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House Lawmakers Censure IRS Commissioner Koskinen

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A U.S. House committee overseeing the administration of justice in federal courts and agencies voted to censure a high-ranking Internal Revenue Service (IRS) official for his role in covering up abuses of power at the federal revenue-collection agency.

Beginning in 2010, employees of IRS' Exempt Organizations division, under the supervision of division Director Lois Lerner, violated IRS policies by singling out organizations for special examination based on a group's name or policy positions, with the aim of slowing or preventing the ability of conservative organizations to receive tax-exempt donations in the run-up to the 2012 elections.

Lawmakers on the U.S. House Oversight and Government Reform Committee say John Koskinen, the current IRS commissioner, participated in covering up Lerner's actions by destroying public records and stonewalling government investigations.

With the committee having approved the censure in June, the House will vote on the measure. If the censure is approved, Koskinen will be stripped of his taxpayer-funded pension and other government perks.

U.S. Rep. Jim Jordan (R-OH), a member of the House Oversight Committee, told *Budget & Tax News* Koskinen's actions and statements meet the legal standard necessary for censure.

'Breach of Public Trust'

"We think the standard is dereliction of duty, gross negligence, and breach of public trust," Jordan said. "Obviously, Mr. Koskinen has done just that. When it's something of this magnitude, where documents are under two subpoenas and there have been three document preservation orders in place, and under his watch 422 backup tapes were destroyed containing potentially 24,000 e-mails, ... that's a breach of public trust and gross negligence."

Jordan says Koskinen helped cover up abuses of Americans' fundamental rights.

“When the Founders put together the First Amendment—freedom of speech, freedom of religion, freedom of the press, freedom of assembly, all those rights are extremely important—what they really focused on was your ability to speak,” Jordan said. “In particular, they weren’t focused on just any old speech, but they were focused on political speech: your right to criticize your government and not be harassed for it. But that’s exactly what the IRS did.”

Long List of Abuses

Dan Mitchell, a senior fellow with the Cato Institute, says the IRS has also refused to enforce Obamacare provisions.

“In terms of the bigger question of what the IRS has done wrong, it goes way beyond the attempted suppression of Tea Party groups,” Mitchell said. “It deals with everything from the fact that they arbitrarily and unilaterally ignore certain Obamacare law provisions simply because the White House decided that they wanted to change the rules, notwithstanding that the law theoretically means what the law says.”

‘Politically Weaponized Agency’

Mitchell says IRS has effectively become a “weaponized” arm of the government.

“There was also an IRS regulation that forced American banks to put foreign tax law above U.S. tax law, so there’s been a whole series of things that the IRS has done which has made it, in effect, a politically weaponized agency for the Obama administration. And that is something that should upset anybody who cares about the rule of law, whether you’re on one side or another of a particular political issue,” Mitchell said.

The only way to prevent future IRS abuses is to make the U.S. tax code simpler, minimizing the agency’s ability to use tax laws for political purposes, Mitchell says.

“The only reason the IRS has the power and ability to be vindictive and put its thumbs on the scale to distort the political process and the suppression of First Amendment rights, ... all these things ultimately only exist because the tax code is such a mess,” Mitchell said.