



Written by [Alex Newman](#) on May 28, 2013

Obama's "Fast and Furious" Gun-running Scandal Grows

As if there were not already [enough scandals plaguing the Obama administration](#), the federal "Fast and Furious" operation that armed Mexican drug cartels is back in the news after the Justice Department Inspector General released a [report](#) blasting a government leak intended to smear a key ATF whistleblower. The leaked memorandum was apparently aimed at discrediting Special Agent John Dodson and contradicting his explosive testimony before Congress, which blew the lid off of a federal program that put thousands of high-powered weapons into the hands of deadly criminals in Mexico.



The latest twist in the scandal surrounds disgraced former U.S. Attorney Dennis Burke, one of the officials at the center of the administration's lawless gun-trafficking scheme. The ex-prosecutor, who resigned in August of 2011 along with acting ATF boss Kenneth Melson, was furious after learning that brave whistleblowers had gone to Congress and the media, documents show. He was particularly upset because Dodson, one of the crucial figures in exposing Fast and Furious, had written a memo outlining a plot to let guns "walk" across the border into Mexico — and into the hands of known criminals.

Special Agent Dodson, however, said he had been alarmed about the idea from the start, only putting the plot down on paper in an effort to show superiors how preposterous it really was. When the ATF agent went to Sen. Charles Grassley (R-Iowa) and CBS News to blow the whistle, Burke wanted desperately to protect his reputation. The then-U.S. attorney, who worked in Arizona, learned that Fox News reporter Mike Levine was working on a story about the issue. Burke then leaked the Dodson memo to Levine.

"We also concluded that Burke's disclosure of the Dodson memorandum to Levine was likely motivated by a desire to undermine Dodson's public criticisms of Operation Fast and Furious," the Justice Department's Office of the Inspector General (OIG) said in its report. "Although Burke denied to congressional investigators that he had any retaliatory motive for his actions, we found substantial evidence to the contrary."

Official sources, for example, told the OIG that "Burke disclosed the document to help the U.S. Attorney's Office defend against what were considered hypocritical criticisms being made by Dodson," the report explains. "That disclosure occurred less than two weeks after Dodson's public testimony before Congress." Others interviewed during the investigation also confirmed that Burke was "frustrated" with the whistleblower's "highly critical" congressional testimony about Fast and Furious.

Burke refused to be interviewed for the investigation. However, he admitted in his own account of the conversation with Levine that he believed the Fox reporter was working on a story that would expose what Burke considered to be Dodson's "hypocrisy," the OIG noted. As such, the former U.S. Attorney claimed that he simply released the memo in question — a violation of Justice Department policy at the



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very least — in an innocent but misguided effort to provide “context” for the story.

Neither Dodson nor the inspector general bought those excuses. “We believe that this explanation, taken together with the other evidence cited above, demonstrate that Burke’s conduct in disclosing the memorandum to Levine was likely motivated by his desire to undermine Dodson’s public criticisms,” the OIG report said, adding that the ATF whistleblower had raised very serious concerns about Fast and Furious.

Among the most interesting findings in the Inspector General investigation was Burke’s sense that he was being sacrificed by the administration. Quoted in the OIG report, Burke explained that “several U.S. Attorneys [...] commented to me that the Department was throwing my office under the bus.” The Inspector General report noted: “Burke’s statements to the Department reflected a belief that he could not rely on the Department to respond to criticism of his office’s handling of the Fast and Furious investigation, and we found that he responded to this belief by deciding to defend the office himself through, in part, the unauthorized disclosure of information to the media.”

The report savages the former U.S. attorney in its conclusions, stating that Burke violated Justice Department policy by leaking the memo and that his excuses “were not credible.” The OIG also “rejected” Burke’s explanations, adding that the former U.S. attorney took “calculated measures” to reduce the chances of being caught: sending the document from a private e-mail account to a friend who passed it on to the Fox reporter.

“First, regardless of whether Burke in fact believed Levine or Congress already had the memorandum, that belief would not excuse his failure to comply with Department policy,” the report said, citing DOJ policies on media relations that were violated. “Second, we found that Burke disclosed the Dodson memorandum despite knowing he was under investigation at the very same time by OPR for virtually the same alleged misconduct.”

