

**From:** (b) (7)(C)**Sent:** Wednesday, March 23, 2011 5:42 PM**To:** (b) (7)(C)**Subject:** Fw: Draft response to HJC Chairman Smith's letter of 3/9/11 re Gunrunner/ Fast & Furious allegations - for comment asap. Thanks. FB**Attachments:** smith gunrunner clean.docx

(b) (7)(C) Division Chief Firearms Operations Division  
202-648 (b) (7)(C) Cell (b) (7)(C)

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**From:** (b) (7)(C)**To:** McMahon, William G.**Sent:** Tue Mar 22 12:51:14 2011**Subject:** Fw: Draft response to HJC Chairman Smith's letter of 3/9/11 re Gunrunner/ Fast & Furious allegations - for comment asap. Thanks. FB**(b) (7)(C)**

Chief, Firearms Operations Division

202-648 (b) (7)(C) Cell (b) (7)(C)

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**From:** Burton, Faith (SMO)**To:** (b) (7)(C) McDermond, James E.; (b) (7)(C) Hoover, William J.; Melson, Kenneth E.**Cc:** Gaston, Molly (SMO); Burke, Dennis (USAAZ); Weinstein, Jason (CRM); Cunningham, Patrick (USAAZ)**Sent:** Tue Mar 22 11:57:09 2011**Subject:** Draft response to HJC Chairman Smith's letter of 3/9/11 re Gunrunner/ Fast & Furious allegations - for comment asap. Thanks. FB

&lt;&lt;smith gunrunner clean.docx&gt;&gt;

From: (b) (7)(C)

Sent: Wednesday, March 23, 2011 4:17 PM

To: (b) (7)(C)

CC: (b) (7)(C)

Subject: firearm seizure data

(b) (7)(C)

The Southwest Border Working Group is discussing possible firearm trafficking proposals. We have been asked to gather data of firearms interdicted going across the border (or intended to be trafficked across the border) and seized. The information/case examples should cover the last 12 to 18 months and include types and numbers of firearms seized. Would you or someone in your directorate have access to this information and be able to provide it to me? We have been asked to provide the information by Tuesday, March 29<sup>th</sup>. Please let me know if you need more information or want to discuss.

(b) (7)(C)

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**From:** (b) (7)(C)

**Sent:** Tuesday, March 22, 2011 10:59 AM

**To:** (b) (7)(C)

**Subject:** FW:

**Attachments:** Untitled; Detroit Field Division; Untitled; Firearms Trafficking; International Border Questions; Untitled; Answer to questions; Mexico FA Trafficking SPFD

I do not see Detroit ROI but will get it.

(b) (7)(C)

Chief, Firearms Operations Division

ATF HQ - Room 6.S.129

202.648 (b) (7)(C) tel (b) (7)(C)

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**From:** McMahon, William G.

**Sent:** Tuesday, March 22, 2011 10:23 AM

**To:** (b) (7)(C)

**Subject:** FW:

Central's responses. Detroit was yes to the controlled delivery of firearms to Canada. The UI is attached to their response. Also, see Boxler's comment below.

William G. McMahon

Deputy Assistant Director (West)

Office of Field Operations

Office - (202) 648 (b) (7)(C)

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**From:** Boxler, Michael B.  
**Sent:** Tuesday, March 22, 2011 10:19 AM  
**To:** McMahon, William G.  
**Subject:**

Still waiting to hear from Kansas City. Verbally they told the AD no.

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From: Vido, Paul J.  
Sent: ~~Employee 3~~ March 18, 2011 10:35:28 AM  
To: Boxler, Michael B.  
Subject: Answer to questions

6254

Mike regarding our conversation yeaterday the answer to both of your questions is negative. Also I will be taking a half day of leave today. ASAC Pappas will be in the office and I can be reached by phone. Thanks

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**From:** Brandon, Thomas E.  
**Sent:** Friday, March 18, 2011 3:36 PM  
**To:** Boxler, Michael B.  
**Subject:** Detroit Field Division

1. Yes.
2. No.
3. 774010-08-0011

Thomas E. Brandon  
Special Agent in Charge  
ATF Detroit Field Division

(313) 202-(b) (7)(C)

**From:** Durham, Phillip M.

**Sent:** Thursday, March 17, 2011 5:21 PM

**To:** Boxler, Michael B.

**Subject:** Firearms Trafficking

Mike – we have canvassed all of our supervisors, who checked with their agents, and the answer to both of your questions is no. We have back-tracked and made cases on subjects who already took guns outside of the U.S., before we knew about it, that were recovered and traced back here.

Phil

From: Gant, Gregory K.  
Sent: ~~Employee 3~~ March 18, 2011 4:52:01 PM  
To: Boxler, Michael B.  
Subject: International Border Questions

6257

Mike,

The answer is "no" to the 2 questions you asked yesterday.

Gregory K Gant  
Special Agent in Charge  
Atlanta Field Division  
Bureau of ATF  
Office (404) 417-2600  
Direct (404) 417-~~(b) (7)(C)~~  
Cell ~~(b) (7)(C)~~

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**From:** Zapor, Bernard J.  
**Sent:** Friday, March 18, 2011 11:00 AM  
**To:** Boxler, Michael B.  
**Subject:** Mexico FA Trafficking SPFD  
**Attachments:** Case Timeline.docx

Mike:

1. We have not had any operations/investigations that allowed any firearms to knowingly enter the Republic of Mexico.

2. We have not had any operations/investigations where we witnessed firearms entering the Republic of Mexico.

Attached for you information is the timeline of Operation Big Musky (FA trafficking to Mexico).

Bernard J. Zapor  
Special Agent in Charge  
ATF St. Paul Field Division

(b) (7)(C)

**778065-09-0050 OPERATION: BIG MUSKY CASE TIMELINE**

January 2009	Mexican Government Officials turns over to ATF firearm data for approximately 11,900 firearms for tracing.
February 13, 2009	Firearm Trace on a Ruger P89 is initiated by ATF. The Ruger is one of the 11,900 firearms submitted for tracing.
February 19, 2009	The Ruger is traced back to (b) (3) (P.L. 111-117), (b) (7)(C) (b) (3) (P.L. 111-117)
February 23, 2009	(b) (3) (P.L. 111-117)
February 25, 2009	(b) (3) (P.L. 111-117), (b) (7)(C)
March 2, 2009	(b) (7)(C) begins investigation.
March 3, 2009	Case opened in N-Force.
March 3, 2009	USAO briefed.
March 19, 2009	(b) (7)(C), (b) (7)(E)
April 14, 2009	(b) (7)(C) is interviewed by Minnesota State Patrol where he relates he brings items (cars, clothes, and appliances) to Mexico to sell.
May 13, 2009	(b) (7)(E)
June 1, 2009	(b) (7)(E)
June 3, 2009	(b) (7)(E)
June 16, 2009	(b) (7)(E)
July 7, 2009	(b) (7)(E)
July 8, 2009	OCDETF approved.
July 9, 2009	(b) (7)(C), (b) (7)(E)
July 15, 2009	(b) (7)(C), (b) (7)(E)

August 14, 2009

(b) (7)(C), (b) (7)(E)

August 27- October 19, 2009

(b) (7)(C), (b) (7)(E)

October 1, 2009

(b) (7)(E)

October 2, 2009

(b) (7)(E)

October 15, 2009

(b) (7)(E)

October 20, 2009

(b) (7)(E)

October 21, 2009

(b) (7)(E)

November 1-15, 2009

(b) (7)(C), (b) (7)(E)

November 16, 2009

(b) (7)(C) arrested in Laredo, TX with firearms bound for Mexico.

From: Anderson, (Andy) Glenn N.  
Sent: ~~Employee 3~~ March 18, 2011 7:45:57 AM  
To: Boxler, Michael B.  
CC: Cooper, Larry; Gerido, Steven L.; (b) (7)(C)  
Subject:

6261

Mike the answer to both questions we discussed yesterday is no. ASAC Cooper will forward you a UI number concerning case we discussed.

FYI I am going to be on sick leave today. Wife is sick with flu and kids are home for spring break. Don't want the inmates running the asylum. Call me on cell if needed.

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ATF8-001-001-00019394



**From:** (b) (7)(C)

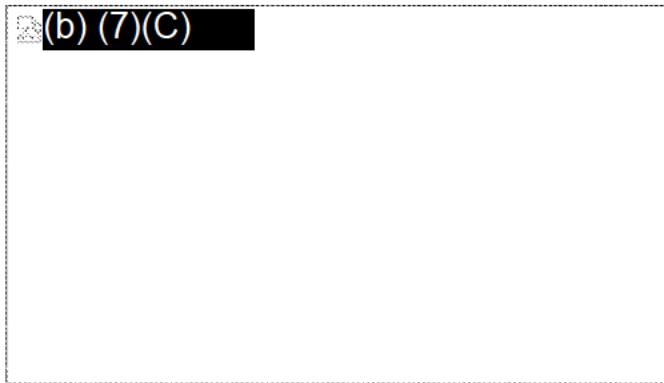
**Sent:** Friday, March 18, 2011 3:02 PM

**To:** Boxler, Michael B.

**CC:** Browning, Robert J.

**Subject:**

In response to the two questions you asked the SAC, I have queried all of the supervisor's and the answer is "No" to both questions.



From: Traver, Andrew L.  
Sent: **Employee 3** March 18, 2011 10:17:35 AM  
To: Boxler, Michael B.  
Subject:

6263

Mike: Good morning. Regarding yesterday's conversation:

1. NO
2. NO

Thanks.

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**From:** (b) (7)(C)

**Sent:** Monday, March 07, 2011 4:32 PM

**To:** (b) (7)(C)

**Subject:** Response to Allegations for DAG.doc

**Attachments:** Response to Allegations for DAG.doc.docx

**Response to (b) (7)(C) allegations in the media:**

Allegation #1 - That “the Bureau of Alcohol, Tobacco, Firearms and Explosives permitted hundreds of guns to be purchased and retained by suspected straw buyers with the expectation they might cross the border and even be used in crimes”.

