

# Fast and Furious 'Obamagate' Escalates

by William Wertz and Jeffrey Steinberg

July 9—Eighteen months after U.S. Border Patrol officer Brian Terry was murdered, and less than two weeks after Attorney General Eric Holder was voted by the House of Representatives to be in contempt of Congress, the Department of Justice finally unsealed the indictment of Terry's murderers.

These developments will serve to accelerate the tempo of the scandals targeting President Obama and his closest aides, notably, Attorney General Holder, opening up the potential to replace Obama as the Democratic Presidential candidate, *even before the national convention in early September*.

Six people were charged in the 11-count indictment of Terry's killers. According to the indictment, Manuel Osorio-Arellanes, Jesus Rosario Favela-Astorga, Ivan Soto-Barraza, Heraclio Osorio-Arellanes, and Lionel Portillo-Meza are charged with crimes including first-degree murder, second-degree murder, conspiracy to interfere with commerce by robbery, attempted interference with commerce by robbery, use and carrying a firearm during a crime of violence, assault on a Federal officer, and possession of a firearm by a prohibited person. A sixth defendant, Rito Osorio-Arellanes, is charged only with conspiracy to interfere with commerce by robbery.

Two of the defendants—Manuel Osorio-Arellanes and Rito Osorio-Arellanes—are in custody in Arizona; the remaining four suspects are still at large.

## **Guns for the Cartel**

At the time of Terry's death, two of the weapons found at the scene were identified as among those guns deliberately walked to the Sinaloa drug cartel, obtained under the Justice Department's own Fast and Furious Operation. Earlier reports indicated that all of the men were armed, thus at least six weapons were involved. It has also been reported that a third gun was found at the scene, a report which has been denied by the Department of Justice, despite the fact that Border Patrol agents told the Terry family at his funeral that there was a third gun. ATF (Bureau of Alcohol, Tobacco, Firearms and Explosives) agent Hope MacAllister was taped by Andre Howard, owner of the Lone Wolf Trading company, admitting that there was a third gun, and reference was made to an additional gun in e-mails written within 12 hours of the murder.

The four fugitives are believed to be in Mexico. At the time of the murder the U.S. Border Patrol announced that four people had been arrested. One month later, the U.S. Marshal's Service in Tucson said two more had been arrested. At the time, the six suspects were being held on felony immigration charges and had not been charged in Terry's death. Charges were later dropped against three of the suspects after the U.S. Attorney's office said that there was no evidence connecting them to the crime. Those three men were eventually deported to Mexico.

As of now, it is not known if any of those deported

to Mexico is one of the four named in the unsealed indictment.

However, Katie Pavlich, author of *Fast and Furious: Barack Obama's Bloodiest Scandal and Its Shameless Cover-Up* (Regnery, April 2012), reports that she was told by confidential sources that the FBI had hidden the third gun from evidence because it was linked to a confidential informant or the brother of the informant.

According to Pavlich, the investigation of Fast and Furious has revealed that at least six FBI informants and an unknown number of DEA informants were involved in Fast and Furious.

Rep. Darrell Issa (R-Calif.), who chairs the House Oversight and Government Reform Committee which has been investigating Fast and Furious, applauded the unsealing of the indictment, but said that “the timing is very dubious. It is clear the timing has to do with the House of Representatives holding Eric Holder in contempt for not turning over information.”

The Terry family also issued a statement thanking the U.S. Attorney who is prosecuting the case, the FBI agents in Tucson, and the Mexico City Legal Attaché and the Mexican government, but making no reference to Holder, other than to say: “The Terry family once again asks that the Attorney General and the Department of Justice comply with the request for documents made by the House Oversight and Government Reform Committee so that all Americans can know who approved of the operation in order that those individuals can be held accountable for their decisions.”

## Obamagate This Summer

Following the June 28 bipartisan contempt of Congress vote against Holder (21 Democrats joined all the House Republicans in voting up the civil contempt, and 17 Democrats voted for the criminal contempt), Deputy Attorney General James Cole immediately wrote to Speaker of the House John Boehner (R-Ohio) alerting him that the Justice Department would not bring the case before a Federal grand jury in the District of Columbia. Cole cited an irrelevant 1984 legal memo by then-Solicitor General Ted Olson, and President Obama's invoking of Executive privilege as the excuses for blocking the criminal probe.

A day later, Sen. Charles Grassley (R-Iowa.) wrote to the U.S. Attorney for the District of Columbia, citing the statute on contempt of Congress, and reminding him that the convening of a Federal grand jury is *mandatory*, and that the Justice Department has no discre-

tion in the matter. This puts yet another issue of “high crimes and misdemeanors” committed by President Obama and his minions before the courts and the American people.

The flagrant violations of the Constitution by Obama keep piling up, and beg the question of his removal from office for cause. Sources close to the Fast and Furious probe report that whistleblowers in Federal law enforcement agencies continue to come forward with new and damning evidence of a White House/Justice Department coverup, and say it is only a matter of time before some of that evidence reaches the public.

The crucial question is whether those “smoking gun” revelations will surface before the Democratic national convention, and give President Obama's growing army of opponents within both the Party hierarchy and rank-and-file enough momentum to dump him as the party's nominee. A recent poll of likely voters revealed that 73% are unsatisfied with the choice between Obama and his expected Republican challenger, Mitt Romney.

In addition to the Fast and Furious scandal, President Obama and top White House and campaign officials are in the cross-hairs of an intelligence community and intelligence oversight committees probe into the leaking of damaging national security secrets, dealing with ongoing espionage programs of the greatest importance.

A series of leaks to the *New York Times* and other news outlets provoked bipartisan outrage, led by Sen. Dianne Feinstein (D-Calif.), who chairs the Senate Select Committee on Intelligence. According to senior U.S. intelligence community sources, an internal investigation by all of the relevant U.S. intelligence agencies has established that the leaks did not come from within the community. A list of no more than a dozen top Obama White House and National Security Council personnel has been compiled of prime suspects in the leaking of details of top-secret counter-terrorism programs, to enhance Obama's credentials as a strong national security President.

Neither the leak probes, nor the Fast and Furious coverup, will go away. Democrats must realize that these impeachable crimes will haunt Obama until he leaves office and beyond. The question for those Democrats is: Are you prepared to go down with Obama, or will you take the necessary corrective actions *before* the Democratic convention, to assure that someone else is the party's nominee in November? Far more than the survival of the Democratic Party hangs in the balance.