

# Unjust Justice Delivered ‘Fast and Furious’

REVIEW BY PETER B. GEMMA

**Y**ou know it has to be a big scandal when Wikipedia devotes a page to it, and with no less than 80 footnotes too.<sup>1</sup> By comparison, the Watergate affair merits 79 Wikipedia footnotes; the Clinton impeachment trial logs in with 49. And no one died in these episodes.

The “Fast and Furious” scandal is a “gun walking” program that was designed by the Department of Justice (DOJ) to facilitate the distribution of weapons to Mexico in order to make direct contact with members of drug cartels. More than 2,000 guns were smuggled across the border via undercover shipments and sales. Incredibly, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) somehow lost track of the firearms, but it is known (from recovered bullets and a few confiscated guns) that the death toll from this supply chain is 200 and rising, including U.S. Border Patrol Agent Brian Terry and Immigration and Customs Enforcement Agent Jaime Zapata.

The gun giveaway included assault weapons and 50 caliber rifles, and over 1,500 firearms still remain unaccounted for.

The ATF pressured gun store owners to sell firearms to straw buyers who were supposed to deliver them to drug lords in Mexico. The drug dealers were thus to be identified and targeted for arrest. But, utilizing documentation and first-hand information from whistleblowing federal agents, the author of *Fast and Furious: Barack Obama’s Bloodiest Scandal and the Shameless Cover-Up* shows how the program backfired and armed the very criminals it was supposed to trap. Despite the initial protests of gun store owners and ATF whistleblowers, federal agents deliberately tiptoed around federal statutes and distributed American weapons into the hands of Mexico’s most violent criminals. And when the

guns started showing up at crime scenes—including the murder scene of a U.S. border patrol agent—a cover-up began.

Mexico’s attorney general, Marisela Morales Ibáñez, was kept out of the loop about Operation Fast and Furious. Katie Pavlich writes in her new book: “Morales had heard about Fast and Furious sporadically from American media reports following Brian Terry’s murder, but didn’t know the gruesome details until informed by [ATF Deputy Attaché Carlos] Canino.” Ibáñez was angry: “In no way would we have allowed [this operation] because it is an attack on the safety of Mexicans.”

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## Fast and Furious

**Barack Obama’s Bloodiest Scandal  
and the Shameless Cover-Up**

By Katie Pavlich

Regnery Publishing, 2012

222 pp., HB; \$27.95



## Injustice

**Exposing the Racial Agenda  
of the Obama Justice Department**

By J. Christian Adams

Regnery Publishing, 2011

256 pp., HB; \$27.95

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Sheriff Paul Babeu of Pinal County, Arizona, in an interview conducted with this writer, described the shooting of Border Patrol Agent Brian Terry:

On December 14, 2010, Border Patrol Agent Brian Terry was patrolling with three other members of his tactical team in Peck Canyon, which is a notorious drug-smuggling corridor. At the same time five illegal aliens, all of whom were armed with weapons, were also patrolling in the same canyon. According to one of them who was later arrested, at least two of the illegal aliens carried their

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assault rifles “at the ready position.” After the Border Patrol agents identified themselves in Spanish as police officers, one of the illegal aliens opened fire, striking Brian Terry in the back. The bullet pierced his aorta and he began to bleed profusely. He died at the scene. At the time of the shooting, Brian Terry was armed with a beanbag shotgun [that weapon is designed only to deliver a blow that will briefly render a violent suspect immobile]. Two of AK-47s recovered at the scene came from the failed Fast and Furious operation.

In *Fast and Furious* Pavlich writes:

What Brian Terry’s family did not know, as they tried to cope with the loss of their son during Christmas 2010, was that the AK-47 that had fired the round that killed Brian had been sold to the Mexican drug cartels under the supervision of the United States government, and that the weapon sale was only one deadly part of a terrible scandal overseen by the Obama administration itself, which had intentionally funneled arms to the drug cartels’ borderland killers. Josephine Terry and millions of bewildered Americans who followed the story in the news were left with one haunting question: Why?

Katie Pavlich, the news editor for Townhall.com, cuts to the heart of the program’s raison d’être: “In the aftermath of the Fast and Furious scandal, administration officials repeatedly denied that their activities were motivated by an effort to curtail Second Amendment rights, but what they said when the initiative was launched was rather different: they implied that American gun shops were the source of the problem.” The author believes that President Obama and Attorney General Holder actually sanctioned the program in order to advance their anti-Second Amendment agenda. A tough stance, but she provides plenty of documentation that will make even skeptical readers think twice. Pavlich believes Obama and Holder want to demonize gun stores and those who legally buy guns for hunting, collecting, target shooting, and protection. In a coincidental development, last year the DOJ moved to require gun dealers in the Southwest to report multiple sales of long guns. The Republican House majority defunded the initiative.

The White House is uncooperative with Congressional inquiries about Fast and Furious, and claims ignorance of the program details — they assert it was a continuation of a similar plan in the George W. Bush

Administration, “Operation Wide Receiver,” launched in 2003 with close cooperation by the Mexican government. It is not, according to Pavlich’s extensive investigation.

