

Obama Accused of Obstructing Inquiry

Sept. 24—The long-awaited report of the Department of Justice Inspector General, Michael Horowitz, on Operation Fast and Furious, was released on Sept. 19; the IG gave sworn testimony the following day before the House Oversight and Government Reform Committee.

As a whole, the report did not vindicate Attorney General Eric Holder and the Obama Administration, as Holder immediately claimed. Rather it vindicated the whistleblowers who originally exposed Operation Fast and Furious,¹ and it vindicated the committee's efforts to investigate the policy and the Administration's cover-up, which led earlier this year to the Congress holding the Attorney General in contempt of Congress for failing to provide the committee with lawfully subpoenaed documents.

What is more, Horowitz testified under oath that the White House had even obstructed his investigation. Horowitz confirmed that he was not permitted to interview former National Security Council staff member Kevin O'Reilly, and that the White House refused to share internal White House communications, on the grounds that the White House is "beyond the purview of the Inspector General's Office, which has jurisdiction over the Department of Justice programs and personnel."

O'Reilly is a key witness in terms of the White House's involvement in Fast and Furious, since he had been in communication by e-mail and by phone with William Newell, special agent in charge of both Operation Fast and Furious and Operation Wide Receiver, and had passed that communication on to others on the National Security Council in the White House. When the committee stated its intent to interview him, it found that he had been reassigned to Iraq and was unavailable to be interviewed. Later he agreed to a tele-

phone interview, but the White House intervened to prevent it.

Horowitz also reported that a full-time employee of Homeland Security assigned to Operation Fast and Furious had also refused to be interviewed by the Inspector General.

During the hearing, Horowitz was asked by Rep. Blake Farenthold (R-Tex.) if the White House actions limited the scope of his investigation. Horowitz responded that "it made it impossible to pursue that aspect of the case, a lead we wanted to follow."

Thus, while the report concluded that the IG could find no evidence that Holder knew of Operation Fast and Furious, the IG, like the committee, has been prevented by the White House from determining whether or not the entire program was run by the White House itself.

Deal with the Drug Cartel?

A leading member of the Sinaloa cartel, Vicente Zambada Niebla, currently awaiting trial in Chicago, which is a major hub of the Sinaloa cartel, has claimed that there was a deal between the major Mexican drug cartel and the Obama Administration.

The Sinaloa cartel received over 2,000 assault weapons from the U.S. under the Fast and Furious gun-walking operation. These weapons, which were used in the murder of U.S. Border Patrol agent Brian Terry and the murder of over 200 Mexican citizens, helped the Sinaloa cartel defeat other competing cartels.

Another related avenue, which the committee was prevented by the DOJ from examining, was the DOJ's approval of money-laundering by the Sinaloa cartel into the U.S., first via Wachovia Bank, and then more recently via HSBC.

The head of the DOJ Criminal Division, Lanny Breuer, knew of the gunwalking policy, but claims not to have reported it to his superiors, including Holder. Breuer also presided over the drug-money-laundering operation.

Questions have been raised by Lyndon LaRouche as to whether the Obama campaign has been the beneficiary of illegal drug money laundered into the United States. The fact that the Sinaloa cartel's major drug transshipment hub is Chicago, the home base of Obama's political machine, and that weapons were walked to the cartel, strongly suggests such a deal.

The biggest failure of the report's findings, with

1. See William Wertz, "Operation Fast and Furious: Part of a Deal with the Sinaloa Cartel?" *EIR*, Sept. 23, 2011.

regard to the DOJ itself, is that it does not hold Breuer responsible. However, both Horowitz and the committee have indicated that their investigations will continue.

Some Results

As a result of the release of the IG report, Committee chairman Darrell Issa (R-Calif.) reported that on Sept. 19 the Justice Department finally gave the committee the 300 documents that Holder had released to get the committee to agree to end the investigation, prior to the vote to hold him in contempt. Horowitz also reported that the DOJ has agreed to request that 14 wiretap applications be unsealed by the courts, something that Holder had refused to do.

Upon release of the report, Jason Weinstein, Deputy Assistant Attorney General in the Criminal Division was forced to resign, and Kenneth Melson, the former acting director of the ATF, suddenly retired.

After the hearing, the committee issued a report on what it considered the IG's key findings, excerpts of which follow:

1. On why Holder was not aware of crucial information about Operation Fast and Furious and other gunwalking: "We concluded that the Attorney General's Deputy Chief of Staff, the Acting Deputy Attorney General, and the leadership of the Criminal Division failed to alert the Attorney General to significant information about or flaws in those investigations" (p. 453).

2. On the DOJ's troubling effort to mislead Congress: "We also concluded that by the date of its May 2 letter to Sen. Grassley, senior Department officials responsible for drafting the letter knew or should have known that ATF had not made every effort to interdict weapons purchased illegally and prevent their transportation to Mexico, either in Operation Fast and Furious or other firearms trafficking investigations. Given that senior Department officials' confidence in the accuracy of the February 4 letter was decreasing rather than increasing as their internal review progressed, we found it troubling that the Department's May 2 response letter to Sen. Grassley included a substantive statement—albeit a qualified one—regarding the Fast and Furious investigation" (p. 396).

3. On the denials by Holder of significant information about reckless tactics in wiretap affidavits, denials which the report contradicts:

"(11/8/11) Attorney General Holder: 'I don't have

any information that indicates that those wiretap applications had anything in them that talked about the tactics that have made this such a bone of contention and have legitimately raised the concern of members of Congress, as well as those of us in the Justice Department.'"

"(9/19/12) DOJ IG rebuke: 'We found that the affidavits described specific incidents that would suggest to a prosecutor who was focused on the question of investigative tactics that ATF was employing a strategy of not interdicting weapons or arresting known straw purchasers' (p. 277).

4. On the conduct of Criminal Division head, Assistant Attorney General Lanny Breuer: "Breuer told us that upon learning this information, he told Deputy Assistant Attorney General Weinstein to talk to ATF leadership to make sure that they understood that the Criminal Division planned to move forward with the case, but that the investigation had used obviously flawed techniques. Given the significance of this issue and the fact that ATF reports to the Deputy Attorney General, we believe Breuer should have promptly informed the Deputy Attorney General or the Attorney General about the matter in April 2010. Breuer failed to do so" (p. 455).

5. Office of the Attorney General faulted in response to Agent Terry's death: "Neither the [Office of the Attorney General] or [Office of the Deputy Attorney General] took appropriate action after learning that firearms found at the scene [of the Terry murder] were connected to the Operation. We believe that an aggressive response to the information was required, including prompt notification of the Attorney General and appropriate inquiry of ATF and the US Attorneys Office. However, we found that senior officials who were aware of this information, including Grindler, took no action whatsoever" (p. 302).

6. Expresses disagreement with Holder's laissez-faire approach to the Terry murder: "When we asked Holder whether he believed that his staff should have informed him sooner about the connection between Fast and Furious and the firearms found at the scene of the Terry shooting, he said that he would not have expected to receive that information absent some indication that inappropriate tactics had been used in the investigation. However, Holder's Chief of Staff told us that he believed this information was significant and that it should have been brought to the Attorney General's attention. We agree" (p. 303).