Response to #1 -

**“At the outset, the allegation described in your January 27 letter-- that ATF “sanctioned” or otherwise knowingly allowed the sale of assault weapons to a straw purchaser who then transported them into Mexico—is false.”**

**Neither the USAO nor ATF was engaged in an effort “to let guns flow to straw buyers” or to “walk” guns that could have been seized under any lawful theory with available facts to prove the theory.**

**The guns flow FROM straw buyers and until agents observe illegal conduct they cannot treat them as anything other than ordinary buyers. At the time of transfer of the firearms from the FFL to the straw purchaser based upon the facts available to the FFL at the time of the sale, the sales to the “straw purchasers” are lawful; and seizure of the weapons in the hands of those purchasers without evidence of criminality would violate the United States Constitution and would be an unlawful seizure and deprivation of property rights without cause. (Fourth and Fifth Amendments).**

**In these investigations, there may come a point over the course of an investigation where ATF believes, though it is well short of proof beyond a reasonable doubt required in criminal cases, that they can prove that a particular person only buys guns for the purposes of illegal trafficking. However, seizure of the guns at that point may not be legal because purchasing multiple long guns in Arizona is lawful, transferring them to another is lawful and even sale or barter of the guns to another is lawful unless the United States can prove by clear and convincing evidence that the firearm is intended to be used to commit a crime. (18 USC 924 (d))**

**In short, the law does not permit agents to take guns away from anyone who buys ten AKs at a time solely because they bought multiple guns.**

**The full array of rights available to indicted defendants is also available to those persons suspected of committing gun crimes, and the government cannot violate legitimate gun owners rights by prematurely seizing their guns.**

Allegation #2 – That “the decision — part of a Phoenix-based operation code named “Fast and Furious” — was met by strong objections from some front-line agents who feared they were allowing weapons like AK-47s to “walk” into the hands of drug lords and gun runners, internal agency memos show”.

Response to #2 - memo vs. e-mails, supervisor never received objections directly from agents in group. After receiving complaint from SA (b) (7)(C) about working nights/weekends and the wire room schedule,

ASAC Gillett and GS (b) (7)(C) had meeting regarding schism. At no time were these alleged objections raised.

Allegation #3 and #4 – That “(b) (7)(C) has taken his misgivings to the Senate Judiciary Committee as a whistleblower after his concerns were dismissed by his supervisors (#3) and initially ignored by the Justice Department’s inspector general (#4)”.

Response to #3 and #4 - Refer to answer # 2

Allegation #5 – That (b) (7)(C) told the Center he and several of his colleagues wanted to intercept some of the weapons but their objections were repeatedly overruled by ATF supervisors”.

Response to #5 – Refer to answer # 2 and at no time did objections regarding intercepting firearms raised to Supervisor.

Allegation #6 – That “The supervisors instructed them to simply record the straw purchases in a database, flag them as “suspect,” and monitor the suspected gun runners until evidence piled up about their connections to Mexican drug lords”.

**Response to #6 - The question seems to connote that ATF can promulgate a “No Sell” list like a “No Fly List”, under which FLLs would be prohibited from selling any guns to any person on the list. ATF has no such power and ATF cannot interfere with the operation of commerce and prohibit a gun store from making a lawful sale to lists of suspects based upon nothing more than mere suspicion. These lists might well be long and would curtail a person’s rights to purchase arms without any due process.**

**How is it that a person becomes a suspect in a straw purchase investigation? If they are buying multiple handguns, it could be because of multiple sales reports to ATF, notifying the bureau that a suspect is buying large quantities of handguns. If they are buying only long guns, they may not become a suspect until guns they have purchased can be traced after being recovered at a crime scene, or an FFL voluntarily notifies ATF of an unusually large purchase. But a multiple purchase by itself, or the recovery of a firearm at a crime scene does not establish that the original buyer of the gun is an “unlawful straw purchaser.” If it did, then when a person buys a gun and then decides they don’t shoot it well, or it recoils too much, or they really can’t afford the ammunition, and sells it, out of the paper, or a gun show, or to a friend, if the next owner of the gun commits a crime with it, the original purchaser would become a suspect as an “unlawful straw purchaser” and a suspect in a gun trafficking case.**

**And your question presupposes that ATF agents should never let mere suspects possess a firearm. Your question seems to presume that once ATF identifies a suspect, they can treat that suspect as though they were a “prohibited person”, never again allowed to possess a firearm, regardless of the fact that they have not been convicted of a crime. If this were the case, ATF could stop any person they label a suspect and take any gun they have away from them.**

Allegation #7 – That “the tactics employed in the Fast and Furious case were part of an evolving change in the strategic direction of firearms investigations”.

Response to #7 – Chait memo 2010

Allegation #8 – That “In addition, ATF officials have so far been frustrated in efforts to persuade the White House to implement even a simple change in firearm sales reporting requirements to help detect possible gun-running at the border.”

Response to #8 - Long gun reporting..

Allegation #9 – That “With direct blessing of ATF headquarters in Washington and supervision by the U.S. attorney’s office in Phoenix, a special ATF strike force known as Group VII was given permission to let federally licensed gun shops continue selling weapons to straw buyers already linked to a suspected Mexican gun running operation”.

Response to #9 – **ATF Agents and Lawyers from the US Attorney’s Office did not “encourage” any FFL to “keep selling guns to known straw buyers.” In the two meetings with FFLs, attorneys and agents advised the FFLs that the Government cannot advise them to sell multiple guns or advise not to sell multiple guns. The FFLs were advised that those decisions were up to FFLs as are all decisions to sell left up to the FFL to evaluate the sale and determine whether it is lawful. In short, the FFLs were advised that the Government cannot advise FFLs to halt a sale that appears lawful and we cannot authorize a sale that appears unlawful. There was no mistake as to the clarity of the Agents’ and Attorneys’ message.**

**FFLs need no encouragement to sell guns as that is their actual business, selling guns. By the time that the government met with the owners, they had made many multiple sales and the guns were gone.**

**The FFLs wanted to know that the information that they provided was actually useful, and that they were not unwittingly implicating themselves in some criminal activity of which they weren’t aware. As we have said so many times before, they were told that ATF could not authorize illegal sales to be made any more than they could prohibit lawful sales, however, ATF appreciated their cooperation and willingness to voluntarily provide information to ATF including notice of multiple long gun purchases and notice of single gun sales of certain types of firearm or sales to particular individuals. No one discussed civil liability. The FFLs were providing information to ATF regarding transactions that the FFL must have viewed as lawful, having no knowledge or reason to know that the transfers were unlawful.]**

Memos from AUSA (b) (7)(C) regarding meetings with (b) (7)(D) Memo # 1 dated 01/28/2011) & SGC (Memo # 2, dated 03/02/2011.)

Allegation #10 – That “Officials told the Center that ATF allowed about 1,765 firearms over the 15 months of the operation to pass from gun dealers to the suspected straw buyers that were the accomplices of the gun running ring. Another 233 weapons had been bought by the suspects prior to the ATF operation starting, bringing the total number of guns in the case to 1,998”.

Response to #10 – See response # 1. Clarity; we do not “allow” firearms sales, it is a legal/lawful sale. Deny 2<sup>nd</sup> Amendment right requires legal authority...ATF has no such “no fly list.”

ATF identifies the sale after the transaction as opposed to “allowing” sale during/prior to transaction.

Allegation #11 – That “Of those, 797 of the guns were eventually recovered as a result of criminal activity on both sides of the border — including 195 from inside Mexico — after they were used in crimes, collected during arrests, or interdicted through other law enforcement operations, the officials told the Center”.

Response to #11 – Question vs. Statement

Allegation #12 – That “ATF is attempting to not only secure a straw purchase/dealing in firearms without a license case against various individuals but more specifically to make the bigger connection to the Mexican Cartel/Drug Trafficking Organization (DTO) obtaining these firearms for the best possible case and the most severe charges when it is time to Indict this case,” the memo read.

Response to #12 – The ultimate goal which is part of Arizona OCDETF Strike Force Goal/Mission – Disrupt & Dismantle FTO to Sinaloa Cartel.

Allegation #13 – That (b) (7) said his supervisors seemed pleased when one of the guns the agency had let “walk” showed up in a crime in Mexico. They were “elated every time a gun was recovered in Mexico” because they “saw it as proving the nexus that we were dealing with a real drug trafficking group.”

Response to #13 – At no time during Fast & Furious case were guns “walked.” Elated is wrong word, we took it serious and followed up on every known firearm recovery in Mexico related to Fast & Furious. ATF took it very seriously as these recovery incidents were critical to understanding the complexity of the FTO.

Allegation #14 – “But the investigation dragged on for 15 months, in part, documents show, because the Justice Department was slow to approve a wiretap and bring prosecutions. Memos reveal that ATF supervisors were frustrated by the delays, but let straw buyers and suspected gun runners continue to move scores, even hundreds of guns a month, internal agency memos show”.

Response #14 – As the suspects in the investigation routinely kept changed their telephones which caused agents identify these new numbers and submit additional affidavits. This is a time consuming process.

Allegation #15 – That “An April 2, 2010 memo from the strike force leader to the Justice Department disclosed that ATF watched as targeted suspects purchased 359 guns in the United States in March 2010 alone. The case summary sent to ATF headquarters in summer 2010 gave a much higher number.”

Response to #15 – Not “Memo”, (b) (7) e-mail see attachment

Allegation #16 - “Nothing happened. We’re monitoring the same buyers buying the same guns from the same dealers at the same rate and we’re not stopping any of it,” (b) (7) recalled.

Response to #16 – PJC building case, goal of case – disrupt/dismantle entire organization, complex investigation. OIG findings regarding low level straw purchase cases.



Allegation #17 – That “Notations in the case files reviewed by the Center show ATF received several “trace” reports of guns they had let pass to straw buyers showing up in criminal cases in Mexico or on the U.S. side of the border.”

Response to #17 – Inaccurate...we did not “let guns pass.”

Allegation #18 - That “In November 2009, for example, four 7.62 caliber weapons were recovered in Naco, Mexico only two weeks after one of the suspects had purchased them. Also, in July 2010 a Romanian AK-47 variant was recovered in Navojoa, Mexico, the records say.”

Response to #18 – Naco seizure

Allegation #19 – That (b) (7)(C) who told the Center he expects to be fired for speaking out, said four of the seven agents on the strike force had strong reservations about what they were being instructed to do. The three others, he said, backed the approach (b) (7)(C) biggest fear was that some of the guns would eventually be used against law enforcement.”

Response to #19 – no question

Allegation #20 – That “In May 2010, a Customs and Border Protection agent confronted an armed band of gangsters along the U.S. side of the border. The suspects fled but some of the guns they left behind were traced back to weapons purchased by one of the suspects targeted in Fast and Furious (b) (7)(C) said.”

Response to #20 – See attached ROI...?

Allegation #21 – That “Then in December, two weapons recovered at the scene of a murdered Customs and Border Protection agent, Brian Terry, were traced to the ATF operation, according to Sen.Grassley.”

Response to #21 – no response

Allegation #22 – That “The ATF said in a statement today that neither gun recovered at the scene appears to be the weapon that killed Terry, and they may simply have been left behind by the criminals. “At this time, we’re not aware of any forensic evidence that would link these guns to the homicide,” the agency said.”

