

# Group urges IRS to probe church; calls for end to National Day of Prayer

October 11, 2010

WASHINGTON (ABP) — A church-state watchdog group says the Internal Revenue Service should investigate whether a New York church violated federal tax law by endorsing a Democrat running for governor.

Americans United for Separation of Church and State, a group frequently critical of conservative churches politicking for candidates on the Religious Right, [voiced](#) alarm Oct. 7 at activities reported at Brown Memorial Baptist Church in Brooklyn involving gubernatorial candidate Andrew Cuomo.

According to an Oct. 3 *New York Times* [story](#) headlined "Election season puts politicians in the pews," Cuomo made brief spiritual remarks before launching into a 10-minute "pitch for support in his bid for governor." After Cuomo spoke, the newspaper said the church's pastor "quickly encouraged congregants to vote for Mr. Cuomo."

Barry Lynn, Americans United's executive director, said in a [letter](#) to IRS officials that the report made it appear that the church "stepped over the line" of what is impermissible activity for non-profit organizations that take advantage of the benefits of being tax exempt.

Lynn said the church's intervention in New York's governor's race "would seem to be a clear violation of federal tax law" and urged the IRS to investigate.

On Oct. 8 Americans United asked a federal appeals court to declare establishing a National Day of Prayer unconstitutional. AU, along with the

American Civil Liberties Union and Interfaith Alliance Foundation, filed a friend-of-the-court [brief](#) urging the 7th U.S. Circuit Court of Appeals to uphold a lower-court decision striking down a 1988 statute that directs the president to proclaim the first Thursday in May a day of prayer.

The court document argued that the statute, passed after pressure from the Religious Right in 1988, violates a constitutional ban on government establishment of religion. It described the statute as "a plain endorsement of religion over non-religion and of certain types of religious beliefs and practices over others."

"Congress needs to get out of the prayer business," [said](#) Lynn, an ordained minister in the United Church of Christ. "Prayer is an inherently religious practice, and our Constitution makes it clear that promoting it is not part of the government's job."

Lynn said Americans can pray anytime they want without permission from Congress and alleged that the observance is not about religious freedom but rather "another opportunity for certain religious groups to use government to push their narrow viewpoint on the rest of us."

*-Bob Allen is senior writer for Associated Baptist Press.*