



Written by [Alex Newman](#) on August 13, 2012

Congress Sues AG Holder in Fast and Furious

The House Oversight Committee investigating the Obama administration's deadly "Fast and Furious" gun-running scandal is seeking enforcement of formal charges against disgraced Attorney General Eric Holder in U.S. Court, demanding access to crucial documents that are being unlawfully withheld as part of what investigators say amounts to a cover-up. The announcement of the widely anticipated legal maneuver was welcomed by activists seeking truth and accountability, but more must still be done.



Meanwhile, pressure is building on the whole Department of Justice as a [new book](#) claims "team Obama" launched its vicious federal war on California's lawful medical-marijuana industry to distract from the exploding weapons-trafficking scandal. The alleged strategy to deflect attention, however, appears to have backfired, leading to a separate bipartisan backlash and declining support even among some of the administration's most ardent supporters.

After being caught [lying under oath](#) and refusing to hand over subpoenaed information, Holder was [held in criminal contempt of Congress](#) in June by an overwhelming and bipartisan vote. However, because of his position as chief of the Justice Department, the Attorney General has so far been able to shield himself from criminal prosecution that would force him to release the documents. Holder has also refused to resign despite growing public and congressional pressure, lashing out at critics and the media instead.

With the enforcement of criminal charges temporarily off the table, lawmakers plan to pursue a civil case instead — at least for now. "We are filing charges against Attorney General Eric Holder tomorrow," said House Oversight and Government Reform Committee Chairman Darrell Issa (R-Calif.) in a [Twitter statement](#) posted Sunday. The case will be filed in U.S. District Court for Washington, D.C., according to [news reports](#).

The effort to seek enforcement of civil charges against the disgraced Attorney General represents the latest escalation of a battle between lawmakers and the administration that has been brewing for well over a year. Whistleblowers first exposed operation Fast and Furious after weapons from the scheme were recovered at the murder scene of U.S. Border Patrol agent Brian Terry in December of 2010.

Since then, information has continued to emerge, revealing a vast federal program that put thousands of high-powered American weapons — paid for by U.S. taxpayers — into the hands of Mexican drug cartels. The cover-up has been unraveling ever since.

First, the administration lied, saying it did not transfer guns to criminals. When that was exposed as false, Holder claimed not to have heard of the operation. That proved to be untrue as well. The disgraced Attorney General finally claimed that the scheme was designed to "track" the weapons in a half-baked effort to supposedly arrest criminals.



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However, that bogus excuse eventually crumbled, too, as congressional investigators continued to gather evidence. Department of Justice e-mails showed, for example, that [the two “drug lords” allegedly being targeted in the scheme already worked for the FBI](#) and were considered “untouchable.”

Other federal documents confirmed what had long been suspected by groups like the National Rifle Association (NRA). According to official e-mails, the violence and bloodshed resulting from the federal weapons scheme — hundreds of killings on both sides of the border have already been linked to Fast and Furious guns — was being [exploited by the administration to push for more gun control](#).

In the civil lawsuit, Congress is hoping to gain access to thousands of subpoenaed documents being unlawfully withheld by the administration. When it became obvious that Holder may have to turn over the information, Obama stepped in and claimed “executive privilege” as a justification for the cover-up. The president had previously been highly critical of similar stonewalling tactics employed by the Bush administration to conceal facts from Congress.

The previous administration faced a situation similar in some ways to the ongoing battle in Fast and Furious, with a federal court ruling that lawmakers could use the judiciary to force executive branch officials to hand over material despite claims of so-called “executive privilege.” The stand-off was settled with a compromise before higher-level courts had an opportunity to rule on the issue on appeal.

It remains unclear whether the Obama administration would comply with the courts if they rule in favor of lawmakers. Legally, Holder would have to hand over the documents — he should have surrendered them when they were subpoenaed. But experts say the administration has consistently shown that it has little respect for the law, potentially setting the stage for an unprecedented showdown.

Separately, a new book by Martin Lee set to be released this week, entitled “Smoke Signals: A Social History of Marijuana — Medical, Recreational and Scientific,” will make [explosive allegations](#) related to the weapons-trafficking scandal. The book alleges that late last year, as Holder was scrambling to cover up the federal government’s lawless arming of Mexican cartels, prosecutors sought to distract Congress and the public by [persecuting legal suppliers of medical cannabis for sick individuals in California](#).

“Team Obama’s decision to crack down on the medical marijuana industry wasn’t motivated by public health concerns,” Lee explains. “The Justice Department green-lit a scorched earth campaign against medicinal cannabis in order to placate law enforcement and control the damage from the Fast and Furious scandal by deflecting attention to other matters.”

But despite the outlandish administration stonewalling in a scandal that countless commentators have dubbed Obama’s “Watergate,” pressure continues to grow. On July 31, lawmakers added even more fuel to the fire, releasing part of a [scathing report about Fast and Furious](#) — the first segment dealt with five top officials at the embattled Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). The document said the operation was “marred by missteps, poor judgments and inherently reckless strategy” from the start.

“ATF and the Arizona U.S. Attorney’s Office failed to consider and protect the safety of Americans, Mexicans, and fellow law enforcement personnel throughout Operation Fast and Furious,” said Chairman Issa in a statement released with the report, echoing criticism leveled by Sen. Chuck Grassley (R-Iowa), who is also deeply involved in investigating the scandal.

“Testimony and a persistent reluctance to fully cooperate make clear that many officials at ATF and the Department of Justice would have preferred to quietly sweep this matter under the rug,” Issa continued. “Though they are among the most vocal objectors to oversight by Congress, this investigation has also



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shown that both agencies are among those most in need of additional scrutiny and attention from Congress.”

The second and third sections of the report will deal with the Justice Department’s role in arming the cartels, as well as the subsequent cover-up. Activists hope that after all of the information becomes public, criminal prosecutions of those involved will commence — not only to ensure accountability, but also to prevent similar deadly scandals in the future.

As *The New American* has reported, some experts [believe](#) the scheme goes much deeper than just the ATF and Holder’s Justice Department. According to Law Enforcement Officers Advocates Council (LEOAC) President Andy Ramirez and numerous other sources, the Department of Homeland Security, the State Department, and even the White House were almost certainly involved in the operation as well.

Reports also indicate that the Central Intelligence Agency (CIA) may have [played a role in the gun-running program](#), too — not to mention potential [narcotics trafficking](#). And as Democrats have repeatedly pointed out, arming Mexican cartels using federal agencies and operations allegedly aimed at “tracking” firearms goes back to at least the Bush administration.

Whether the whole truth will come out remains unclear; many activists fear some sort of “compromise” could be reached allowing everyone involved to save face and avoid jail time. However, pressure and public outrage are still building. And with the upcoming federal court case against Holder, analysts say the saga is far from over.

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Photo: Attorney General Eric Holder testifies on Feb. 2, 2012, before the House Oversight and Government Reform Committee hearing entitled, “Fast & Furious: Management Failures at the Department of Justice”: AP Images



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