Response to #22 – Speaks for self.

Allegation #23 – That “The ATF clearly had plenty of information on the bad guys. The problem wasn’t the fact that the guns weren’t being reported, it was that the ATF didn’t act on the information they had,” the senator said.”

Response to #23 – PJC memo on legal authority...

Allegation #24 – That (b) (7)(C) said he feels responsible for Terry’s death by being part of the ATF operation. He said he saw no other option but to go public — even if meant being fired — because he and his fellow agents’ concerns were ignored by supervisors.”

Response to #24 – no response



Allegation #25 – That (b) (7)(C) said after his supervisors rejected the agents' concerns, he filed a whistleblower complaint both by Web and phone to the Justice inspector general but was never contacted."

Response to #25 – never received objections directly from agents in group. ASAC Gillett and (b) had meeting regarding schism. At neither time were these issues raised.

Allegation #26 – That "He then approached Grassley, keeping his current supervisor on a joint terrorism task force apprised of his whistleblowing activities."

Response to #26 – FBI Supervisor denies...

Allegation #27 – That "Eventually, the inspector general contacted (b) (7)(C) after Grassley intervened."

Response to #27 – No response

Allegation #28 – That "ATF supervisors told agents who disagreed with the strategy that "if you are going to make an omelet you've got to scramble some eggs. (b) (7)(C) said. "That was the attitude. I took it to mean that whatever crimes these guns were going to be involved in, those were the eggs, those were acceptable."

Response to #28 – No supervisor in PFD never recalls making statement.

Allegation #29 – That (b) (7)(C) said that another time a supervisor told him, "'It's kind of a moot argument. They're going to get those guns somewhere.' But my feeling is we shouldn't be making it easier for them."

Response to #29 – No supervisor in PFD never recalls making statement. PJC legal authority, mission/goal of case.

Allegation #30 – That "Internal agency memos show ATF supervisors dismissed the objections of agents in the Group VII strike force, insisting the prize of getting permission to run a wiretap and eventually rolling up a major gun or drug gang in Mexico merited the risks. There were even comments interpreted by the agents as veiled threats that they could lose their jobs if they didn't fall in line.

"This is a time we all need to pull together, not drift apart," Group VII supervisor (b) (7)(C) wrote to his strike force team in March 2010, acknowledging "there may be a schism developing amongst the group."

"If you don't think this is fun you're in the wrong line of work — period! This is the pinnacle of domestic U.S. law enforcement techniques. After this the tool box is empty. (b) (7) wrote.

"Maybe the Maricopa County Jail is hiring detention officers and you can get paid \$30,000 (instead of \$100,000) to serve lunch to inmates all day."

Response to #30 – see attached e-mail, not "prize" it is a investigative technique after all other investigative techniques have been exhausted.

Allegation #31 – That "By spring 2010, (b) (7)(C) appealed to the Justice Department for some "urgency" as the number of weapons ATF let through was growing.

In an April 2, 2010, email to one of his supervisors and an assistant U.S. attorney in Phoenix (b) (7) wrote there was “no pressure but perhaps an increased sense of urgency.” The strike force supervisor noted that March 2010 was deadliest month in five years in Mexico and also yielded some of the largest movement of weapons from Fast and Furious.

“Our subjects purchased 359 firearms during the month of March alone, to include numerous Barrett .50 caliber rifles, (b) (7) wrote. “I believe we are righteous in our plan to dismantle this entire organization and to rush in to arrest any one person without taking into account the entire scope of the conspiracy would be ill advised to the overall good of the mission.

“I acknowledge that we are all in agreement that to do so properly requires patience and planning. In the event, however, that there is anything we can do to facilitate a timely response or turnaround by others, we should communicate our sense of urgency with regard to this matter.”

Response to #31 – Not “Memo” (b) (7) e-mail see attachment

Allegation #32 – That “When asked for comment on the office’s role in the ATF operation, a spokesman for the U.S. attorney’s office in Phoenix noted today that federal prosecutors along the Mexican border have been pressing for tougher penalties against straw buyers who traffic arms to Mexico.”

Response to #32 – No response

Allegation #33 – That “William Newell, special agent in charge of the ATF’s Phoenix office, announces the indictments that emerged from the Fast and Furious investigation on Jan. 25 in Phoenix. ATF officials say Newell is slated to become the agency’s new attaché to the Mexican government.”

Response to #33 – Effective May 8, 2010 PFD SAC Newell

Allegation #34 – That (b) (7)(C) said some of the cooperating gun dealers who sold weapons to the suspects at ATF’s behest initially had concerns and wanted to end their sales. One even asked whether the dealers might have a legal liability, but was assured by federal prosecutors they would be protected, he said. The case logs show ATF supervisors and U.S. attorney’s office lawyers met with some of the gun dealers to discuss their “role” in the case, in one instance as far back as December 2009. Concerns about ATF’s approach even extended outside the ATF office in Phoenix.”

Response to #34 – Two memos from AUSA (b) (7)(C) regarding meetings with (b) (7)(D)

Allegation #35 – That “Grassley’s office said it has gathered evidence and testimony that (b) (7)(C) the ATF’s then-attache to the Mexican government in Mexico City, also objected to the Fast and Furious strategy. He worried it might be viewed by the administration of Mexican president Felipe Calderon as a misguided approach that only armed drug lords for more violence.

The attache, Grassley said, raised his objections to ATF headquarters but was told supervisors there already knew about the operation. (b) (7)(C) was eventually removed from his job, and retired. His planned replacement is the special agent-in-charge in Phoenix during the operation, William Newell, ATF officials said.

(b) (7)(C) declined to be interviewed.”

Response to #35 – no response

Allegation #36 – “What other factors might have influenced ATF to let guns “walk” rather than confiscating them immediately and arresting the straw buyers?”

Response to #36 – We never let guns “walk.” PJC legal authority

Allegation #37 – That “Part of the answer may lie in the sort of frustration experienced by ATF in an earlier Phoenix case against firearms dealer (b) (7)(C) who owned a store called X Caliber Guns. Dozens of Romanian WASR 10 weapons bought by suspected straw buyers at X Caliber were eventually recovered at Mexican crime scenes, but authorities could not make a successful case against Iknadosian in 2009, alleging that he was part of a conspiracy trafficking firearms to Mexico. Federal prosecutors declined to take the case because federal courts were increasingly ruling that purchasers had to be barred from buying weapons in order for a dealer to be prosecuted. State prosecutors stepped in and charged Iknadosian with fraud, conspiracy and money laundering, but a state judge dismissed the case, using similar logic as the federal courts.”

Response to #37 - Not allegation....statement or opinion...????

Allegation #38 – That “ATF officials were also facing a Justice Department inspector general’s review of Operation Gun Runner — a review which ultimately criticized the agency in November 2010 for not aiming higher in its border gun probes. “ATF’s focus remains largely on inspections of gun dealers and investigations of straw purchasers, rather than on higher-level traffickers, smugglers, and the ultimate recipients of the trafficked guns,” the report said. “Because there is no federal firearms trafficking statute, ATF must use a wide variety of other statutes to combat firearms trafficking. However, cases brought under these statutes are difficult to prove and do not carry stringent penalties — particularly for straw purchasers of guns,” the report noted. “As a result, we found that [U.S. Attorney’s offices] are less likely to accept and prosecute Project Gunrunner cases. And when these cases are prosecuted and convictions obtained, Federal Sentencing Guidelines categorize straw-purchasing-related offenses as lesser crimes.”

Response to #38 – These quotes are from OIG Gunrunner findings.

Allegation #39 – That “Publicly, ATF and Justice have tried to downplay any notion it would let guns knowingly flow to straw buyers to Mexican drug lords. Newell, the special agent in charge in Phoenix, was asked at a news conference after the (b) (7)(C) indictment whether his agency would ever let guns knowingly cross the border. Newell answered, “Hell, no.” But, he said, suspects under surveillance sometimes elude agents, which could result in guns winding up in Mexico.”

Response to #39 – PJC legal authority.

Allegation #40 – That “In a Feb. 4 letter to the senator, the Justice Department said ATF never “knowingly allowed the sale of assault weapons to a straw purchaser who then transported them into Mexico.” ATF, the letter added, makes “every effort to interdict weapons that have been purchased illegally and prevent their transportation into Mexico.”

Response to #40 – Accurate statement.

Allegation #41 – That “Grassley told the Center he now believes those representations are contradicted by the documents his staff has gathered and the testimony of agents like (b) (7)(C) “The Justice Department and the ATF put up a wall to mislead the American people and were less than forthcoming,” he said.”

Response to #41 –

Allegation #42 – That (b) (7)(C) also believes his agency has been less than forthright, and said that was part of the reason he went public. “I’m boots on the ground and I’ve seen it done (let guns go through) and I had done it and I was instructed to do it almost every day I was down there. It happened,” he said. “What we were doing in my opinion was wrong. It’s not what we do and for my agency to openly and publicly come in and deny we are doing it, I can’t even fathom it.”

Response to #42 – Never let guns “walk” (785115-10 (b) (7)(C) case)

Allegation #43 – That “He was intentionally letting guns go to Mexico? ”Yes ma’am, (b) (7)(C) told CBS News. “The agency was.”

Response to #43 – Never let guns “walk”

Allegation #44 – That “An Alcohol, Tobacco and Firearms senior agent assigned to the Phoenix office in 2010 (b) (7)(C) job is to stop gun trafficking across the border. Instead, he says he was ordered to sit by and watch it happen.”

Response to #44 – Never ordered to sit by see PJC legal authority

Allegation #45 – That (b) (7)(C) bosses say that never happened. Now, he's risking his job to go public.”

Response to #45 –

Allegation #46 – That “I’m boots on the ground in Phoenix, telling you we’ve been doing it every day since I’ve been here,” he said. “Here I am. Tell me I didn’t do the things that I did. Tell me you didn’t order me to do the things I did. Tell me it didn’t happen. Now you have a name on it. You have a face to put with it. Here I am. Someone now, tell me it didn’t happen.”

Response to #46 – Never ordered to do this

Allegation #47 – That (b) (7)(C) and other sources say the gun walking strategy was approved all the way up to the Justice Department. The idea was to see where the guns ended up, build a big case and take down a cartel. And it was all kept secret from Mexico.”

Response to #47 – Not accurate statement. At no times were guns “walking” to Mexico. PJC legal authority. SAC Newell to fill in Mexico portion...

Allegation #48 – That “Surveillance video obtained by CBS News shows suspected drug cartel suppliers carrying boxes of weapons to their cars at a Phoenix gun shop. The long boxes shown in the video being loaded in were AK-47-type assault rifles.”

