



Legislation Text

File #: Res 1471-2012, **Version:** *

Res. No. 1471

Resolution calling on the United States Congress to reverse its order of contempt on United States Attorney General Eric Holder.

By Council Members Dickens, Rivera, Chin, Dromm, Jackson, James, Koppell, Mendez, Rose, Vann, Williams, Wills, Palma, Mark-Viverito and Rodriguez

Whereas, In 2009, the United States Department of Justice initiated an investigation known as Operation Fast and Furious, which focused on the illegal trafficking of guns between Phoenix, Arizona and drug cartels in Mexico; and

Whereas, During Operation Fast and Furious, which was conducted by the Phoenix branch of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), agents were instructed to intentionally abstain from arresting “straw purchasers” - individuals who purchase guns for those who can’t obtain them legally - at the time of the purchase; and

Whereas, At the time, it was reasoned that, by delaying arrest of the straw purchasers, the ATF could more easily follow the trail of the guns and eventually bring down entire criminal networks; and

Whereas, Operation Fast and Furious was suspended in December 2010 when a United States Border Patrol agent was killed during a confrontation between border patrol officers and suspected illegal immigrants in the Arizona desert near the Mexican border; and

Whereas, Two AK-47 semiautomatic rifles linked to straw purchases made during Operation Fast and Furious were found at the site of the shooting; and

Whereas, According to the Washington Post, Operation Fast and Furious allowed for the uninterrupted sale of approximately 2,020 illegal gun purchases, of which only 590 have been recovered; and

Whereas, In the aftermath of the incident, the House Oversight and Government Reform Committee, chaired by Rep. Darrell Issa (R-CA), began an investigation into the program; and

Whereas, Despite having appeared before Congress multiple times to testify about the program and having released over 7,600 documents relating to it, the Committee issued a subpoena to Attorney General Holder, demanding documents detailing who in the Justice Department was aware of the operation and the date when they became aware; and

Whereas, On June 20, 2012, at the attorney general's request, President Obama invoked executive privilege over the subpoenaed documents; and

Whereas, On June 28, 2012, the House voted along largely partisan lines to hold Attorney General Holder in criminal contempt for failing to release the requested documents; and

Whereas, On July 6, 2012, the Justice Department announced it would not prosecute Attorney General Holder for contempt of Congress; and

Whereas, There is little chance that there will be any significant action on the contempt charge, since such citations usually expire at the end of the congressional session, which in this case is January 2013; and

Whereas, This politically-motivated contempt citation is substantively meaningless and only serves to besmirch the reputation of a public servant who has been a tireless advocate for civil rights in this administration; and

Whereas, Under Attorney General Holder's direction, the Department of Justice has filed a record number of civil rights cases and has taken action to defend the nation's laws in a variety of matters related to civil rights, including predatory lending practices, hate crimes, human trafficking, bullying, voting rights and lesbian, gay, bisexual and transgender rights; and

Whereas, In addition to enforcing the laws and protecting civil rights for all Americans, Attorney General Holder has also been a powerful voice in calling for continuing a thoughtful dialogue on, and examination of, race relations in our nation; and

Whereas, Election year partisan politics and meaningless threats must not overshadow the exceptional accomplishments of Attorney General Holder; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Congress to reverse its order of contempt on United States Attorney General Eric Holder.

DMB
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8/16/12