

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 73 Session of 2011

INTRODUCED BY BARRAR, BOYD, CALTAGIRONE, CLYMER, D. COSTA, CUTLER, DENLINGER, EVERETT, FLECK, GABLER, GEIST, GRELL, GROVE, HESS, HICKERNELL, HUTCHINSON, KAUFFMAN, KNOWLES, METCALFE, MILLER, PAYNE, PETRI, RAPP, ROCK, SCHRODER, SWANGER AND VULAKOVICH, FEBRUARY 15, 2011

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 15, 2011

A RESOLUTION

1 Requesting that the Attorney General and Auditor General
2 investigate the Association of Community Organizations for
3 Reform Now.

4 WHEREAS, The Association of Community Organizations for
5 Reform Now, commonly referred to as ACORN, purports to be a
6 nonprofit, nonpartisan social justice organization; and

7 WHEREAS, For nearly 40 years, ACORN has given voice to
8 African-American, Latino and other minority and working-class
9 communities by encouraging members therein to become
10 economically self-sufficient and involved in the legislative and
11 political processes; and

12 WHEREAS, ACORN's priorities have included better housing and
13 wages for the poor, more community development investment from
14 banks and governments, better public schools and other social
15 justice issues, including quality, affordable health care for
16 every American; and

17 WHEREAS, ACORN pursues its goals through demonstration,

1 negotiation, lobbying for legislation and voter participation;
2 and

3 WHEREAS, Among its many activities, ACORN provides assistance
4 to low-income taxpayers through the IRS Volunteer Income Tax
5 Assistance (VITA) Program; and

6 WHEREAS, The IRS has long supported the offering of free
7 taxpayer services through organizations such as ACORN; and

8 WHEREAS, Volunteers working through various organizations via
9 the VITA Program prepared 2.8 million tax returns, or 2% of the
10 124 million individual returns filed during the 2009 tax season,
11 and helped 42,000 families claim more than \$46 million in tax
12 refunds, including more than \$28 million in earned income and
13 child tax credits; and

14 WHEREAS, ACORN investigates complaints against companies
15 accused of predatory lending practices, works to support strict
16 state laws against predatory practices, organizes against
17 foreclosure rescue scams and steers borrowers toward loan
18 counseling; and

19 WHEREAS, Following a three-year campaign, Household
20 International, one of the largest subprime lenders in this
21 nation, and ACORN announced on November 25, 2003, a proposed
22 settlement of a 2002 national class-action lawsuit brought by
23 ACORN; and

24 WHEREAS, The settlement created a \$72 million foreclosure
25 avoidance program to provide relief to household borrowers who
26 are at risk of losing their homes; and

27 WHEREAS, The settlement came on the heels of an earlier \$484
28 million settlement between households, Attorneys General and
29 bank regulators from all 50 states; and

30 WHEREAS, ACORN Housing Corporation has assisted more than

1 110,000 families to become homeowners and provided help to more
2 than 50,000 families facing foreclosure; and

3 WHEREAS, Although it is ACORN policy to flag questionable
4 voter registration applications prior to submitting them to
5 election officials, it has been widely reported that ACORN
6 personnel are being investigated in various jurisdictions for
7 submitting fraudulent voter registration applications; and

8 WHEREAS, Voter fraud and intimidation disenfranchises
9 eligible registered voters, and free and fair elections are
10 paramount in determining the authority to govern, which should
11 be based solely on the will of the people as expressed in such
12 elections; and

13 WHEREAS, The Secretary of the Commonwealth called a recent
14 lawsuit concerning voter fraud allegations that was won by ACORN
15 "a frivolous attempt to undermine voter confidence"; and

16 WHEREAS, Although ACORN is the subject of a cease and desist
17 order from the Department of State and cannot solicit charitable
18 contributions in this Commonwealth because the organization has
19 not properly registered as a nonprofit in the Commonwealth, the
20 organization has previously received State funds; and

21 WHEREAS, The questions which have been raised concerning the
22 allegations of impropriety by ACORN workers and the use of State
23 funds by the organization are best pursued by an entity with the
24 resources to conduct Statewide investigations; and

25 WHEREAS, ACORN and the nonprofit organizations related to it
26 have received significant funding from the Commonwealth,
27 including grant funding from the Department of Community and
28 Economic Development and the Pennsylvania Housing Finance
29 Agency; and

30 WHEREAS, It is important to assure the taxpayers of this

1 Commonwealth that tax dollars have been expended for their
2 intended purposes; and

3 WHEREAS, For more than three centuries, Pennsylvania has
4 ensured its self-government through separation of powers and a
5 system of checks and balances; and

6 WHEREAS, In 1978, the Pennsylvania General Assembly created
7 an elected, independent Office of Attorney General, thereby
8 making the Attorney General an independent executive branch
9 officer with sole discretion to decide whether to pursue
10 investigations; and

11 WHEREAS, Neither the other members of the executive branch
12 nor members of the judicial or legislative branch play a
13 determining role in the Attorney General's decision; therefore
14 be it

15 RESOLVED, That the House of Representatives is mindful that
16 it is solely the decision of the Attorney General to launch
17 investigations; and be it further

18 RESOLVED, That the House of Representatives request that the
19 Attorney General investigate the Association of Community
20 Organizations for Reform Now to determine whether this
21 organization is in compliance with Pennsylvania law; and be it
22 further

23 RESOLVED, That the Auditor General be requested to determine
24 whether funds expended by this Commonwealth to fund programs of
25 ACORN and its related nonprofit organizations were utilized
26 appropriately and that this organization has accounted for such
27 funds or performed audits required under Pennsylvania law.