



Duck And Dodge

Obama's Failure To Take Responsibility For "Fast And Furious"

OBAMA INVOKED EXECUTIVE PRIVILEGE TO WITHHOLD DOCUMENTS PERTINENT TO THE INVESTIGATION INTO OPERATION "FAST AND FURIOUS"

"President Barack Obama Invoked Executive Privilege Wednesday To Withhold Documents A House Committee Is Seeking In An Investigation Of A Flawed Gun-Smuggling Probe In Arizona."

"President Barack Obama invoked executive privilege Wednesday to withhold documents a House committee is seeking in an investigation of a flawed gun-smuggling probe in Arizona. In a letter to Rep. Darrell Issa, R-Calif., a Justice Department official said the privilege applies to documents that explain how the department learned that there were problems with the investigation called Operation Fast and Furious." (Pete Yost, "Justice Dept Says President Has Exerted Executive Privilege Over Fast And Furious Documents," [The Associated Press](#), 6/20/12)

"The Obama Administration Is Asserting Executive Privilege" To Avoid Turning Over The Requested Documents. "Hours prior to the House Oversight and Government Reform Committee's 23-17 vote, Deputy Attorney General James Cole informed the committee's chairman, Rep. Darrell Issa, R-Vista (San Diego County), that the Obama administration is asserting executive privilege in declining to turn over documents...The administration's invocation of executive privilege covers documents produced after the Feb. 4, 2011, Justice Department letter denying use of gun-walking tactics in Fast and Furious." (Dan Freedman, "Attorney General Eric Holder Cited By Committee," [San Francisco Chronicle](#), 6/23/12)

The White House Refused To Cooperate With The Inspector General's Investigation

"The White House Did Not Produce To Us Any Internal White House Communications, Noting That 'The White House Is Beyond The Purview Of The Inspector General's Office, Which Has Jurisdiction Over Department Of Justice Programs And Personnel.'" "We also requested from the White House any communications concerning Operation Fast and Furious during the relevant time period that were sent to or received from (a) certain ATF employees, including Special Agent in Charge Newell, and (b) certain members of the White House National Security Staff, including Kevin O'Reilly. In response to our request, the White House informed us that the only responsive communications it had with the ATF employees were those between Newell and O'Reilly. The White House indicated that it previously produced those communications to Congress in response to a similar request, and the White House provided us with a copy of those materials. The White House did not produce to us any internal White House communications, noting that 'the White House is beyond the purview of the Inspector General's Office, which has jurisdiction over Department of Justice programs and personnel.'" ("A Review Of ATF's Operation Fast And Furious And Related Matters," U.S. Department Of Justice, [Office Of The Inspector General](#), 9/19/12)

Inspector General Michael Horowitz: Internal White House Communications Were “A Lead We Wanted To Follow.” REP. BLAKE FARENTHOLD (R-TX): “You noted also in your report that the White House refused to share internal communications with you during your investigation of Fast And Furious. We’ve noted a connection into the White House through Kevin O’Reilly at the National Security Council. Do you think the White House’s refusal to share these documents limited the scope of your investigation, and would this committee be well served by pursuing an investigation in that avenue?” INSPECTOR GENERAL MICHAEL HOROWITZ: “Well, as we noted in the report and as you know, Congressman, we did not get internal communications from the White House, and Mr. O’Reilly’s unwillingness to speak to us made it impossible for us to pursue that angle of the case and the question that had been raised.” FARENTHOLD: “So it would probably be worthwhile for us to pursue?” HOROWITZ: “Well, certainly we have sought to pursue every lead we could. I can just tell you from our standpoint it was a lead we wanted to follow.” (Committee On Oversight And Government Reform , U.S. House Of Representatives, Hearing, 9/20/12)

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Obama Later Falsely Denied That His Administration Was Responsible For “Fast And Furious”

Obama: “Well, First Of All, I Think It’s Important For Us To Understand That The Fast And Furious Program Was A Field-Initiated Program Begun Under The Previous Administration.” UNIVISION’s JORGE RAMOS: “Mr. President, you told me during an interview that you—Eric Holder or you did not authorize the Fast and Furious operation that allowed 2,000 weapons from the United States to Mexico, and they were in drug-trafficking hands. I think that up to 100 Mexicans might have died, and also American agent, Brian Terry. There’s a report that 14 agents were responsible for the operation. But shouldn’t Attorney General Eric Holder—he should have known about that. And if he didn’t, should you fire him?” OBAMA: “Well, first of all, I think it’s important for us to understand that the Fast and Furious program was a field-initiated program begun under the previous administration.” (President Barack Obama, [Univision Town Hall](#), Miami, FL, 9/20/12)