House Republican leaders are now pressuring Attorney General Eric Holder to turn over documents to House investigators in the Fast and Furious case. Following a 15-month inquiry, they now demand that Holder comply with a seven-month-old subpoena or face the consequences.<sup>2</sup> On June 1, the Mexican government announced it too was proceeding with an investigation of the controversy. The Mexican ambassador to the United States said, “The failed federal gun-tracking operation called Fast and Furious showed an outstanding lack of understanding of how criminal organizations are operating on both sides of our common borders.”<sup>3</sup>

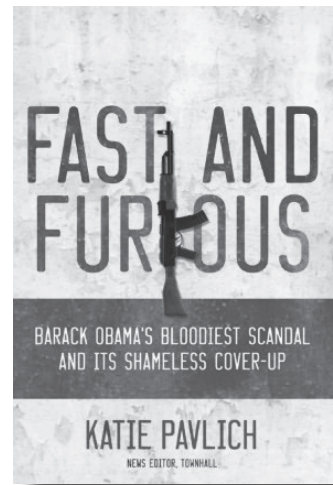
Although the U.S. Attorney for Arizona, Dennis Burke, resigned over the scandal, no other DOJ or ATF staff members have lost their jobs. Attorney General Eric Holder has not expressed outrage for the tragic outcome of the program.

*Fast and Furious* author Pavlich writes indignantly:

The main reason I wrote [this book] is simply because this is a scandal that involves the murders of two of our federal agents, Brian Terry and Jaime Zapata, at the hands of the federal government, not to mention the murders of hundreds of Mexican citizens. The way this Justice Department under the Obama administration has conducted [itself] in response to this scandal is absolutely appalling and disgusting. Anyone who believes the President of the United States and the Attorney General are not above the law, needs to know about this scandal and help hold federal officials accountable for their actions.

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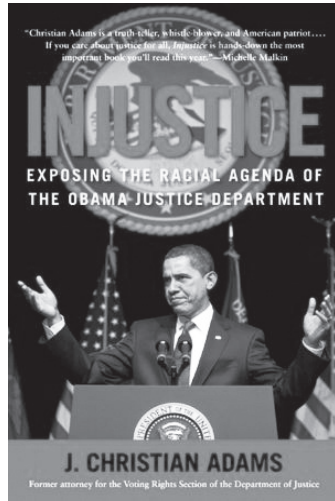
A political agenda for what is supposed to be a neutral criminal investigative and law enforcement agency is not new. John Kennedy’s brother Bobby served his family’s interests when he was Attorney General, and



Richard Nixon's manipulation of the Department of Justice is well known. The Obama administration has taken that practice to new heights (or lows if you will).

J. Christian Adams, who served for five years as an attorney in the Voting Section of the United States Department of Justice, has written an important book, *Injustice: Exposing the Racial Agenda of the Obama Justice Department*. To better see how the "Fast and Furious" program and the DOJ's array of suits against states implementing legislation to protect citizens from the impact of the illegal alien invasion all tie together, this book provides some, missing links.

The author points out at the beginning of *Injustice* that since 1971, Attorney General Eric Holder has walked around with this newspaper clipping from Harlem preacher Samuel D. Proctor in his wallet:



Blackness is another issue entirely apart from class in America. No matter how affluent, educated and mobile [a black person] becomes, his race defines him more particularly than anything else. Black people have a common cause that requires attending to, and this cause does not allow for the rigid class separation that is the luxury of American whites. There is a sense in which every black man is as far from liberation as the weakest in his weakness is attributable to racial injustice.

Adams tells of the outrageous conduct of local officials in places such as Noxubee and Wilkinson Counties in Mississippi, and Hale and Perry Counties in Alabama, where black authorities, through a variety of illegal practices, systematically disenfranchised white voters. Enforcement against these practices was at least sloppy if not actually illegal. Today, under the Obama administration, a resurgence of "fraud, forced assistance and lawlessness" is simply being ignored, according to Adams. It's apparently payback time for Southern states.

One blogger who commented on Adams' *Injustice* book wrote: "Speaking as a liberal Democrat during most of my life, who voted for candidate Obama in 2008, and a former civil rights protester and a former

federal civil rights official, I can testify that the indictment appears to be based upon solid fact. Attorney General Eric Holder allowed his Civil Rights Division to ignore blatant violations of civil rights in some cases when the victims were white and the defendants were black, such as in the infamous New Black Panther case. It also appears that these illegal actions were taken primarily because the Justice Department officials, both black and white, wanted to show favoritism to the black miscreants."<sup>4</sup>

Apparently DOJ has turned the Civil Rights Movement into the Revenge Movement.