Response to #48 – See ROI # 238, CBS has unauthorized copy of item currently in ATF evidence as part of ongoing criminal investigation under federal indictment.

Allegation #49 – That “Documents show the inevitable result: The guns that ATF let go began showing up at crime scenes in Mexico. And as ATF stood by watching thousands of weapons hit the streets... the Fast and Furious group supervisor noted the escalating Mexican violence.”

Response to #49 (b) (7) e-mail see attachment

Allegation #50 – That “One e-mail noted, “958 killed in March 2010 ... most violent month since 2005.” The same e-mail notes: “Our subjects purchased 359 firearms during March alone,” including “numerous Barrett .50 caliber rifles.”

Response to #50 (b) (7)(C) e-mail see attachment

Allegation #51 – That (b) (7)(C) feels that ATF was partly to blame for the escalating violence in Mexico and on the border. “I even asked them if they could see the correlation between the two,” he said. “The more our guys buy, the more violence we’re having down there.”

Response #51 – Every effort was made where legally possible to prevent firearms trafficking.

Allegation #52 – That “Senior agents including (b) (7)(C) told CBS News they confronted their supervisors over and over. Their answer, according to (b) (7)(C) was, “If you’re going to make an omelette, you’ve got to break some eggs.”

Response to #52 – No supervisor in PFD never recalls making statement.

Allegation #53 – That “There was so much opposition to the gun walking, that an ATF supervisor issued an e-mail noting a “schism” among the agents. “Whether you care or not people of rank and authority at HQ are paying close attention to this case...we are doing what they envisioned.... If you don’t think this is fun you’re in the wrong line of work... Maybe the Maricopa County jail is hiring detention officers and you can get \$30,000 ... to serve lunch to inmates...”

Response to #53 – See (b) (7)(C) Schism e-mail attached.

Allegation #54 – That “On Dec. 14, 2010, Border Patrol Agent Brian Terry was gunned down. (b) (7)(C) got the bad news from a colleague. According to (b) (7)(C) they said, ‘Did you hear about the border patrol agent?’ And I said, ‘Yeah.’ And they said ‘Well it was one of the Fast and Furious guns.’ There’s not really much you can say after that.” Two assault rifles ATF had let go nearly a year before were found at Terry’s murder. (b) (7)(C) said, “I felt guilty. I mean it’s crushing. I don’t know how to explain it.”

Response to #54 – “two assault rifles ATF had let go...” guns legally purchased on Jan 16, 2010, ATF was notified on Jan 19, 2010 3 days after the legal sale.

Allegation #55 – That “Sen. Grassley began investigating after his office spoke to (b) (7)(C) and a dozen other ATF sources -- all telling the same story. The response was “practically zilch,” Grassley said. “From the standpoint that documents we want - we have not gotten them. I think it’s a case of stonewalling.”

Response to #55 – skip

Allegation #56 – That (b) (7)(C) said they never did take down a drug cartel. However, he said thousands of Fast and Furious weapons are still out there and will be claiming victims on both sides of the border for years to come.”

Response to #56 – Objective was to take down an organization that was supplying firearms to a drug cartel, this investigation accomplished this goal.

Allegation #57 – That “Late tonight, the ATF said it will convene a panel to look into its national firearms trafficking strategy. But it refused to comment specifically on Sharyl’s report.”



Response to #57 - skip

*A. On the Status of F and F lead indictment, Avila:*

Questions: Whether (b) (7)(C) is in custody, what's his plea, next steps?

**Answer:**

**Under 9<sup>th</sup> Circuit law offenses committed by “straw purchasers” are not considered crimes of violence for which a person can be detained pending trial. As to the only other basis for pretrial detention – flight risk – (b) (7) is a US citizen and the Bail Reform Act requires the court to impose the least restrictive conditions that will reasonably assure his appearance and the safety of the community. Here (b) (7)(C) was released on conditions pending Trial by the Magistrate Court. His release conditions include reporting as directed to U.S. Pretrial Services, surrendering any passport, not traveling outside the district of Arizona, having no contact with the other defendants, and not possessing a firearm or other dangerous weapon.**

**Regarding the treatment of “straw purchasers” by the Criminal Justice System, the five Southwest Border United States Attorneys from Arizona, Texas, California and New Mexico recently sent the enclosed letter (pdf enclosed) to the United States Sentencing Commission urging that the prison sentences for “straw purchasers” be strengthened because of their role in the trafficking and illegal export of weapons.” The letter states in part:**

‘As the chief federal law enforcement officers in the Southwest border region, we strongly believe the Commission must amend USSG § 2K2.1 if it is truly to address the national security implications of arms trafficking. As the Department explained during its meeting with Commission staff, straw purchasers are the primary source of firearms trafficked to Mexico from the United States. Most of the defendants prosecuted for arms export or arms trafficking offenses involving the Southwest border would not have obtained the firearms at issue were it not for the efforts of straw purchasers. Yet because straw purchasers face such low guideline ranges under § 2K2.1, and because many judges see straw purchasing as a mere “paper” violation, the sentences

received by straw purchasers fail to reflect the seriousness of the crime or the critical role played by these defendants in the trafficking and illegal export of weapons. Simply put, straw purchasing and illegal arms exporting go hand in hand, and both must be addressed together.’”

Regarding (b) (7)(C) plea and next steps, he has entered a plea of Not Guilty and the current schedule for the case is as follows:

CR-11-126-PHX-JAT (b) (7)(C)

Motions Deadline -4/22/11  
Jury Trial- 06/07/2011 at 09:00 AM

*B. On the issue of “sanctioning” or “encouraging” gun sales:*

**ATF Agents and Lawyers from the US Attorney’s Office did not “encourage” any FFL to “keep selling guns to known straw buyers.” In the two meetings with FFLs, attorneys and agents advised the FFLs that the Government cannot advise them to sell multiple guns or advise not to sell multiple guns. The FFLs were advised that those decisions were up to FFLs as are all decisions to sell left up to the FFL to evaluate the sale and determine whether it is lawful. In short, the FFLs were advised that the Government cannot advise FFLs to halt a sale that appears lawful and we cannot authorize a sale that appears unlawful. There was no mistake as to the clarity of the Agents’ and Attorneys’ message.**

**FFLs need no encouragement to sell guns as that is their actual business, selling guns. By the time that the government met with the owners, they had made many multiple sales and the guns were gone.**

**The FFLs wanted to know that the information that they provided was actually useful, and that they were not unwittingly implicating themselves in some criminal activity of which they weren’t aware. As we have said so many times before, they were told that ATF could not authorize illegal sales to be made any more than they could prohibit lawful sales, however, ATF appreciated their cooperation and willingness to voluntarily provide information to ATF including notice of multiple long gun purchases and notice of single gun sales of certain types of firearm or sales to particular individuals. No one discussed civil liability. The FFLs were providing information to ATF regarding transactions that the FFL must have viewed as lawful, having no knowledge or reason to know that the transfers were unlawful.]**

Main Justice position on the issue of Sanctioning or encouraging arms sales, the Quote of Assistant Attorney General Ronald Weich in his February 4, 2011 letter:

**“At the outset, the allegation described in your January 27 letter-- that ATF “sanctioned” or otherwise knowingly allowed the sale of assault weapons to a straw purchaser who then transported them into Mexico—is false.”**

*C. On the issue of “walking guns” or the timely seizure of guns:*

**Neither the USAO nor ATF was engaged in an effort “to let guns flow to straw buyers” or to “walk” guns that could have been seized under any lawful theory with available facts to prove the theory.**

**The guns flow FROM straw buyers and until agents observe illegal conduct they cannot treat them as anything other than ordinary buyers. At the time of transfer of the firearms from the FFL to the straw purchaser based upon the facts available to the FFL at the time of the sale, the sales to the “straw purchasers” are lawful; and seizure of the weapons in the hands of those purchasers without evidence of criminality would violate the United States Constitution and would be an unlawful seizure and deprivation of property rights without cause. (Fourth and Fifth Amendments).**

**In these investigations, there may come a point over the course of an investigation where ATF believes, though it is well short of proof beyond a reasonable doubt required in criminal cases, that they can prove that a particular person only buys guns for the purposes of illegal trafficking. However, seizure of the guns at that point may not be legal because purchasing multiple long guns in Arizona is lawful, transferring them to another is lawful and even sale or barter of the guns to another is lawful unless the United States can prove by clear and convincing evidence that the firearm is intended to be used to commit a crime. (18 USC 924 (d))**

**In short, the law does not permit agents to take guns away from anyone who buys ten AKs at a time solely because they bought multiple guns.**

*D. When weapons sales were monitored and those guns later turned up in crime scenes, had ATF somehow “authorized” the sales that ATF could have ordered stopped, or did ATF somehow not seize the guns appropriately or in a timely fashion?:*

**The number one concern for DOJ is interdicting guns that are unlawfully transferred to persons in the United States and in Mexico who will then commit crimes with those guns. The purpose of this investigation was to locate those guns, interdict those guns and bring those responsible for their unlawful purchase, transfer, finance and use to justice.**

**The full array of rights available to indicted defendants is also available to those persons suspected of committing gun crimes, and the government cannot violate legitimate gun owners rights by prematurely seizing their guns.**

**DOJ’s goals of the investigation were two-fold: 1. Interdiction of the weapons that were purchased or possessed in furtherance of the unlawful trafficking conspiracy; and 2. Investigation with an emphasis on discovering other members of the trafficking organization, particularly the leaders of the organization who procure the guns from straw purchasers and have them smuggled into Mexico to the Cartels. There seems to be some misconception on the part of the press and members of congress that the minute that ATF**



suspects that someone is a straw purchaser, agents can arrest that person and seize all of their guns. As explained above, that seizure would be unlawful, and ATF may only seize when a lawful basis for seizure can be proven under the US Constitution and statutes passed by Congress.

The question seems to connote that ATF can promulgate a “No Sell” list like a “No Fly List”, under which FLLs would be prohibited from selling any guns to any person on the list. ATF has no such power and ATF cannot interfere with the operation of commerce and prohibit a gun store from making a lawful sale to lists of suspects based upon nothing more than mere suspicion. These lists might well be long and would curtail a person’s rights to purchase arms without any due process.

How is it that a person becomes a suspect in a straw purchase investigation? If they are buying multiple handguns, it could be because of multiple sales reports to ATF, notifying the bureau that a suspect is buying large quantities of handguns. If they are buying only long guns, they may not become a suspect until guns they have purchased can be traced after being recovered at a crime scene, or an FFL voluntarily notifies ATF of an unusually large purchase. But a multiple purchase by itself, or the recovery of a firearm at a crime scene does not establish that the original buyer of the gun is an “unlawful straw purchaser.” If it did, then when a person buys a gun and then decides they don’t shoot it well, or it recoils too much, or they really can’t afford the ammunition, and sells it, out of the paper, or a gun show, or to a friend, if the next owner of the gun commits a crime with it, the original purchaser would become a suspect as an “unlawful straw purchaser” and a suspect in a gun trafficking case.

