

What We've Learned From Operation "Fast and Furious"

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The U. S. Congress and the Department of Justice have launched "investigations" into the "Operation Fast and Furious" program designed and implemented by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (BAFTE). This program was initiated by BAFTE field agents in Arizona; its purpose was to trace weapons smuggled to the Mexican drug cartels so that they could be exposed and arrested. At least, that's what BATFE officials want you to believe, according to a recent article by Dennis Wagner [1].

But before we get to lessons learned, it is necessary to review the salient points of the program as cited by Mr. Wagner. The facts appear to be as follows:

a. The BATFE leadership knowingly and willfully allowed "straw buyers" to buy firearms at dealer shops in America, and then knowingly and willfully allowed them to be smuggled into Mexico.

b. Mexico, a sovereign nation, has strict gun control (only certain government employees are allowed to own guns). This strict gun control partly explains why Mexico is a pathologically corrupt feudal state, in which the average citizen is little more than a serf, lorded over by a caste of petty dictators and their favorites. The serfs are kept in line by local gangsters (the federal police) equipped with guns, badges, and uniforms. That is a discussion for another time. The important point is that the BATFE leadership permitted guns to be transferred to Mexico in violation of Mexico's domestic laws.

c. The BATFE leadership knew that the smuggled guns were being sold in Mexico (in violation of Mexico's laws) to members of drug cartels who are waging a guerilla war against the Mexican government, and that they constituted a partial source of firepower for the drug cartels.

d. The BATFE leadership knew that a great number of Mexican police and citizens were being murdered by the drug cartels; it is reasonable to assume that at least some small fraction of that firepower came from the guns that BATFE knew were smuggled in under its auspices.

e. The BATFE leadership knew that the plan was devised by the local BATFE office in Phoenix, and although it was coordinated with the Department of Justice, it apparently was never coordinated with the Department of State.

f. The BATFE leadership knew that the Mexican government was kept in the dark about the entire operation; at the same time, the Mexican government was asking for U. S. aid to try and reduce the availability of weapons by the cartels.

g. The BATFE leadership knew that some BATFE agents were opposed to the operation and had protested to their superiors; official policy was to ignore those objections.

h. The BATFE leadership knew that some of the BATFE-coordinated smuggled guns were recovered at crime scenes in Mexico and traced back to the U. S. The BAFTE leadership also knew that the vast majority of weapons used by the cartels come from Asia and South America, not the U.S. But they also knew and supported false claims that most of the weapons used by the cartels came from America. They knew that these false statistics were being used by politicians in America as an excuse to further erode the Second Amendment rights of U. S. citizens.

The first thing we've learned from Operation Fast and Furious is that none of the foregoing is a problem for a federal agency. What about the BATFE allowing BATFE-sanctioned straw buyers to commit felony

purchases from legitimate gun dealers? Not a problem. What about the BATFE allowing those buyers to smuggle weapons into Mexico in violation of Mexico's laws? Not a problem. What about the BATFE providing material assistance to drug cartels who were attempting to undermine the legitimate government of Mexico, thus conducting a secret foreign policy of aiding factions actively engaged in a revolution against a friendly government? Not a problem. What about the BATFE standing by as a great number of Mexican citizens were killed and injured by the drug cartels that were partly being armed indirectly by the BATFE itself? Not a problem. What about the BATFE knowingly supporting propaganda efforts to subvert a portion of the U. S. Constitution which each member of the BATFE took an oath to uphold as a condition of employment? Not a problem.

But then, on 14 Dec 2010, a Border Patrol agent named Brian Terry was killed in a shootout with some Mexican drug dealers. The BATFE assisted in the subsequent investigation and discovered that Agent Terry had been killed with one of the firearms that had been smuggled into Mexico under Operation Fast and Furious. Now the BATFE leadership had a Very Big Problem. Why? The problem is that a member of the U. S. Border Patrol was killed. HE WAS A FEDERAL EMPLOYEE JUST LIKE BATFE EMPLOYEES -- ONE OF THEM.

That was when the dam broke. The members of the BATFE who opposed the operation, along with some Department of Justice employees who had similar misgivings, leaked the story to the press. Of course, the upper echelon of the Justice Department and BATFE denied everything. But over time, little by little, some of the truth has come out. Congress and the Department of Justice have begun to "investigate" the operation. Some personnel changes were in order: U. S. Attorney Dennis K. Burke, who gave the BATFE legal cover for Fast and Furious, resigned in Aug 2011 as public knowledge of the scandal unfolded. He is likely to run for Governor of Arizona. Acting BATFE Director Kenneth Melson was promoted to a post as senior advisor in the Justice Department's forensic division. Special Agent William D. Newell, who was in charge of the Fast and Furious operation in Arizona, has been promoted to Country Attaché for Mexico.