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ABC’s Jake Tapper: “Asked About The Fast And Furious Program At The Univision Forum On Thursday, President Obama Falsely Claimed That The Program Began Under President George W. Bush...In Actuality, The Fast And Furious Program Was Started In October 2009, Nine Months Into The Obama Presidency.” (Jake Tapper, “President Obama Falsely Claims Fast And Furious Program ‘Begun Under The Previous Administration,” [ABC News’s Political Punch](#), 9/21/12)

Politifact: “Fast and Furious Did Begin During The Time Obama Held Office.” “Obama said that ‘the Fast and Furious program began under the previous administration.’ That is not the case; Fast and Furious did begin during the time Obama held office. Another similar program, called Operation Wide Receiver, did happen during the Bush administration, and a recent inspector general’s report criticized both operations as ineffective and seriously flawed. But Operation Wide Receiver is not the same thing as the Fast and Furious program. We rate Obama’s statement False.” (Angie Drobnic Holan And Amy Sherman, “Barack Obama Said ‘Fast And Furious’ Began Under The Bush Administration,” [Politifact](#), 9/20/12)

- **The Inspector General’s Report “Clearly Shows That Fast And Furious Began Under The Obama Administration, Dating Its Inception To October 2009.”** “A day before Obama’s Univision interview, the U.S. Department of Justice’s Inspector General released a 512-page report about Fast and Furious. ‘Our review of Operation Fast and Furious and related matters revealed a series of misguided strategies, tactics, errors in judgment and management failures,’ the report

noted. The report also clearly shows that Fast and Furious began under the Obama administration, dating its inception to October 2009. (Obama took office in January 2009.) This directly contradicts Obama's claim." (Angie Drobnic Holan And Amy Sherman, "Barack Obama Said 'Fast And Furious' Began Under The Bush Administration," [Politifact](#), 9/20/12)

The Fact Checker: "Obama Earns Three Pinocchios For His Comments About Fast And Furious."

"Clearly, ATF didn't develop the practice of gun walking under the current administration. But Obama specifically referred to 'the Fast and Furious program,' which unquestionably started during his term as president. That operation was not 'begun under the previous administration.' Perhaps the president made a mistake, and he really meant to talk about gun-walking in general instead of a particular gun-walking operation. But he could also be trying to wash his hands of any accountability for a program that launched on his watch and put 2,000 powerful firearms on U.S. and Mexican streets. Either way, we can't let politicians get away with this sort of egregious factual mistake. Otherwise they'll start making them on purpose. For what it's worth, Obama has shirked responsibility for politically hot failures in the past. He earned two Pinocchios in a previous column for saying his administration wasn't at fault 'per se' for the \$535 million federal loan that went to the now-bankrupt solar-panel manufacturer Solyndra. Obama earns three Pinocchios for his comments about Fast and Furious. His factual error sends a message that the previous administration is responsible for gun walking and Operation Fast and Furious." (Josh Hicks, "Obama's Univision Denial That Fast And Furious Started On His Watch," [The Washington Post's The Fact Checker](#), 9/21/12)

"FAST AND FURIOUS" WAS A BOTCHED ATF OPERATION THAT ALLOWED MORE THAN 2,000 WEAPONS TO FALL INTO THE HANDS OF MEXICAN DRUG CARTELS

The "Fast And Furious" Operation Was An ATF Program That Tracked Weapons Sold To Illegal Buyers In Hopes Of Arresting Mexican Drug Cartel Members. "Agents with the federal Bureau of Alcohol, Tobacco, Firearms and Explosives purposely allowed licensed firearms dealers to sell weapons to illegal straw buyers, hoping to track the guns to Mexican drug cartel leaders and arrest them. But they lost track of more than 2,000 weapons, and the Mexican government says some of them have turned up at about 170 crime scenes there." (Richard A. Serrano, "Emails Show Top Justice Department Officials Knew Of ATF Gun Program," [Los Angeles Times](#), 10/03/11)

- **"During The Course Of The Investigation, ATF Agents Seized Only About 100 Of The Firearms Purchased, The Result Of A Strategy Jointly Pursued By ATF And The U.S. Attorney's Office That Deferred Taking Overt Enforcement Action Against The Individual Straw Purchasers While Seeking To Build A Case Against The Leaders Of The Organization."** ("A Review Of ATF's Operation Fast And Furious And Related Matters," U.S. Department Of Justice, [Office Of The Inspector General](#), 9/19/12)

"Univision News Identified A Total Of 57 More Previously Unreported Firearms That Were Bought By Straw Purchasers Monitored By ATF During Operation Fast And Furious, And Then Recovered In Mexico In Sites Related To Murders, Kidnappings, And At Least One Other Massacre." (Gerardo Reyes And Santiago Wills, "Fast And Furious Scandal: New Details Emerge On How U.S. Government Armed Mexican Drug Cartels," [ABC News](#), 9/30/12)

U.S. BORDER PATROL AGENT BRIAN TERRY WAS MURDERED BY MEN CARRYING WEAPONS FROM "FAST AND FURIOUS"