And your question presupposes that ATF agents should never let mere suspects possess a firearm. Your question seems to presume that once ATF identifies a suspect, they can treat that suspect as though they were a “prohibited person”, never again allowed to possess a firearm, regardless of the fact that they have not been convicted of a crime. If this were the case, ATF could stop any person they label a suspect and take any gun they have away from them. This means that if you (1) bought two 5.7 mm pistols because you wanted one for the home and one for the office, or (2) bought three AR type rifles for you and your two sons to target shoot, or (3) you sold one of your guns to your brother in law, who resold it to a co-worker who took it into Mexico and got caught with it, then you are an “unlawful straw purchaser” suspect and the next time you buy a gun, with your own money, for a hunting trip, ATF should take it away from you.

- E. Regarding the question “In regards to the guns recovered in Rio Rico after the Terry shooting, when they were purchased from (b) (7)(D), (b) (7)(C) was there surveillance going on in conjunction with Operation Fast and Furious, or did ATF only become aware after the fact and link it to (b) (7)(D) after the fact?”

**Answer:** There was no surveillance going on and the ATF did not learn of the sale until three days after it took place and the weapons were gone.

- F. Regarding the LA Times and CBS News stories, they do not account for the fact, or rebut in any way, that this District is actively prosecuting unlawful weapons and ammunition traffickers.

**In just two recent investigations in Phoenix, 51 defendants in 10 indictments have been charged.**

**In Fast and Furious announced on January 25 (Press release link below) 34 defendants in five indictments were announced. The trials are set for these dates:**

**Fast and Furious**

CR-11-126-PHX-JAT (b) (7)(C)

Motions Deadline -4/22/11

Jury Trial- 06/07/2011 at 09:00 AM

CR-11-013-PHX-SRI (b) (7)(C)

Motions Deadline- 2/25/11

Jury Trial- 04/05/2011 at 09:00 AM

CR-10-1187-PHX-ROS (b) (7)(C)

Motions Deadline (dft: (b) (7)(C)) 2/4/11

Motions Deadline (dft: (b) (7)(C))

(b) (7)(C) 2/4/11

Jury Trial(dft: (b) (7)(C))

(b) (7)(C) - 04/05/2011 at 08:30 AM

CR-10-1607-PHX-NVW (b) (7)(C)

Motions Deadline- 3/11/11

Change of Plea Hearing- 3/23/11

Jury Trial- 04/05/2011 at 09:00 AM

CR-10-1831-PHX-FJM (b) (7)(C)

Motions Deadline (dft: (b) (7)(C))

(b) (7)(C)

(b) (7)(C)

3/18/11

Jury Trial (b) (7)(C)

(b) (7)(C)

(b) (7)(C)

05/03/2011 at 09:00 AM

Press Release at:

[http://www.justice.gov/usao/az/press\\_releases/2011/PR\\_02172011\\_Macedo\\_Saucedo-Cuevas%20et%20al.pdf](http://www.justice.gov/usao/az/press_releases/2011/PR_02172011_Macedo_Saucedo-Cuevas%20et%20al.pdf)

Links to Indictments:

[http://www.justice.gov/usao/az/news\\_archive\\_2011.html](http://www.justice.gov/usao/az/news_archive_2011.html)

**In the Too Hot to Handle set of cases announced on February 17, 2011, 17 defendants in five indictments were announced. The trials are set for these dates:**

**Too Hot to Handle**

CR-10-00961-PHX-NVW (U.S. v. (b) (7)(C) et al.) Motions Deadline (dft: (b) (7)(C))

(7)

(b) (7)(C)

03/07/11

Motions Deadline (dft: (b) (7)(C))  
 (b) (7)(C) 3/11/11  
 Jury Trial (dft: (b) (7)(C))  
 (b) (7)(C)  
 (b) 04/05/2011 at 09:00 AM

CR-11-00231-PHX-JAT (U.S. v. (b) (7)(C) et al.) Motions Deadline (dft: (b) (7)(C))  
 (b) (7)(C)  
 3/7/11

Motions Deadline (dft: (b) (7)(C))  
 3/16/11  
 Status Conference (dft: (b) (7)(C))  
 (b) (7)(C)

(b) (7)(C) 03/16/2011 at 11:15 AM Jury Trial  
 (b) (7)(C)  
 (b) (7)(C)  
 04/05/2011 at  
 09:00 AM

CR-10-01129-PHX-NVW (U.S. v. (b) (7)(C) et al.) Motions Deadline (both defendants)-  
 05/13/2011  
 Jury Trial (both defendants)- 06/07/2011  
 at 09:00 AM

CR-11-00245-PHX-ROS (U.S. v. (b) (7)(C) et al.) Motions Deadline (both  
 defendants)- 03/03/2011  
 Jury Trial- 04/05/2011 at 09:00  
 AM

CR-10-01296-PHX-ROS (U.S. v. (b) (7)(C)) Motions Deadline-02/19/2011  
 Jury Trial- 05/03/2011 at 08:30 AM

Press Release at:  
[http://www.justice.gov/usao/az/press\\_releases/2011/PR\\_02172011\\_Macedo\\_Saucedo-Cuevas%20et%20al.pdf](http://www.justice.gov/usao/az/press_releases/2011/PR_02172011_Macedo_Saucedo-Cuevas%20et%20al.pdf)

Indictments as:  
[http://www.justice.gov/usao/az/press\\_releases/2011/US\\_v\\_Resa\\_Indictment.pdf](http://www.justice.gov/usao/az/press_releases/2011/US_v_Resa_Indictment.pdf)

**In the Tucson Office alone there are currently five (5) pending indictments charging 23 defendants with attempting to export thousands of rounds of ammunition to Mexico and with weapons offenses. Those indictments are enclosed in PDFs.**



**From:** (b) (7)(C)  
**Sent:** Wednesday, April 27, 2011 1:17 PM  
**To:** (b) (7)(C)  
**CC:** Brandon, Thomas E.  
**Subject:** RE: April 21, 2011 - Current Status of Data Extraction for the Phoenix Field Division

You may excuse (b) (7)(C)

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 5 100

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**From:** (b) (7)(C)  
**Sent:** Thursday, April 21, 2011 7:19 PM  
**To:** (b) (7)(C)  
**Cc:** Brandon, Thomas E.  
**Subject:** April 21, 2011 - Current Status of Data Extraction for the Phoenix Field Division

(b) (7)(C)

Each employee in the Phoenix Field Division, with two exceptions, has now completed the data extraction process. (b) (7)(C) ATF HP Enterprise Services 919-424-9333 ext. (b) (7)(C) advised me today that all but Academy student (b) (7)(C) (previously cleared by you) and new RAC (b) (7)(C) are complete. I spoke with (b) (7)(C) today who advised his computer has been down and is currently in the possession of Decision One to replace his hard drive and board. (b) (7)(C) only arrived in our division, on March 13, 2011. He advised he has not been involved in any of our cases yet. Perhaps, he can be excluded from this requirement? Please let me know if you approve or if you would like to continue until (b) (7)(C) can get up and running to work on the extraction? Kindly, advise (b) (7)(C) of your answer, as well.

Thank you.

Special Agent (b) (7)(C)  
Division Operations Officer  
U.S. Department of Justice - ATF  
201 E. Washington Street - Suite 940  
Phoenix, Arizona 85004-2428

(b) (7)(C)  
(b) (7)(C)

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Wednesday, April 27, 2011 12:30 PM  
**To:** Stinnett, Melanie S.  
**Subject:** RE: Request for ROI

This is why we need to do an updated extract from NFORCE -- there are more ROIs they need to have including several key players' post arrest interviews

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

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**From:** Stinnett, Melanie S.  
**Sent:** Wednesday, April 27, 2011 9:57 AM  
**To:** (b) (7)(C)  
**Subject:** FW: Request for ROI

Do we have the data requested -- and if so, where can I find it?

\*\*\*\*\*

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**From:** (b) (7)(C) (OIG) [mailto:(b) (7)(C)]  
**Sent:** Wednesday, April 27, 2011 9:51 AM  
**To:** Stinnett, Melanie S.; McCaskill, John J. (OIG); O'Neill, Michael S. (OIG); Mulkern, Patrice (OIG)  
**Cc:** Philyaw, Valencia E. (OIG)  
**Subject:** Request for ROI

Melanie,

It does not appear that any post-arrest interviews of (b) (7)(C) were in the NFORCE data that ATF provided to the OIG.

Could you please provide those ROIs to us?

Thank you,

(b) (7)(C)

(b) (7)(C)  
Senior Special Agent  
U.S. Department of Justice, Office of the Inspector General

E

6411

1425 New York Ave. NW Suite 13100

Washington, DC 20530

Desk: (b) (7)(C)

Cell: (b) (7)(C)



**From:** (b) (7)(C)  
**Sent:** Friday, April 22, 2011 9:17 PM  
**To:** (b) (7)(C)  
**Subject:** Re: Issa Doc DRAFT Preservation Letter

It is a culled down list from all employEes who have separated after July 1 2009 consistent with Mr Issa's preservation request.

(b) (7)(C)  
Acting Chief of Staff  
ATF Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)

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**From:** (b) (7)(C)  
**To:** (b) (7)(C)  
**Sent:** Fri Apr 22 14:04:16 2011  
**Subject:** FW: Issa Doc DRAFT Preservation Letter

LAW ENFORCEMENT SENSITIVE

Can either of you answer this?

(b) (7)(C)  
Acting Chief of Staff  
Bureau of Alcohol, Tobacco, Firearms and Explosives

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LAW ENFORCEMENT SENSITIVE

\*\*\*\*\*

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**From:** Melson, Kenneth E.  
**Sent:** Friday, April 22, 2011 12:18 PM  
**To:** (b) (7)(C)  
**Subject:** Re: Issa Doc DRAFT Preservation Letter

What universe of former employees are we contacting? Just those who retired on or after the start of gunrunner?

\*\*\*\*\*

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**From:** (b) (7)(C)  
**To:** Serres, Greg; McDermond, James E.; Chait, Mark R.; Newell, William D.; McMahon, William G.; Stinnett, Melanie S.; Holgate, Rick  
**Cc:** (b) (7)(C) Melson, Kenneth E.; Hoover, William J.  
**Sent:** Fri Apr 22 08:15:42 2011  
**Subject:** Issa Doc DRAFT Preservation Letter

LAW ENFORCEMENT SENSITIVE

Please take a look at the attached draft, and indicate your concurrence or corrections by 3 pm. Today.

