

THE FIX

# All the ways Trump, not his foes, sought to ‘weaponize’ the government

The latest example involves the IRS — even as the GOP tries to pin such tactics only on its opponents



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The House GOP’s effort to rip the lid off what it sees as the “weaponization” of the U.S. government hasn’t exactly gone well. The theories remain thinly constructed. The allegations have often gone well beyond the available evidence or even been contradicted by it. Conservative grumbling about the work product began early on.

The good news is that, to the extent that the House Judiciary Committee’s new “weaponization” subcommittee and Oversight Committee are intent on good-faith efforts to root out examples of the government being turned against political adversaries, there remain some great and still-unexplored targets dating back just a few years — from the Trump administration.

On Friday came merely the latest evidence of President Donald Trump possibly wielding the levers of the government against his foes. The New York Times reported that Trump’s former White House chief of staff John F. Kelly said in a sworn statement that Trump had floated having the IRS investigate two key figures in the investigation into Russia’s interference in the 2016 presidential election.

Peter Strzok and Lisa Page were best known for exchanging anti-Trump text messages while the Russia probe was unfolding. This, of course, was hailed by Trump and his allies as being proof positive that the Russia investigation was politically motivated — the original “weaponization” of the government against Trump.

But neither the Justice Department inspector general nor special counsel John Durham found evidence that these private sentiments amounted to politically tainting the investigation.

Inspector General Michael Horowitz found no evidence “that political bias or improper motivation influenced the decisions” to open the investigations (while finding many other problems). Durham’s probe was repeatedly hailed by Trump. But rather than citing political bias, Durham cited “a serious lack of analytical rigor” and “confirmation bias,” while noting that the latter is a “common human tendency” that is “mostly unintentional.”

What we instead have with regard to Strzok and Page is arguably even more compelling evidence that Trump wanted to weaponize the federal government — against *them*. Indeed, unlike the Russia probes, it’s difficult to understand this as having to do with anything but a political vendetta. (We stand waiting for evidence that Trump had some inside knowledge of alleged tax misdeeds by Strzok or Page.)

This is a significant legal matter, given it’s illegal for a president to “directly or indirectly” request an IRS audit. We don’t know yet whether Trump’s actions amounted to that; he made a habit of suggesting such things rather than ordering them. But it would sure seem worth digging into, given that his former chief of staff has now said this in a sworn statement and that there is other evidence of Trump wanting to turn the IRS and Justice Department against his foes (which we’ll get to).

It’s a situation that epitomizes the selectiveness of the GOP’s “weaponization” crusade. For years, Republicans have decried the weaponization of the government. Since winning back the House, they’ve launched investigations. But even as their theories have failed to come to fruition, on the flip side, we have continued to learn more about how Trump at the very least sought to wield the levers of power for his political ends.

To wit:

- Trump also wanted the IRS to investigate former FBI director James B. Comey and former deputy director Andrew McCabe, along with Hillary Clinton, former secretary of state and Trump’s presidential challenger, and other perceived foes, Kelly said last year. Comey and McCabe were audited, the odds of which happening randomly is infinitesimal. (An inspector general report last year found no connection between Trump and the audits, but raised concerns that warranted further investigation.)
- Trump publicly and repeatedly pushed for McCabe’s firing before McCabe was due to receive full retirement benefits, ultimately succeeding mere hours before that would have taken place.
- Trump told his White House counsel that he wanted to order probes of Clinton and Comey, per the Times. (His press secretary in late 2017 also said prosecuting Comey was “something that certainly should be looked at” at the Justice Department.)
- Trump said publicly in late 2020 that former president Barack Obama and former vice president Joe Biden should be indicted and indicated he had made such a case to his attorney general, William P. Barr.
- He said in 2019 that it would be “appropriate” for him to ask for an investigation of Biden.
- He withheld security assistance from Ukraine while seeking to have the country say it was opening an investigation involving Biden’s son, Hunter Biden, releasing the aid only when the situation became public. Acting White House chief of staff Mick Mulvaney effectively confirmed this was the arrangement before backing off those comments. Trump was impeached for this, and many

Republicans acknowledged it was at least improper. A key figure — European Union Ambassador Gordon Sondland — indicated it was probably illegal.

- A Justice Department office was tasked with investigating former secretary of state John F. Kerry in 2018, two days after Trump tweeted about Kerry’s “possibly illegal” activities and the same day Trump said Kerry “should be prosecuted,” according to former U.S. attorney Geoffrey Berman’s book.
- A Trump political appointee in 2018 asked Berman to prosecute a prominent Democratic lawyer, Gregory Craig, and to do so before the midterms, Berman also said. (When Berman declined, it was prosecuted in Washington, where the jury acquitted Craig of lying to the Justice Department.)
- Berman recalled several other examples of political influence seeping into the Justice Department. “Throughout my tenure as U.S. attorney,” Berman wrote, “Trump’s Justice Department kept demanding that I use my office to aid them politically, and I kept declining — in ways just tactful enough to keep me from being fired.”
- Trump repeatedly applied public pressure on the Justice Department to take it easy on his allies, prompting Barr to remark that Trump’s comments “make it impossible for me to do my job.”

This is a necessarily incomplete list. It doesn’t include, for example, Trump’s pardoning of political allies at a historic rate. This was his prerogative as president, but it certainly plays into the idea that Trump intended to wield the government for political benefit.

Some of these instances have also been investigated to some extent, and they might not necessarily involve criminality. Trump certainly benefited from being insulated from criminal consequences as president.

But the picture that is crystal clear is one of Trump, at the very least, wanting to weaponize the government against his foes.

“He was always telling me that we need to use the FBI and IRS to go after people,” Kelly told the Times last year, adding that “it was constant and obsessive and is just what he’s claiming is being done to him now.”

In addition to Kelly, we have Berman, Barr and Trump’s former national security adviser John Bolton all pointing to Trump’s own sins on this front.

Congressional Republicans give away the game when the committee charged with rooting out such official, political misdeeds deems them unworthy of investigation — or even opprobrium.