Adams gives an insider's view of how Holder runs the Department of Justice:

According to sources inside the Voting Section, Deputy Assistant Attorney General Julie Fernandes has implemented a new process that shifts massive power to approve state laws into the DOJ's political ranks. It works like this: when a politically important submission comes in, Fernandes or some other Obama appointee now tags it as a 'red file' — it is literally placed into a red file so everyone knows this is a state law that keenly interests the Obama political appointees. Red files are treated much differently from other submissions because the staff members know their work is being watched at the highest levels of the department. It also sends a signal to the career technicians that they should be extra aggressive in collecting evidence of discrimination.

Then he makes this key point: "Obviously, states long targeted by the Obama DOJ such as Arizona are justified in fearing the red file process."

As the author explains, "The bottom line is this: in the Voting Section, lawyers whose main career experience was in subverting voting laws will be standing watch over America's voting system during the 2012 presidential election."

And let there be no doubt: this administration plays political hardball when using government power. In May, Attorney General Holder along with officials from the IRS and ACLU lawyers briefed several hundred black pastors in Washington, D.C. on how to participate in the presidential election. The Congressional Black Caucus helped organize the workshop. "We will have representatives from nine denominations who actually pastor somewhere in the neighborhood of about 10 million people, and we're going to first of all equip them with

the information they need to know about what they can say and what they cannot say in the church that would violate their 501c3 [tax exempt] status with the IRS,” Congressman Emanuel Cleaver, (D-MO) — chairman of the Congressional Black Caucus — told MSNBC.<sup>5</sup>

And consider this too: DOJ’s intense legal assault on states such as Arizona and Georgia, which are struggling to implement immigration reform laws, is clearly intended to deter many other jurisdictions contemplating actions that would impede the administration’s open-borders agenda. For example, the DOJ recently demanded that Florida stop its review of registered voters to determine eligibility. “Once again the Attorney General politicized his role,” said Congressman Steve King (R-IA). “The Department of Justice is aiding in illegal immigrants being allowed to vote and prohibiting the state of Florida from enforcing the law.” Attorney General Holder and the Obama administration are contending that Florida is breaking federal law, citing arcane provisions of the 1965 Voting Rights Act.

Holder is directly responsible for the deadly gun running Fast and Furious fiasco. It is a fact that his Department of Justice is harassing and intimidating states over immigration reform. And the DOJ’s Voting Section is doing whatever it can to identify and recruit minority-voting blocs to stuff ballot boxes in November.

As the spotlight on “Fast and Furious” gets hotter, the White House is now directly part of the fight. In an extraordinary move, Attorney General Holder asked for executive privilege on June 20 to keep some documents from the 16-month-old congressional investigation, claiming the papers pertain to the “deliberative process” on how to respond to congressional and media inquiries. Congressman Darrell Issa (R-CA), Chairman of the House Oversight and Government Reform Committee, had demanded to see unreleased documents from the Bureau of Alcohol, Tobacco, Firearms and Explosives, including a letter from February 4, 2011, in which the department claimed the U.S. did not knowingly help smuggle guns to Mexico — specifically those found where the U.S. Border Agent was killed. That’s when the administration stepped in: for the first time since taking office, President Obama granted the request for executive privilege. In response and on a party vote line, the House Oversight and Government Reform Commit-

tee held the Attorney General in contempt of Congress. “This is like Iran Contra, like Watergate, and other embarrassments over the years,” Issa said. “The major embarrassment is the delay in being honest and open about it.”

The response to these developments has been quick: *The New York Daily News* editorialized, “The doctrine of executive privilege must be reserved for preventing congressional intrusions into exercises of presidential power, not for shielding the paper trail of what should be far more routine government actions.” House Minority Leader Nancy Pelosi (D-CA) dismissed the contempt of Congress charges against Attorney General Eric Holder by saying, “I could have arrested [GOP political operative] Karl Rove on any given day. I’m not kidding. There’s a prison here in the Capitol. If we had spotted him in the Capitol, we could have arrested him.” Senator Charles Grassley (R-IA) noted, “The attorney general wants to trade a briefing and the promise of delivering some small, unspecified set of documents tomorrow for a free pass today.” Grassley said, “He wants to turn over only what he wants to turn over and not give us any information about what he’s not turning over. That’s unacceptable. I’m not going to buy a pig in a poke. Chairman Issa is right to move forward to seek answers about a disastrous government operation.”

That’s the indictment. Read *Injustice* and *Fast and Furious* to see if Holder et al are guilty as charged. ■

### Endnotes

1. [http://en.wikipedia.org/wiki/ATF\\_gunwalking\\_scandal](http://en.wikipedia.org/wiki/ATF_gunwalking_scandal)
2. <http://thehill.com/homenews/house/228351-gop-leaders-join-issa-in-pressuring-ag-holder-on-fast-and-furious>
3. <http://articles.latimes.com/2012/jun/01/nation/la-na-fast-furious-20120601>
4. The case against the racist New Black Panther Party, charged with intimidating white and black voters alike on Election Day 2008 in Philadelphia, was dropped by the DOJ.
5. <http://campaign2012.washingtonexaminer.com/blogs/beltway-confidential/holder-brief-black-pastors-campaign-2012/567501>