Rick and/or Melanie with respect to the question in the comment box it my understanding is that ATF does not routinely permit contractors, sub-contractors, or consultants access to the responsive docs, but will utilize the services of a third party contractor to assist in the organization and querying of the documents. Is that correct?

(b) (7)(C)

Acting Chief of Staff

Bureau of Alcohol, Tobacco, Firearms and Explosives

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**From:** Gaston, Molly (SMO) [mailto:(b) (7)(C)]

**Sent:** Thursday, April 21, 2011 7:11 PM

**To:** (b) (7)(C)

**Cc:** Hoover, William J.; (b) (7)(C)

**Subject:** Issa Doc Preservation Letter

(b) (7)(C)

Attached please find the current version of the response to House Oversight's request about ATF preservation of documents. (b) (5)

(b) (5)

understand from Billy that you're the lucky one to whom I should direct this draft.

Thanks so much,  
Molly

Molly Gaston

Office of Legislative Affairs

U.S. Department of Justice

Office: (202) 305-(b) (7)(C) Cell: (b) (7)(C)

<<issa preservation response 421.docx>>

**From:** (b) (7)(C)  
**Sent:** Wednesday, April 20, 2011 8:55 AM  
**To:** Serres, Greg  
**Subject:** Re: Attorney client privilege

Understood

(b) (7)(C)

Acting Chief of Staff  
ATF Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)

---

**From:** Serres, Greg  
**To:** Rose, David; (b) (7)(C)  
**Cc:** Hoover, William J.; Melson, Kenneth E.; (b) (7)(C) Rubenstein, Steve R.  
**Sent:** Wed Apr 20 08:55:09 2011  
**Subject:** Attorney client privilege

Please do not review any e-mails that appear to be communications between the agents and their personal attorneys. I am aware that (b) (7)(C)

(b) (7)(C) I am not aware of Agent (b) (7)(C) having private counsel.

Greg Serres  
Acting Deputy Chief Counsel  
Bureau of Alcohol, Tobacco, Firearms & Explosives  
202-648 (b) (7)(C)

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Friday, April 15, 2011 8:53 PM  
**To:** Brandon, Thomas E.  
**CC:** (b) (7)(C)  
**Subject:** Re: Current Status of Data Extraction for the Phoenix Field Division

No need to worry about (b) (7)(C)  
(b) (7)(C)  
Acting Chief of Staff  
ATF Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)

---

**From:** Brandon, Thomas E.  
**To:** (b) (7)(C)  
**Cc:** (b) (7)(C)  
**Sent:** Fri Apr 15 20:51:17 2011  
**Subject:** FW: Current Status of Data Extraction for the Phoenix Field Division

(b) (7)(C)

Please see what I highlighted in yellow. Thanks.

(b) (7)(C) great job! Thanks for staying on top of this. Much appreciated.

Tom

\*\*\*\*\*

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---

**From:** (b) (7)(C)  
**Sent:** Friday, April 15, 2011 4:09 PM  
**To:** Brandon, Thomas E.  
**Subject:** Current Status of Data Extraction for the Phoenix Field Division

Tom,

Here is the updated list. Currently (b) (7)(C) are running and it is anticipated they will be done, today. (b) (7)(C) attempts yesterday failed over VPN. He is on sick leave, today. I spoke with his supervisor (b) (7)(C) who will instruct him to visit the ATF space at Yuma DPS, on Monday morning. If that does not work he will be instructed to visit the ATF El Centro Office (he lives in California) and log on via a hard line. (b) (7)(C) currently at the ATF National Academy. He is destined for Sierra Vista but has not previously worked in the Phoenix Field Division so I wonder if we can remove him from this requirement. I did advise the Sierra Vista RAC (b) (7)(C)

yesterday of (b) (7)(C) status and (b) (7)(C) planned to reach out to him and possibly arrange for (b) (7)(C) to log on in the ATF Offices at FLETC.

I will continue to monitor the progress of this project.

Special Agent (b) (7)(C)  
Division Operations Officer  
U.S. Department of Justice - ATF  
201 E. Washington Street - Suite 940  
Phoenix, Arizona 85004-2428  
602-776 (b) (7)(C)  
(b) (7)(C)

PHOENIX	(b) (7)(C)	done
PHOENIX	(b) (7)(C)	done
PHOENIX	(b) (7)(C)	NOT COMPLETE
PHOENIX	(b) (7)(C)	done
PHOENIX	(b) (7)(C)	done
PHOENIX	(b) (7)(C)	NOT COMPLETE
PHOENIX	(b) (7)(C)	done
PHOENIX	(b) (7)(C)	NOT COMPLETE
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PHOENIX	(b) (7)(C)	NOT COMPLETE
PHOENIX	(b) (7)(C)	done
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PHOENIX	(b) (7)(C)	done
PHOENIX	(b) (7)(C)	done
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PHOENIX	(b) (7)(C)	done
PHOENIX	(b) (7)(C)	done
PHOENIX	(b) (7)(C)	NOT COMPLETE
PHOENIX	(b) (7)(C)	done
PHOENIX	(b) (7)(C)	done

\*\*\*\*\*

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From: (b) (7)(C)  
Sent: Friday, April 15, 2011 6:08:35 PM

6418

To: Chait, Mark R.; (b) (7)(C) Rubenstein, Steve R.; Serres, Greg; Hoover, William J.

Subject: The FOIA Request

I just had an epiphany of sorts. With regard to the requests for the cartel and national trafficking strategy through FOIA DOJ refused to turn them over to the committee in response to the subpoena - but did allow viewing. We better not be releasing them through FOIA without some very close coordination.

(b) (7)(C)

Acting Chief of Staff

ATF Office of the Director

O: 202-648-(b) (7)(C)

C: (b) (7)(C)

From: (b) (7)(C)  
Sent: Friday, April 15, 2011 6:00:14 PM  
To: Serres, Greg; (b) (7)(C) Hoover, William J.  
Subject: E mail

6419

Greg/ (b) (7)(C)

Looping you both in.

(b) (7)(C)

In order to start on the email we need to have (b) (7)(C) added to the list of super users with access to the OIG and Congress drive. We also need to show him how to open the .pst folders. (b) (7)(C) works out of Rockford, Illinois. (b) (7)(C) initial focus will be on (b) (7)(C)

(b) (7)(C)

(b) (7)(C) can also help with discovery accelerator.

We need to identify two other people to help with this. Director and DOJ would prefer that they are attorneys. Greg if that is difficult let me know and we will work on finding help. Once we get them identified (b) (7)(C) can get them access to the drive.

Greg - my prior email covers the scope of the search. If you need me to forward copies of the IG request or subpoena schedule please let me know. We should plan on having results to DOJ by COB 4/26

I am going to be looking at some of this while I am off for other issues. I am out for the next week but I am available on the Blackberry.

(b) (7)(C)

Acting Chief of Staff  
ATF Office of the Director  
O: 202-648- (b) (7)(C)  
C: (b) (7)(C)



**From:** (b) (7)(C)  
**Sent:** Friday, April 15, 2011 3:56 PM  
**To:** Rubenstein, Steve R.; Serres, Greg  
**CC:** Hoover, William J.  
**Subject:** E-Mail Review

Steve/Greg:

We are going to have to initiate the review of the e-mail from Newell, Gillett and (b) (7)(C) immediately.

We need to be looking for three distinct things:

- 1) Anything that is responsive to the House Subpoena (priority)
- 2) Anything pertinent to the open Fast and Furious Criminal Case
- 3) Anything that is responsive to the IG document request

We need to provide anything we identify to DOJ on or before 4/26.

The e-mail folders from all three are available on the shared drive we have been discussing. Please let me know who will be doing the review and I will make sure they have access to the drive and understand how to access the folders for review. We do have some ability to key word search these three groups of e-mail using discovery accelerator.

Please call me on my cell phone to discuss this at your earliest convenience.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Friday, April 15, 2011 3:10 PM  
**To:** Axelrod, Matthew (ODAG) (SMO)  
**Subject:** FW: (b) (7)(C) Counsel

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

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**From:** (b) (7)(C)  
**Sent:** Friday, April 15, 2011 3:03 PM  
**To:** Rubenstein, Steve R.; Serres, Greg; (b) (7)(C)  
**Cc:** Hoover, William J.; Melson, Kenneth E.; (b) (7)(C) McDermond, James E.  
**Subject:** (b) (7)(C) Counsel

(b) (7)(C) called and left me a message wanting to discuss the Issa Letter. Her number is (b) (7)(C)

(b) (7)(C)

(b) (7)(C)  
*DOJ- Bureau of Alcohol, Tobacco, Firearms & Explosives*  
*Chief - Office of Legislative Affairs*  
(b) (7)(C) (mobile1)  
(b) (7)(C) (mobile2)  
202.648.(b) (7)(C) (office)  
202.648.9708 (fax)

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Friday, April 15, 2011 2:42 PM  
**To:** Serres, Greg  
**Subject:** E-Mail Review

Greg:

If you have a moment I'd like to speak to you again about the e-mail review.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Friday, April 15, 2011 1:54 PM  
**To:** (b) (7)(C)  
**Subject:** RE: Simplified Access to the Fast and Furious Shared Drive.

(b) (7)(C)

Please submit anything you have that you believe is responsive to the document request or pertinent to the inquiry in general immediately. We are continuing to produce documents to the Committee and the OIG.

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** (b) (7)(C)  
**Sent:** Friday, April 15, 2011 1:49 PM  
**To:** (b) (7)(C)  
**Subject:** RE: Simplified Access to the Fast and Furious Shared Drive.

Should I interpret that to not submit docs?

\*\*\*\*\*

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---

**From:** (b) (7)(C)  
**Sent:** Wednesday, April 13, 2011 10:12 PM  
**To:** (b) (7)(C)  
**Subject:** Re: Simplified Access to the Fast and Furious Shared Drive.

The due date was the 11th at close of business.

(b) (7)(C)

Acting Chief of Staff  
ATF Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)

\*\*\*\*\*

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**From:** (b) (7)(C)  
**To:** (b) (7)(C)  
**Sent:** Wed Apr 13 22:10:32 2011  
**Subject:** RE: Simplified Access to the Fast and Furious Shared Drive.

(b) (7)(C) quick question. Answer at your convenience. When is the due date or final for these docs. I ask because I have two depositions and a trial hearing next week that I am prepping for. (b) (7)(C)

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Wednesday, April 13, 2011 5:30 PM  
**To:** (b) (7)(C)  
**Subject:** FW: Simplified Access to the Fast and Furious Shared Drive.