We have learned several other things too. First, a federal agency can commit an unlimited number of felonies without having to take responsibility. Secondly, a federal agency can hire or instigate others to commit felonies under its supervision without accountability. Third, the BATFE does have some sense of moral outrage, but only if a federal employee is killed; not when a regular Mexican or non-federal employee American citizen is killed. Fourth, brilliant exercises like Fast and Furious are just cause for raises and promotions all around. As for those "investigations", it is likely that nothing more will ever be revealed.

But just remember: if you, as an American citizen, own anything more powerful than a single-shot peashooter, this scandal is your fault. At least that's what BATFE officials want you to believe.

Mr. Dennis Wagner of *The Arizona Republic* once again performed a valuable public service in his 29 Jan 2012 article [2] regarding "Operation Fast and Furious". It is a follow-up to his 27 Nov 2011 article [1]. In the 29 Jan 2012 article, Mr. Wagner recounts the career of Dennis K. Burke, who was the U. S. Attorney for the state of Arizona throughout the entire period that "Operation Fast and Furious" was being conducted by the BATFE. Apparently Mr. Burke knew about the Operation early on. Prior to becoming U. S. Attorney, Mr. Burke served as a law clerk for a justice on the Arizona Supreme Court, and as a staff lawyer on the U. S. Senate Judiciary Committee. During that time, he was influential in drafting what eventually become the Violent Crime Control and Law Enforcement Act of 1994 (which banned possession of certain semiautomatic rifles and magazines). He later worked with Rahm Emmanuel in the Clinton administration on firearms issues, including discussions on extending background check requirements under the Brady Handgun Violence Protection Act through the use of executive orders. Mr. Wagner cites a 1997 article published in the *Arizona Business Gazette*, in which Mr. Burke said that gun control was his most fulfilling accomplishment in government service. Just what we need: government officials devoted to, and proud of, their role in the destruction of the rights of citizens.

President Obama nominated Mr. Burke for U. S. Attorney for Arizona in 2009; it is not known if Mr. Burke's sterling citizen disarmament record influenced the selection or not. Suffice to say, it was a fortuitous choice for Mr. Obama.

Mr. Wagner's article lays out a very important timeline. The gun battle leading to the death of Border Patrol Agent Brian Terry occurred on 14 Dec 2010. The BATFE investigated the incident, and as a result, Mr. Wagner's article states: "Within hours, Burke was notified that two guns found at the scene were linked to Fast and Furious". Then some BATFE agents leaked details to Congress, followed by Senator Grassley's letter in Jan 2011 in which he accurately stated BATFE's actions, followed by Mr. Burke's claim to the Department of Justice that Mr. Grassley's accusations were "categorical falsehoods".

Now this is a very important point. Mr. Burke was notified "within hours" after the investigation that two guns found at the scene were part of the Operation, but how would the investigating BATFE agents know that? They could only have known by comparing the make, model, and serial number of guns found at the scene to the same data for all guns involved in the Operation. How else could they have known? If the comparison only took a short time, BATFE must have had pretty accurate records. If so, the identity of the "straw purchasers" and the selling dealer must also have been known, since that data is written both on the bills of sale and on the BATFE form to be retained by dealers for all sales. In the notification to Mr. Burke, BATFE's proof thereof would have been unassailable since serial numbers are unique to each firearm. Why then would Mr. Burke later denounce Mr. Grassley as promoting "categorical falsehoods", claim that members of Mr. Grassley's staff were "stooges for the gun lobby", and criticize the BATFE for not denying the reports about the guns in question? I leave that to your imagination.

He also claimed that Mr. Grassley's letter was an attempt to "distract from the incredible success in dismantling [Southwest Border] gun trafficking operations". Let me get this straight. The BATFE engineers a gun smuggling ring in order to ... dismantle gun trafficking? Mr. Burke has a bright future in politics.

[1] Dennis Wagner, "Behind the fall of gun probe", *The Arizona Republic*, 27 Nov 2011, p. 1

[2] Dennis Wagner, "Firearm scandal, political fall", *The Arizona Republic*, 29 Jan 2012, p. 1