



Written by [Jack Kenny](#) on December 6, 2013

FBI, DOJ Obstructing Congressional Investigation of IRS?

Both the Federal Bureau of Investigation and the Department of Justice “have impeded a congressional investigation and interfered with the Committee’s access to information,” according to a sharply worded four-page letter two members of the House Oversight and Government Reform Committee sent this week to FBI Director James B. Comey, Jr. (shown).



Chairman Darrell Issa of California and committee member Jim Jordan of Ohio, both Republicans, took the Bureau and its parent organization to task for allegedly stonewalling the committee’s repeated requests for documents and information about the FBI’s investigation into the IRS targeting of conservative groups seeking tax-exempt status.

“Obstructing a congressional investigation is a crime,” the congressmen warned in their December 2 letter to Comey. “Making false statements to Congressional staff is also a crime. Please ensure that all Bureau employees are aware of the consequences for obstructing and misleading Congress, and that they fully cooperate with the Committee’s requests.”

They gave the agency two weeks to provide documents and information requested in the committee’s letter of September 6 and subsequent requests.

“If the Bureau does not produce this information by 5:00 p.m. on December 16, 2013, we will be forced to consider the use of compulsory process to obtain them,” they wrote, presumably meaning subpoenas. The Justice Department referred inquiries about the letter and its accusations to the FBI and the Bureau declined to comment, saying it would answer the committee in writing, the *Washington Times* [reported](#).

The internal auditor for the IRS reported in May that the agency had asked inappropriate questions and delayed applications by conservative groups for changes in their tax status. At about the time Attorney General Eric Holder ordered the FBI to begin a criminal investigation, a leader of two of the targeted groups claimed she was harassed by both the FBI and the IRS, as well as other federal agencies.

Catherine Engelbrecht, an officer in the King Street Patriots, sought 501(c)(4) status as a social welfare agency for that organization, as well as a 501(c)(3) charitable status for True the Vote. The application for True the Vote was approved after three years, but the King Street Patriots’ claim is still pending, the *Times* reported.

But soon after True the Vote began pushing to clear rolls of ineligible voters, Engelbrecht said she and her husband faced a federal occupational safety investigation at their place of business, a small machine shop in Rosenberg, Texas. Then came an IRS audit of the company, along with several rounds



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of questioning by revenue officials about True the Vote's activities. There were also six inquiries from the FBI about the King Street Patriots, including specific questions about an individual who attended a meeting of the group, Engelbrecht said.

"They basically got the full monty — all these agencies with everything she's involved in," Cleta Mitchell, an attorney for True the Vote, told the *Times*.

Issa and Jordan began pressing the FBI for information only days after Holder had instructed the Bureau to investigate, and Robert S. Mueller III, then the FBI director, did not provide any information. In a September 6 letter to Comey, the representatives asked again for the information. They expressed disappointment over the director's reply nearly two months later, when Comey's letter of October 31 did not acknowledge their request for documents and details of the probe.

"Your predecessor, Director Mueller, was unable to provide even the most basic facts about the status of the FBI probe," they wrote in their December 2 letter. "It was our hope that under your leadership, the Bureau would take this investigation seriously."

They were further frustrated on November 18 by a phone conversation between a person or persons on the committee staff and Monique Kelso, unit chief of the FBI Office of Congressional Affairs, and Kirk Melquist of the same office. The congressmen quoted Kelso as saying she "will not produce a single document" to the committee. "Ms. Kelso was generally rude, uncooperative and hostile," they wrote.

She did, however, offer to arrange a meeting between Jordan and Valerie Parlave, director of the FBI's Washington office and the agent in charge of the investigation. But after e-mailing an offer of a number of possible dates and times for the meeting, the congressional committee received a reply from Melquist, saying, "I am waiting for guidance from the DOJ and will give you a status as soon as I hear something."

Requests for clarification as to what kind of guidance was needed went unanswered and Kelso called on November 20 to tell the committee that the FBI would provide no further information. Kelso said she had contacted by e-mail several people at the Justice Department, including Peter Kadzik, the principal deputy assistant attorney general for legislative affairs and the president's nominee to head the department's Legislative Affairs office.

When asked if anyone at the DOJ answered those e-mails or provided the guidance Melquist was awaiting, she replied, "no," the congressmen said.

The withdrawal of the offer for a meeting with Parlave and Melquist's statement about "guidance" from the DOJ "suggests that DOJ officials may have inappropriately interfered and prevented Ms. Parlave, a career law-enforcement agent, from sharing information with the Committee," the congressmen stated. "If this interference occurred, it would also contradict Ms. Kelso's direct statement to the Committee."

The representatives also noted that Kadzik's promotion is pending before the Senate Judiciary Committee and that copies of their letter were being sent to committee Chairman Patrick Leahy, a Democrat of Vermont, and Republican Charles Grassley of Iowa, the committee's ranking member.

"The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives," they wrote, "and may 'at any time' investigate 'any matter' as set forth in House Rule X."

Photo of FBI Director James B. Comey, Jr.: AP Images



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