(b) (7)(C)

The second half of the instructions.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

\*\*\*\*\*

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From: (b) (7)(C)

Sent: Thursday, April 07, 2011 8:16 AM

To: All Assistant Directors; All Deputy Assistant Directors; All Special Agents in Charge

Subject: Simplified Access to the Fast and Furious Shared Drive.

THE PROCESS FOR EACH EMPLOYEE TO SUBMIT RESPONSIVE DOCUMENTS ELECTRONICALLY HAS BEEN SIMPLIFIED.

Due to difficulties some personnel were having following the previous directions with folder creation and file access, we have greatly simplified the process of submitting your responsive documents.

ATF will compile all responsive documents by having employees place electronic copies of the documents into a shared computer drive. Do not produce hard copies or e-mail copies of documents to HQ.

Each employee and task force officer in ATF has been given access to a nationwide shared computer drive titled "Fast and Furious Investigation." When accessing this shared drive, each employee or TFO is now connecting directly into a uniquely created folder specific to each employee/TFO that was automatically created when you logged in to your computer Thursday, April 7, 2011. You no longer need to create or rename any folders.

If you have responsive documents to submit, follow the procedure below to deposit them into the shared drive. If you have no responsive documents, complete your certification and return it in accordance with the instructions provided by your supervisor.

#### **How to Access the Fast and Furious Investigation shared drive.**

To access this drive, place your mouse pointer over the "Start" button in the lower left corner of your screen and right click, then select "Explore."

Scroll down until you see a drive labeled Username on 'ntpcifs02\common01\Fast and Furious Investigation\Users' R: where username is the login id of the employee or TFO. (If you do not see this drive or your computer has not been rebooted today, you will need to log out of the network and log back in so that the network may create your access to the updated shared drive.) Click on this drive to access it and deposit any responsive documents directly into this space. You do not need to create or rename any folders.

**Copy any responsive documents into the shared drive bearing this label. This area is available only to you, and has been uniquely created for your use. If you deposited any documents into the shared drive yesterday, please resubmit them to this new drive space.**

About your folder:

Only you can access your folder. No one else in your office, division, or directorate can view your submission(s).

Similarly, you cannot see or access anyone else's folder.

You can deposit documents into the folder, but once deposited in the folder you cannot rename or delete them.

(b) (7)(C)

Employee 3  
Acting Chief of Staff  
Office of the Director  
O: 202-648-<sup>(b) (7)(C)</sup>  
C: <sup>(b) (7)(C)</sup>  
HQ Room 5 S 100

From: (b) (7)(C)  
Sent: Wednesday, April 13, 2011 5:08:30 PM  
To: (b) (7)(C)  
CC: Holgate, Rick  
Subject: RE: EVault Plan of Action

Date range is 7/1/2009 to last date in extract

Search terms:

allegation  
allege  
approval  
approve  
border  
complaint  
concern  
cooperate  
deliver  
let the % go (where % is any word or group of words)  
shut % down  
strategy  
surveillance  
walk

Don't worry about attachments

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

-----Original Message-----  
From: (b) (7)(C)  
Sent: Wednesday, April 13, 2011 4:33 PM  
To: (b) (7)(C)  
Cc: Holgate, Rick  
Subject: FW: EVault Plan of Action  
Importance: High

(b) (7)(C)  
Can you provide?

w

(b) (7)(C)  
AFT. OST  
202-648-(b) (7)(C)  
(b) (7)(C)

-----Original Message-----  
From: (b) (7)(C)  
Sent: Wednesday, April 13, 2011 02:58 PM Eastern Standard Time



To: (b) (7)(C) Holgate, Rick; (b) (7)(C)  
Cc: (b) (7)(C) (HP)  
Subject: RE: EVault Plan of Action

Gentlemen,

Can someone please provide the search parameters so that (b) (7)(C) can test the Discovery Accelerator search functions for the ingested PSTs of the 3 designated users? Examples of parameters are as follows:

- Date or date range
- Search terms found in either the To/From lines &/or the Subject/message content
- Attachments (number &/or file type)

Thank you very much!

-(b) (7)(C)

\*\*\*\*\*

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From: (b) (7)(C)  
Sent: Wednesday, April 13, 2011 12:57 PM  
To: Holgate, Rick; (b) (7)(C)  
Cc: (b) (7)(C) (HP)  
Subject: EVault Plan of Action

All,

To follow up on the discussion at today's meeting regarding EVault, please be advised that the team has met and devised the following plan of action:

· Our EVault administrator has identified the root cause of the outage that occurred yesterday as being related to the H drive. He is currently putting together the specific information as well as developing the corrective action(s) to be taken to ensure the issue will not persist. This write-up will be provided by COB today.

· The team will ingest the data relating to the 3 names that were provided by (b) (7)(C) into EVault today and monitor the process closely for any errors or issues. This will provide metrics for the rate of success and the risks that may be associated with proceeding using the product in its current state. The team will provide this information by COB today.

· The Operations Team will be focusing on resolving any issues with the EVault hardware, specifically the passive node in the EVault cluster which did not support a successful failover yesterday. Additionally, a dedicated (non-clustered) resource will be built immediately, to serve as another 'back-up' option.

· The team is pursuing alternative products and the timeline associated with their implementation, in the case that EVault proves to be a less than adequate solution.

Please let me know if you have any additional questions.

Regards,

(b) (7)(C)

ESAIII Project Portfolio Management

Department of Justice-ATF  
HP Enterprise Services  
1100 New York Ave., NW  
Suite 600  
Washington, DC 20005

Office: (b) (7)(C)  
Mobile: (b) (7)(C)

Fax: 202-378-2585

**From:** (b) (7)(C)  
**Sent:** Friday, April 08, 2011 5:53 PM  
**To:** Axelrod, Matthew (ODAG) (SMO)  
**Subject:** FW: ATF / AG Agenda 4/11/11  
**Attachments:** ATF AG Agenda 4 11 11.docx

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** (b) (7)(C)  
**Sent:** Friday, April 08, 2011 3:30 PM  
**To:** Wilkinson, Monty (OAG) (SMO)  
**Cc:** Hoover, William J.  
**Subject:** ATF / AG Agenda 4/11/11

Monty

Proposed agendas attached.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Friday, April 08, 2011 3:29 PM  
**To:** Wilkinson, Monty (OAG) (SMO)  
**CC:** Hoover, William J.  
**Subject:** ATF / AG Agenda 4/11/11  
**Attachments:** ATF AG Agenda 4 11 11.docx

Monty

Proposed agendas attached.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Thursday, April 07, 2011 1:32 PM  
**To:** Gaston, Molly (SMO)  
**Subject:** RE: Doc Redactions

I have conflicting meetings from 3 to 4:30. 4:30?

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** Gaston, Molly (SMO) [mailto:(b) (7)(C)]  
**Sent:** Thursday, April 07, 2011 12:52 PM  
**To:** (b) (7)(C)  
**Subject:** Re: Doc Redactions

Could we do at 3? Thanks.

---

**From:** (b) (7)(C) (ATF)  
**Sent:** Thursday, April 07, 2011 11:01 AM  
**To:** Gaston, Molly (SMO)  
**Subject:** RE: Doc Redactions

Anytime between 1 and 3 is good for me.

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** Gaston, Molly (SMO) [mailto:(b) (7)(C)]  
**Sent:** Thursday, April 07, 2011 9:05 AM  
**To:** (b) (7)(C)  
**Subject:** Doc Redactions

(b) (7)(C)

Thank you again for all of the documents you have sent to us. Do you have time today to go over the documents that we think we would allow Committee staff access to (at DOJ) so that I can make sure that we're making all appropriate redactions?

Employee 3

6435

Thanks,

Molly

Molly Gaston

Office of Legislative Affairs

U.S. Department of Justice

Office: (b) (7)(C) | Cell: (b) (7)(C)

**From:** (b) (7)(C)  
**Sent:** Thursday, April 07, 2011 11:35 AM  
**To:** Stinnett, Melanie S.; Holgate, Rick  
**CC:** (b) (7)(C)  
**Subject:** RE: HELP!

I think the calls should go to the helpdesk. It is my understanding that they have been briefed by (b) (7)(C) and company on the existence of this undertaking and should be able to walk anyone through the process.

Rick (b) (7)(C) -- I defer to you.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** Stinnett, Melanie S.  
**Sent:** Thursday, April 07, 2011 11:33 AM  
**To:** Holgate, Rick (b) (7)(C)  
**Subject:** HELP!

Rick (b) (7)(C)

Now that the instructions have been issued on how to put things in the folders on the shared drive, I am beginning to get calls because people are having problems figuring out how to do this. I do not think I'm the right person to walk someone through the process. Can you give me the telephone number of some IT support personnel who I can refer employees to? Thanks.

Mel

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Thursday, April 07, 2011 8:34:12 AM  
**To:** (b) (7)(C)  
**Subject:** RE: Briefing Wolf's CJS folks

Worked out?

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** (b) (7)(C)  
**Sent:** Wednesday, April 06, 2011 6:12 PM  
**To:** Hoover, William J.  
**Cc:** (b) (7)(C)  
**Subject:** FW: Briefing Wolf's CJS folks

How does your schedule look?

(b) (7)(C)  
*DOJ- Bureau of Alcohol, Tobacco, Firearms & Explosives*  
*Chief - Office of Legislative Affairs*  
(b) (7)(C) (mobile1)  
(b) (7)(C) (mobile2)  
202.648 (b) (7)(C) (office)  
202.648.9708 (fax)

\*\*\*\*\*

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---

**From:** Sullivan, Bill (JMD) [mailto:(b) (7)(C)]  
**Sent:** Wednesday, April 06, 2011 6:10 PM  
**To:** (b) (7)(C); Axelrod, Matthew (ODAG) (SMO)  
**Subject:** Briefing Wolf's CJS folks



(b) (7) could the right person or two from ATF be available Friday at 3:30 to talk with them about SWB gun work? Matt's free then, and our approps staff tentatively is. Billy Hoover or you or appropriate person.

If that DID work, what are the chances we could pre-meet tomorrow. Either 3:30-4:15 or after 5:30 are what look like they would work for Matt and I right now.

Can these work? I hope all is well.