Two "Fast And Furious" Weapons Were "Found At The Scene Of The Dec. 14 Shooting Of US Border Patrol Agent Brian Terry." "The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is facing criticism of a program that funneled illegal guns into the hands of Mexican gun runners, drug gangs, and other criminals after two of those guns were found at the scene of the Dec. 14 shooting of US border patrol agent Brian Terry by Mexican bandits in Arizona...The Dec. 14 shootout in Peck Canyon,

near Nogales, Ariz., occurred after border patrol agents halted a group of armed border bandits and fired at them with bean bag guns. The bandits then opened fire with live bullets from AK-47 submachine guns, killing Mr. Terry.” (Patrik Jonsson, “Did Flawed US Policies Play Role In Death Of Border Patrol Agent?,” [The Christian Science Monitor](#), 3/4/11)

- **The Link Between Terry’s Death And “Fast And Furious” Was Known Immediately To Officials.** “Internal documents show the link between Terry’s murder and the gunwalking operation labeled ‘Fast and Furious’ was known immediately to some government officials, but it’s unclear how high up the chain that information went and how fast.” (Sharyl Attkisson, “Attorney General Eric Holder ‘Sorry’ For Terry Family Loss,” [CBS News](#), 11/11/11)
- **ATF Agents “Made No Effort” To Apprehend The Person Who Bought The Rifles Recovered At The Scene Of Terry’s Murder.** “On January 16, 2010, one of the straw purchasers, Jaime Avila, purchased three AK-47 style rifles from a Phoenix-area gun store. ATF agents learned about that purchase 3 days later and, consistent with the investigative strategy in the case, made no effort to locate Avila or seize the rifles although ATF had identified Avila as a suspect in November 2009. Two of the three rifles purchased by Avila on January 16 were recovered 11 months later at the scene of the murder of Agent Terry, who was shot and killed on December 14, 2010, as he tried to arrest persons believed to be illegally entering the United States.” (“A Review Of ATF’s Operation Fast And Furious And Related Matters,” U.S. Department Of Justice, [Office Of The Inspector General](#), 9/19/12)

“[T]he Senior Leadership Of The ATF And The Department Of Justice...Took Little Action In The Immediate Aftermath Of Agent Terry’s Death To Learn More” About Operation “Fast And Furious.” “Although the Federal Bureau of Investigation (FBI) was assigned to investigate the murder of Agent Terry, the senior leadership of ATF and the Department of Justice (Department or DOJ) took little action in the immediate aftermath of Agent Terry’s death to learn more about an ATF investigation that involved the trafficking of approximately 2,000 weapons over many months, and how guns purchased by a previously-identified subject of that investigation ended up being recovered at the scene of Agent Terry’s murder.” (“A Review Of ATF’s Operation Fast And Furious And Related Matters,” U.S. Department Of Justice, [Office Of The Inspector General](#), 9/19/12)

No Government Officials Involved “Fast And Furious” Have Been Held Criminally Liable For Terry’s Murder. “One year ago today, Border Patrol Agent Brian A. Terry was gunned down in Arizona near the Mexican border by illegal immigrants armed with weapons from the now-infamous ATF ‘Fast and Furious’ gunwalking operation. Terry’s killing has touched off a firestorm that crossed international borders and trigger investigations, Congressional hearings, denials and admissions to the upper levels of the Justice Department. A statement issued today by Terry’s family raises the notion that responsible government officials should be prosecuted. ‘We now believe that if it can be shown that laws were broken, then all those responsible for Fast and Furious should be held criminally liable,’ reads the statement.” (Sharyl Attkisson, “Terry Family Marks One Year Anniversary Of Death Of Their Son, Brian Terry, Murdered Border Patrol Agent,” [CBS News](#), 12/14/11)

ATTORNEY GENERAL ERIC HOLDER WAS HELD IN CONTEMPT OF CONGRESS FOR REFUSING TO TURN OVER DOCUMENTS RELATED TO THE INVESTIGATION

“The House Of Representatives Voted 255-67 On Thursday To Hold Attorney General Eric Holder In Criminal Contempt For Refusing To Turn Over Documents Related To The Fast And Furious Gun-Running Sting.” (“House Votes To Hold Holder In Contempt,” [CNN](#), 6/28/12)

Seventeen House Democrats Joined Republicans In A Bipartisan Vote To Hold Holder In Contempt Of Congress Over “Fast And Furious.” “More than 100 Democrats left the House floor before the vote,

but 17 moderate Democrats stayed behind and joined with Republicans in voting for contempt, robbing the Obama administration and congressional Democrats of its main argument that the vote was a blatant partisan maneuver to discredit Holder and the White House in an election year.” (Ed O’Keefe, “Which Democrats Voted To Hold Eric Holder In Contempt Of Congress?,” [The Washington Post’s 2Chambers](#), 6/29/12)