

You're Wrong, Mr. Obama, the IRS Is Corrupt

In the aftermath of an IRS targeting scandal that may have influenced the 2012 election, in the midst of criminal and congressional investigations while civil litigation is pending in federal court, before a single deposition is taken and while the IRS clings to tens of thousands of documents, the president of the United States has spoken. His meaning is clear.

Move along—nothing to see here.

In his Super Bowl Sunday interview with Bill O'Reilly, President Obama declared that the IRS scandal was the product of “boneheaded decisions” and that there was “not even a smidgen of corruption.”

I suppose that's just another way of saying “phony scandal.”

While the easy and immediate response is to ask the president whether senior IRS officials typically assert their Fifth Amendment privilege against self-incrimination when there's not even a “smidgen of corruption,” his statement actually has deeper problems.

First, it is not remotely appropriate for a sitting president to make such a declaration in the midst of an ongoing criminal investigation.

Given that the FBI hasn't even interviewed the victims of IRS targeting, it's safe to say the president hasn't seen all the evidence.

How can we trust the results of an investigation when Barbara Bosserman, one of the lead attorneys, is not only a large donor to Obama's campaigns, but the president himself has

publicly issued to that attorney his opinion about the outcome?

Next, he ignores the context. The IRS scandal was orchestrated not by young, inexperienced government employees but by attorneys with decades of experience in the IRS and in the federal government. They *knew* that singling out applicants for additional scrutiny merely because of their presumed politics violates the Constitution.

Viewpoint neutrality is a basic legal requirement for federal bureaucrats, one they're made aware of from day one of federal employment.

In other words, singling out conservatives wasn't an accident or mistake; it was an intentional act by lawyers who knew it was wrong.

Third, he downplays the extent of the wrongdoing. In addition to the initial targeting scandal, we know the IRS leaked confidential information to friendly leftist media outlets.

We know the IRS has engaged in targeted audits of the administration's political enemies.

Oh, and we know that the targeting continues to this day—in spite of media coverage, multiple investigations and multiple lawsuits.

At the American Center for Law and Justice (ACLJ), of the 41 groups in 22 states that we represent in our federal lawsuit, 13 organizations still have not received tax exemptions despite waiting for years.

Finally, President Obama ignores the IRS' own lies. When the IRS made its public apology, it told a series of lies to the American public.

It lied when it said the problem was localized in Cincinnati. In reality, it involved IRS offices from coast to coast, with

most action coming from IRS headquarters in Washington.

It lied when it said the problem was the fault of low-level employees. In fact, documents show the early and continued involvement of senior IRS officials.

It also lied when it said the misconduct had stopped. As stated before, the IRS continues to deny recognition to conservative groups, and now the IRS is compounding its wrongdoing by proposing new regulations that would unconstitutionally limit political speech.

These lies by themselves are strong evidence of corruption.

In reality, the question is not whether the IRS was corrupt. It was and is. The question is, how corrupt? How far up the chain of command does the corruption extend?

The intentional misuse of government office to deprive Americans of their constitutional rights and thereby sway the outcome of public debates is the very essence of corruption in a constitutional republic. Drafting the government bureaucracy into partisan politics is more than a “boneheaded mistake”; it’s a threat to the integrity of our democracy.

Fortunately, we don’t have to rely on the president to take action against the IRS.

Congress is intensifying its investigation of this targeting scheme. I will testify before a House Oversight and Government Reform Subcommittee on Thursday at a hearing entitled “The IRS Targeting Investigation: What Is the Administration Doing?”

At the ACLJ, our lawsuit—brought against key IRS officials—is still pending, and we are undeterred by political posturing.

In the heart of Bill O’Reilly’s “No Spin Zone,” the president tried to spin. But he can’t escape the truth, and soon enough, his administration won’t be able to escape accountability.

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