



Written by [Raven Clabough](#) on July 9, 2015

Obama Administration's DOJ, FBI Also Involved in IRS Scandal

Judicial Watch, a government watchdog, has released documents obtained from the Department of Justice and the IRS that reveal a plot to pursue criminal charges against opponents of the Obama administration. The documents showcase the extensive collaboration between the IRS, DOJ, and FBI in targeting conservative organizations.



According to the Judicial Watch website, "The documents were produced subsequent to [court orders](#) in two Judicial Watch Freedom of Information Act (FOIA) lawsuits: [Judicial Watch v. Internal Revenue Service](#) (No. 1:14-cv-1956) and [Judicial Watch v. Department of Justice](#) (No. 1:14-cv-1239)."

The documents are related to the IRS scandal involving the Tax Exempt and Government Entities Division of the IRS openly targeting Tea Party and other conservative groups that applied for tax-exempt 501(c)(4) "social welfare" organization status between 2010 and 2012. Those groups faced additional audits and scrutiny by the federal agency, costing them tens of thousands of dollars and thousands of employee hours, and ultimately preventing or delaying their receiving tax-exempt status.

According to the *Daily Caller*, nearly 300 conservative groups were "subjected to unfair targeting between 2010 and 2012."

A lengthy investigation into the scandal by the House Ways and Means Committee further produced a number of significant findings, including evidence that the Obama administration's Treasury Department and former IRS official Lois Lerner conspired to create new 501(c)(4) regulations to restrict the activity of conservative groups.

The *Daily Caller* reported last year,

The Treasury Department and Lerner started devising the new rules "off-plan," meaning that their plans would not be published on the public schedule. They planned the new rules in 2012, while the IRS targeting of conservative groups was in full swing, and not after the scandal broke in order to clarify regulations as the administration has suggested.

The proposed rules imposed stricter standards on what qualified as political activity, which would have ultimately limited the practices of a number of non-profit groups.

But recently released documents reveal that there are more layers to the scandal.

On Tuesday, Judicial Watch released documents that seem to prove there was a plan contrived by former IRS official Lois Lerner, DOJ officials, and the FBI to pursue criminal prosecution of targeted nonprofit organizations for alleged illegal political activity.



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News that Lerner communicated with the DOJ about whether it was possible to launch criminal prosecutions against targeted tax-exempt entities was first revealed last year as a result of a court order in an October 2013 Judicial Watch FOIA lawsuit against the IRS.

But documents newly obtained by Judicial Watch underscore the extent of the collaboration between the IRS and the Department of Justice in these efforts, showing that Lerner had been meeting with DOJ officials to discuss the plan to pursue criminal prosecutions. According to a “DOJ Recap” [memo](#) released with the documents, Lerner met with a number of top officials on October 8, 2010 to consider all viable options in bringing criminal charges against certain conservative groups under FEC law.

As noted by *Townhall*, a previous e-mail from Lerner had already provided evidence that she was comfortable making a public example of at least one conservative group in order to frighten others from applying for tax exempt status. “One IRS prosecution would make an impact and they wouldn’t feel so comfortable doing the stuff,” Lerner said in a 2013 [e-mail](#).

The documents also contained an exchange between Lerner and Nikole Flax, then-chief of staff to then-Acting IRS Commissioner Steven Miller, wherein they discussed plans to work with the DOJ to prosecute nonprofit groups that “lied” (the word “lied” appeared in quotations in Lerner’s e-mail) about political activities. The exchange included this [May 8, 2013](#) e-mail by Lerner:

I got a call today from Richard Pilger Director Elections Crimes Branch at DOJ.... He wanted to know who at IRS the DOJ folk s [sic] could talk to about Sen. Whitehouse idea at the hearing that DOJ could piece together false statement cases about applicants who “lied” on their 1024s — saying they weren’t planning on doing political activity, and then turning around and making large visible political expenditures. DOJ is feeling like it needs to respond, but want to talk to the right folks at IRS to see whether there are impediments from our side and what, if any damage this might do to IRS programs. I told him that sounded like we might need several folks from IRS.

Records revealed that the IRS provided the FBI with 21 computer disks that contained confidential IRS information from 113,000 nonprofit social 501(c)(4) welfare groups, as part of the persecution effort.

According to then-House Oversight Committee Chairman Darrell Issa (R-Calif.), providing such information to the Justice Department was a clear violation of federal tax law.

Furthermore, information in the documents also shows that officials at the DOJ requested that IRS officials who were scheduled to testify before Congress on the IRS scandal turn over their remarks before their hearings.

A July 2013 [e-mail](#) from an undisclosed Justice Department official to a lawyer for IRS employees reads:

One last issue. If any of your clients have documents they are providing to Congress that you can (or would like to) provide to us before their testimony, we would be pleased to receive them. We are 6103 authorized and I can connect you with TIGTA to confirm; we would like the unredacted documents.

The documents’ revelations are damning, notes Judicial Watch President Tom Fitton, as they ultimately prove collusion between the IRS and various other departments and organizations.

“These new documents show that the Obama IRS scandal is also an Obama DOJ and FBI scandal,” said Fitton. “The FBI and Justice Department worked with Lois Lerner and the IRS to concoct some reason to put President Obama’s opponents in jail before his reelection. And this abuse resulted in the FBI’s illegally obtaining confidential taxpayer information. How can the Justice Department and FBI



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investigate the very scandal in which they are implicated?”

The investigation into the IRS scandal revealed collusion with [other groups](#) as well. Previous information obtained by *National Review* in 2013 showed that Lerner exchanged e-mails with an attorney at the Federal Election Commission’s general counsel on two separate occasions wherein she influenced the record before the FEC’s vote in the case of a conservative non-profit organization.

Additionally, two separate IRS officials made over 150 visits to the White House to meet with Obama officials. IRS official Sarah Hall Ingram reportedly made 165 [visits](#) to the White House to meet with an Obama official who was exchanging confidential taxpayer information with the IRS. Ingram headed the IRS office that oversaw tax-exempt organizations between 2009 and 2012. IRS Commissioner Douglas Shulman [visited the White House 157 times](#). As noted by the *Daily Caller*, “By contrast, Shulman’s predecessor Mark Everson only visited the White House once during four years of service in the George W. Bush administration.”



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