The misconduct described in the report is “particularly egregious,” the OIG continued, “because of Burke’s apparent effort to undermine the credibility of Dodson’s significant public disclosures about the failures in Operation Fast and Furious.” In the end, the actions were found to be “inappropriate for a Department employee and wholly unbecoming a U.S. Attorney.” As such, the problem will be reported to state Bar associations where Burke is licensed to practice law.

In an August 2011 memo to his staff at the U.S. Attorney’s office about his resignation, Burke, who previously worked for current Homeland Security boss Janet “Big Sis” Napolitano, claimed that it was time to move on. “My long tenure in public service has been intensely gratifying,” he said. “It has also been intensely demanding. For me, it is the right time to move on to pursue other aspects of my career and my life and allow the office to move ahead.”

The latest OIG report is not the first time Burke has come under fire for his controversial handling of the press after the Fast and Furious scandal emerged. In December of 2011, for example, the administration was forced to release more than 1,300 pages of documents related to the gun-trafficking program. The subpoenaed records [revealed](#) frantic e-mail communications between senior officials about how vigorously to defend the operation, as well as concerns about the veracity of some of the proposed defenses.

The documents showed that DOJ officials were worried that if the administration were to cooperate with the congressional investigation, Congress would press for even more information. Others highlight the general fear among those involved that exposure would damage the image of the Bureau of Alcohol,



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Tobacco, Firearms, and Explosives (still known as ATF).

One of the most explosive e-mails was actually from Burke, who recommended sending a “stern missive” to the *Arizona Republic* newspaper for exposing the scheme. “Just baffling that they refuse to engage even just to protect the integrity of the agency,” he wrote in a February 1 e-mail to Justice Department Criminal Division boss Lanny Breuer, as if the media’s job were to protect government rather than expose its shady dealings. In another e-mail, Burke complained that congressional investigators were acting as “willing stooges” for defenders of the right to keep and bear arms.

Burke, of course, was also not the only top official who has been caught trying to retaliate against the whistleblowers. After the scandal was publicly exposed, the ATF [retaliated against the brave agents](#) who told Congress and the media. The agency got caught, but its new acting chief subsequently [released a video threatening other agents](#) not to blow the whistle again. Lawmakers were outraged, yet the lawlessness continues.

Meanwhile, the establishment press has continued to ignore the most important elements of the scandal, pretending that Fast and Furious was simply a “botched” operation in which low-ranking administration bureaucrats inadvertently “lost” the weapons. In reality, multiple White House officials [had been briefed](#) about the scheme, the supposed “targets” of the alleged “investigation” [were drug lords already on the FBI’s payroll](#), and top administration officials have [been caught lying repeatedly](#) — resulting in [disgraced Attorney General Eric Holder](#) being [held in criminal contempt of Congress](#) for the [ongoing cover up](#).

Incredibly, the violence from Fast and Furious — [U.S. law enforcement officers killed, hundreds of Mexicans massacred, and more](#) — was used to push more gun control in the United States, [official documents showed](#). The e-mails exposing the administration’s scheme to use the bloodshed to assault the Second Amendment backed up assertions made by the numerous analysts and experts [including the National Rifle Association](#). Rep. Darrell Issa (R-Calif.), who led the investigation in the U.S. House, [was also proven correct](#).

Finally, evidence continues to emerge that Fast and Furious was in fact much bigger than the press and the administration have admitted. Mexican drug lords, for example, have said that [the U.S. government was shipping weapons to their cartels](#) and [allowing them to bring drugs across the border](#) in exchange for information. The [CIA’s involvement](#) also continued to be largely concealed. However, with Fast and Furious seemingly taking a back seat to [other major scandals — Benghazi, spying on journalists, IRS abuse, and more](#) — justice for the [Fast and Furious victims](#) may never be truly served.

2011 photo of U.S. Attorney Dennis Burke standing before a cache of seized firearms: AP Images

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