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**Statement of Judiciary Committee Ranking Member Lamar Smith
Joint Judiciary & Oversight and Government Reform Forum on ACORN**

Ranking Member Smith: We are here today to investigate the nature and extent of potential wrongdoing engaged in by the Association of Community Organizations for Reform Now, otherwise known as ACORN.

For months, Republicans have been calling on our Democratic-counterparts to investigate the very serious allegations against ACORN. Today's hearing is an opportunity for Republicans to move forward on an issue of importance to the American people—determining whether taxpayer dollars have been allocated to an organization engaged in illegal conduct.

For years, ACORN has been the subject of allegations of fraud, misconduct and criminal activity. ACORN has been investigated for voter registration fraud in over a dozen states and its employees have been charged with over 50 different counts of election-related fraud.

In addition, ACORN has paid over \$1 million in restitution to avoid criminal prosecutions and has admitted to submitting 400,000 false or fraudulent voter registration forms in the 2008 election.

The following is just a sampling of the conduct ACORN has engaged in:

- In 2008 it was uncovered that approximately \$1 million was embezzled from ACORN by the brother of its founder. ACORN failed to report the theft to its Board or law enforcement officials until the theft was made public by the media. Louisiana Attorney General James Caldwell—whose office we'll hear from in a few moments—believes the amount embezzled might be as high as \$5 million.
- Seattle prosecutors indicted seven ACORN workers for the worst voter registration fraud in Washington state history. Of 2,000 names submitted by ACORN, only nine were confirmed as valid. The rest—over 97%—were fake.
- Missouri officials found that over 1,000 voter addresses submitted by ACORN did not exist. Eight ACORN employees pled guilty to federal election fraud there.
- In Ohio, an employee of an ACORN affiliate was given crack cocaine in exchange for fraudulent registrations that included underage voters and deceased individuals.
- In Pennsylvania last year, a former ACORN worker was charged with 19 counts of perjury, making false statements, forgery and identity theft.

This summer, allegations against ACORN reached primetime thanks to a now famous undercover video, which showed ACORN employees advising a “pimp” and “prostitute”—the undercover duo—on the trafficking of young girls for sex. The ACORN employees captured on video seemed all too willing to provide assistance on how best to avoid detection.

But that’s not all. The allegations against ACORN continue to pour in.

According to documents obtained by Oversight staff, it appears that ACORN directed an affiliate, Project Vote, to target Republicans in the 2008 election. This kind of political activity is a clear violation of the organization’s non-profit status.

With mountains of evidence, federal law enforcement agencies can no longer ignore the shady actions of ACORN. Because ACORN’s criminal conduct appears to be organized and widespread, the FBI should look into whether the organization itself is a criminal enterprise.

The President’s close ties with ACORN—which date back over 15 years—are of additional concern. President Obama previously served as ACORN’s lawyer; participated in ACORN training programs in Chicago; and sat on the Boards of two organizations that provided funding to ACORN’s Chicago chapter.

Just last year, the President’s campaign misrepresented in federal reports that it paid more than \$800,000 to an offshoot of ACORN. The Obama campaign initially reported the ACORN affiliate used these funds for polling, advance work, and event staging. But it really used the money for the same types of voter registration projects that have mired ACORN in criminal investigations in at least 12 states.

The President’s ties to ACORN taint any conclusions the Justice Department may reach with regard to whether or not to investigate and prosecute ACORN employees. That’s why I requested that the Attorney General appoint a special prosecutor to oversee the investigation into ACORN.

Congress also has an obligation to investigate reports of improper—and possibly illegal—conduct by ACORN. It is estimated that since 1994 ACORN has received \$53 million dollars in Federal funds.

It is disappointing that the Democratic majority has taken no steps to build a record of ACORN’s wrong-doing even though an overwhelming majority of Members voted to ban ACORN from receiving federal funds.

The Speaker has said “we have to have our own investigation,” but so far that has been all talk, and no action. For years our colleagues on the other side of the aisle criticized DOJ for alleged politicization of law enforcement. Yet, in the face of clear evidence of wrong-doing, these same Members have ignored Congress’s obligation to investigate ACORN.

Members of the Judiciary Committee have a responsibility to look into allegations that ACORN, affiliated organizations, and its employees have engaged in activities that undermine the integrity of our democracy.

Today Mr. Issa and I, and our Republican colleagues begin that process.

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