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judge in the nation's capital tossed out a lawsuit aimed by conservative nonprofit groups against the IRS (True the Vote, Inc. v. IRS, DC- Dist. Of Columbia, Civil Action No.

Ken Berry • Oct. 24, 2014



The ongoing "Tea Party" scandal has appeared to loose some steam after a federal judge in the nation's capital tossed out a lawsuit aimed by conservative nonprofit

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The Tea Party scandal started to unfold in May, 2013 when it was revealed that IRS staffers had singled out certain nonprofits, predominately those associated with the Tea Party and other conservative causes, that were seeking tax-exempt status. More dominoes began to fall as the acting IRS Commissioner Steven Miller and several other officials were forced to resign. Subsequently, Lois Lerner, head of the Tax Exempt division during the time in question, clammed up during a Congressional hearing, asserting her 5th Amendment rights. A political free-for-all ensued.

Since the accusations were first leveled, the IRS admitted to wrongdoing, but now asserts that it has implemented corrective actions. Various Congressional committees, as well as the Justice Department, are still digging into the matter.

True the Vote reportedly filed a tax-exempt application back in 2010. It alleges that it was subject to invasive questioning, not only from the IRS, but also from the FBI, the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) and the Occupational Safety and Health Administration (OSHA).

After the news broke about the IRS' improprieties concerning tax-exempt applications for other conservative groups, True the Vote filed its lawsuit against the IRS. It was not granted tax-exempt status until September, 2013. As the motion worked its way through the courts, news surfaced in July, 2014 about emails that were mysteriously missing from Lois Lerner's computer. True the Vote then filed a second motion based on the contention that relevant evidence might have been destroyed or lost. But now the case has been completely dismissed.

In his written opinion, Judge Walton acknowledged missteps by the IRS, but said that the agency has assured the public it is no longer screening tax-exempt applications based on a group's conservative orientation. "Unless an actual, ongoing controversy exists in this case, this court is without power to decide it," he

concluded. It is expected that the conservative groups represented in the lawsuit will

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