. Olympic gold medal gymnast Olda Korbut is 58. Actress Mare Winningham is 54. Rock musician Boyd Tinsley (The Dave Matthews Band) is 49. Rock musician Krist Novoselic is 48. Singer Janet Jackson is 47. Country singer Scott Reeves (Blue County) is 47. Actor Brian F. O'Byrne`is 46. Rhyťhm-and-blues singer Ralph Tresvant (New Edition) is 45. Actor David Boreanaz is 44. Political correspondent Tucker Carlson is 44. Actress Tracey Gold is 44. Tennis player Gabriela Sabatin is 43. Country singer Rick Trevino is 42. Musician Simon Katz is 42. Entrepreneur Bill Rancic (TV: "The Apprentice") is 42. Actress Tori Spelling is 40. Actress Lynn Collins is 36. Actress Melanie Lynskey is 36. Actress Megan Fox is 27. Actor Jacob Zachar is 27. Actor Marc John Jefferies is 23. Actor Miles Heizer is 19.

Thought for Today: "Those who don't believe in magic will never find it." — Roald Dahl, British author (1916-1990).

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