

For Immediate Release

March 9, 2016

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CALIFORNIA VIOLATES FEDERAL DONOR PRIVACY LAW

Kamala Harris is the 'Lois Lerner' of State Attorneys General

Manassas, VA—American Target Advertising, Inc., America's largest and oldest conservative direct marketing and fundraising consulting agency, filed comments this week with California Attorney General Kamala Harris explaining that her dragnet demands for the names of donors to charities and other nonprofit organizations that ask Californians for donations violate post-Watergate reforms to the Internal Revenue Code. The tax code protects against unauthorized inspection of and intra-office access to confidential federal tax return information by government officials, and creates an exclusive and rigid regime for state charity regulators that Ms. Harris has bypassed in obtaining donor names on Schedule B of charities' federal tax returns. The comments address a proposed confidentiality rule issued by Ms. Harris, and may be [viewed here](#).

"We have seen the lawlessness directed at nonprofit organizations under ex-IRS official Lois Lerner, and her arrogance in acting 'above the law.' The very partisan Ms. Harris is carrying on that formula in her role as California's top charity regulator," said lawyer and fundraising executive Mark Fitzgibbons, who added, "The quantity of charities affected by California's evasion of federal law far exceeds those affected by Lois Lerner's lawlessness."

Citing federal tax code section 6104(c) as "exclusively and rigidly" regulating the process for accessing and using confidential federal tax return information in administration of state charitable solicitation laws, interpretations by the IRS, and even a published article by the former head of California's Registry of Charitable Trusts, the comments state: "[D]emands for Schedule B donor names and addresses are a bold, brash, and startling statement that the Attorney General believes she is not bound by or beholden to IRC 6104(c)."

Ms. Harris unilaterally decided to use the charitable solicitation registration process to acquire confidential donor names on Schedule B of charities' federal tax returns. Those demands also violate the rights of association and privacy explained in the 1958 landmark case *NAACP v. Alabama*.

Another set of comments explaining the potential civil and criminal penalties for state officials who engage in unauthorized inspection of confidential federal tax return information, signed by five lawyers who specialize in tax and nonprofit law, were filed and may be [viewed here](#). Both sets of comments were sent to Janet Kleinfelter, president of the National Association of State Charity Officials, which organization claimed Lois Lerner as its "partner in the regulation of charities."

For more information or to arrange an interview with Mark Fitzgibbons, please contact Vi Shields with at (703) 392 7676 or vshields@americantarget.com.