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**Subject:** I'm sure you already saw this...

## **Column: ATF's Melson May Have a Second Wind; Should FBI Have Used Violent Gun Smuggler as Informant?**

Allan Lengel

**By Allan Lengel**  
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With the storm surrounding ATF's Operation Fast and Furious getting more intense by the day, I thought it was time to step back and make some observations.

One: Acting ATF Director Ken Melson, who seemed like a dead man walking earlier this month after word got out that he was going to be forced to resign — may have a little life left in him. There's a good chance he'll be sticking around at least a little while longer.

After all, how bad would it look for the Justice Department to give him the boot at a time he's expressing concern that the Justice Department is trying to hush him up and keep him from telling the truth about the faulty operation that encouraged Arizona gun dealers to sell to straw purchasers — all with the hopes of tracing the guns to the Mexican cartels.

He won't survive this in the long run, particularly after some report — perhaps the Office of Inspector General — recommends an across-the-board change at the top at ATF. But he may stir up more mud and try to salvage his reputation.

In the mean time, his statements on the matter, which have been released by bomb-throwers, Rep. Darrell Issa and Sen. Chuck Grassley, have made him look far better than the Justice Department. The Justice Department isn't looking so good. And the Justice Department can't paint Melson as some cowboy or rogue ATF agent. He was one of them. He came from the Justice Department. Now Melson thinks Atty. Gen. Eric Holder's Justice Department sucks — or at minimum, can't be trusted.

And then there's the FBI informant ATF said it knew nothing about. Look for that to become a bigger deal and possibly create a little public relations headache for the FBI.

If you haven't been following that closely: ATF was looking at some guy, who had a reputation as a violent gun dealer for the Mexican Cartels — only to find out that the FBI was using this guy as an informant. So of course, ATF had to back off.

Shades of Whitey Bulger? Well, in some ways no. There's certainly no indication of any crooked FBI agents involved.

On the other hand, maybe, just maybe, the FBI needs to draw the line with some informants (like Bulger) when it appears their crimes outweigh the benefits of getting the information.

In this case, you do the math. A violent gun smuggler for the the very very violent Mexican cartels. He should have been behind bars, then coughed up information to get a better deal at sentencing. You shouldn't let guys like that run their game and live the good the life.

Then there's the issue of doing the right thing. The FBI was dealing with a major gun runner. It should have given ATF a heads up that it was working the guy. It didn't. Now, with this mess, who knows. The informant may end up dead as a result of this all coming to the surface.

In any event, this whole mess can't be good for anybody and it certainly can't help the already strained the relationship between the FBI and ATF.

And unfortunately, this whole Fast and Furious mess is only going to get messier.

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