Bill

(b) (7)(C) direct  
(b) (7)(C) cell/bb

**From:** (b) (7)(C)

**Sent:** Thursday, April 07, 2011 8:18 AM

**To:** Hoover, William J.

**Subject:** ATF ODAG Agenda 3 15 11.docx

**Attachments:** ATF ODAG Agenda 3 15 11.docx

Agenda  
ATF Monthly Meeting with the Deputy Attorney General  
March 15, 2011

## ESF 13

- NLE in light of Japan
- 63 people in training this week in Nashville
- Reprogramming

## Fast &amp; Furious

- No word from OIG

## Mexico Training Activity

- E-Trace – 30 students in Mexico City
- Post Blast – 30 Military Personnel from Mexico at NCETR
- Explosives Identification - ATF/DEA SIU – 60 students from SSP in Mexico

## NIBIN

NAS has agreed to fund a NIBIN system for the State of Mexico (Baja California) – arranged by our S/A Armando Hernandez assigned to Tijuana

## Zapata Homicide

- All firearms recovered in the case are being sent to the ATF Lab in Ammendale for tool mark examination
- Attempt to link (b) (7)(C) tools to the guns recovered at the crime scene
- Missing 9mm handgun

## Significant Cases

- Operation Pirate Town – Longbeach, CA April 2011
  - 260 arrests
- Columbus, NM – Firearms Trafficking, Mayor, Chief, Board Member
- Erie, PA., Collar Bomb - LIFE
- West Memphis, AR., Bombing – LIFE
- Charlotte ACC - LIFE
- Colombia Weapons Seizure

## Industry Meetings

- FYI – Planned meeting with NSSF and Manufacturers that were scheduled in advance of DOJ meetings beginning this week.

### Mexico Training Details

- ***Bureau of Alcohol, Tobacco, Firearms and Explosives Provides Firearms, Explosives Identification and eTrace Training — Mexico City, Mexico:***

From March 14-18, 2011, personnel from the Bureau of Alcohol, Tobacco, Firearms and Explosives office will provide Basic Firearms and Explosives Identification and eTrace training to approximately 30 students from Mexican law enforcement agencies. An additional 60 students from SSP are receiving basic explosives identification.

- ***Bureau of Alcohol, Tobacco, Firearms and Explosives Trains Mexican Law Enforcement in Post Blast Investigation — Huntsville, Alabama:***

From March 14-18, 2011, six instructors from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) will conduct bomb scene investigation training for approximately 30 Mexican law enforcement officials at the Redstone Arsenal in Huntsville. This course will provide hands-on training by requiring participants to reconstruct components of an explosive device recovered through various investigative techniques. Mexican law enforcement and military officers and laboratory technicians will attend.

### Significant Case Details

- ***Operation Pirate Town Take Down – see BP***
- ***The Good, The Bad and the Ugly – see SIR***
- ***Final Erie Collar Bomb Defendant Sentenced to Life — Erie, Pennsylvania:***

On February 28, 2011, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) reported on the sentencing of the final defendant in the Erie collar bomb trial in Erie. In November 2010, the defendant was found guilty by a jury for her involvement in the 2003 fatal “collar bombing” in which a person fitted with an explosive device around his neck was killed when the device detonated after he robbed a bank in Erie. The defendant was convicted on all counts and was sentenced to life plus 10 years to be served consecutively, in addition to a separate State sentence of 20 years.
- ***Life Sentence in Car Bombing Case — West Memphis, Arkansas:***

On March 1, 2011, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) reported on the sentencing of a defendant found guilty by a Federal jury in August 2009 for the bombing of a vehicle in West Memphis which resulted in serious bodily injury to a doctor who was the Chairman of the Arkansas State Medical Board. The defendant, a medical doctor, was found guilty on eight of nine counts, including use of weapons of mass destruction, possession of 98 unregistered grenades, possession of unregistered machine guns, conspiracy to obstruct justice, and obstruction of justice. The defendant was sentenced to life in prison for the use of weapons of mass destruction and an additional 40 years on all other charges.
- ***Armed Career Criminal Sentenced to Life Plus 5 Years — Charleston, South Carolina:***

On February 28, 2011, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) reported on the sentencing of a defendant to life in prison plus 5 years on Federal firearms

and narcotics violations. The defendant was convicted on all counts in a Federal trial in September 2010. The defendant has an extensive criminal history and is both an Armed Career Criminal and a Career Offender. This case was investigated by ATF, the North Charleston Police Department, and the Charleston Police Department.

- ***Bureau of Alcohol, Tobacco, Firearms and Explosives and Colombian Military Counter Intelligence Unit Examine Seized Firearms — Santander, Colombia:***

On March 2, 2011, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) reported that personnel from ATF's Colombia office examined 1,325 firearms in Santander, Colombia with the Colombian Military Counter Intelligence Unit. This was the second of ten planned inspections of army firearm repositories located throughout Colombia. All firearms data will be sent to the ATF National Tracing Center and information will be shared with other U.S government agencies. Appropriate information will be forwarded to ATF field divisions for further investigations.

### **Industry Meetings**

- ***Bureau of Alcohol, Tobacco, Firearms and Explosives to Hold Quarterly Meeting with the National Shooting Sports Federation - Washington, DC:***

On March 23, 2011, officials with the Bureau of Alcohol, Tobacco, Firearms and Explosives' Firearms and Explosives Industry Division (FEID) will hold its quarterly meeting with the National Shooting Sports Foundation with the intent of promoting greater transparency and collaboration.

- ***Bureau of Alcohol, Tobacco, Firearms and Explosives to Hold Roundtable Meeting With Firearms Manufacturers — Washington, DC:***

On April 5, 2011, officials with the Bureau of Alcohol, Tobacco, Firearms and Explosives' Firearms and Explosives Industry Division (FEID) will hold a major manufacturer round table meeting with the top 10-12 U.S. firearms manufacturers to begin discussing common firearms regulatory issues with the intent of promoting greater transparency and collaboration.

**From:** (b) (7)(C)  
**Sent:** Tuesday, April 05, 2011 1:49 PM  
**To:** (b) (7)(C)  
**Subject:** RE: fyi

Not that I see.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** (b) (7)(C)  
**Sent:** Tuesday, April 05, 2011 1:48 PM  
**To:** (b) (7)(C)  
**Subject:** fyi

Anything LES preventing me from sending this to Grassley staff?

---

On April 4, 2011, at approximately 11:30 AM, members of the Keokuk, Iowa Sheriff's Office went to 18327 249th Street, Sigourney, Iowa to interview Jeff KRIER in reference to a shots fired call over the previous weekend.

Sheriff Jeff Shipley, Chief Deputy (b) (7)(C) and Deputy (b) (7)(C) pulled into the driveway of KRIER'S residence and called for him to come outside. Shortly thereafter, the officers observed KRIER through a window with a firearm - When KRIER was challenged, he immediately opened fire on the officers

Sheriff Shipley and Deputies (b) (7)(C) and (b) (7)(C) engaged KRIER in a gun battle for approximately forty-five minutes. The officer's were in contact with responding officers and advised them not to come up the driveway until a tactical team was available as there was no cover - Once the first tactical team arrived they were attempting to come up the driveway when they were met by Sheriff Shipley and Deputy (b) (7)(C) who advised them that Deputy (b) (7)(C) was killed by a gunshot wound to the head. A standoff then ensued for approximately three hours.

As Iowa State Patrol Crisis Negotiators were talking with KRIER he exited his residence armed with a Ruger 9 mm pistol, a Springfield .30-06 bolt action rifle and a Remington 870 12 gauge shotgun and began firing at law enforcement. The Iowa State Patrol Tactical Team returned fire fatally injuring KRIER

KRIER had an extensive history with the Keokuk County Sheriff's Office. He was found not guilty by reason of insanity to charges in 1997 and convicted of assault on a police officer' in 1999. KRIER had also been recently released from psychiatric care less than one month ago. Agents from the Des Moines Field Office responded to the scene and assisted with processing the crime scene and facilitating the urgent traces of the firearms involved.

(b) (7)(C)  
DOJ- Bureau of Alcohol, Tobacco, Firearms & Explosives

Employee 3

6444

Chief - Office of Legislative Affairs

(b) (7)(C) (mobile1)

(mobile2)

202.648 (b) (7)(C) (office)

202.648.9708 (fax)

\*\*\*\*\*

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Subject: Accepted: Conference call re: Congressional Subpoena  
Location: Employee 3 DCR 5S.105

6445

Start: 4/6/2011 9:30 AM  
End: 4/6/2011 10:30 AM  
Show Time As: Busy

Recurrence: (none)

Required Attendees: Melson, Kenneth E.  
Resources: DCR 5S.105



**From:** (b) (7)(C)  
**Sent:** Tuesday, April 05, 2011 9:55 AM  
**To:** (b) (7)(C)  
**Subject:** RE: Update of AG's SW Border Briefing papers

You run it by Mark. I'll run it by Billy. Billy will eventually send it back.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** (b) (7)(C)  
**Sent:** Tuesday, April 05, 2011 9:54 AM  
**To:** (b) (7)(C)  
**Subject:** RE: Update of AG's SW Border Briefing papers

Am I good to send back to DOJ or does Billy or Mark do it?

(b) (7)(C)  
ATF National Coordinator  
Southwest Border/Project Gunrunner

(202) 648 (b) (7)(C)  
(b) (7)(C) ell

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**From:** (b) (7)(C)  
**Sent:** Tuesday, April 05, 2011 9:50 AM  
**To:** (b) (7)(C)  
**Subject:** RE: Update of AG's SW Border Briefing papers

I tweaked it a bit more.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

\*\*\*\*\*

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---

**From:** (b) (7)(C)  
**Sent:** Tuesday, April 05, 2011 9:27 AM  
**To:** (b) (7)(C)  
**Subject:** FW: Update of AG's SW Border Briefing papers

I did not comment on the first document as it did not pertain to ATF. I made track changes to the second document. Did not forward out of ATF. (b) (7) has seen it.

(b) (7)(C)  
ATF National Coordinator  
Southwest Border/Project Gunrunner

(202) 648-(b) (7)(C)  
(b) (7)(C) cell

\*\*\*\*\*

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---

**From:** Chait, Mark R.  
**Sent:** Monday, April 04, 2011 2:29 PM  
**To:** (b) (7)(C)  
**Cc:** Hoover, William J.  
**Subject:** FW: Update of AG's SW Border Briefing papers

Please review and comment as necessary. thx

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---

**From:** Hoover, William J.  
**Sent:** Monday, April 04, 2011 2:15 PM  
**To:** Chait, Mark R.  
**Subject:** Fw: Update of AG's SW Border Briefing papers

Mark,

Can you guys take the lead on this?

Billy

William J. Hoover  
Deputy Director  
Bureau of Alcohol, Tobacco, Firearms & Explosives  
O) 202-648-8710

\*\*\*\*\*

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---

**From:** Johnston, Deborah A. (ODAG)  
**To:** Melson, Kenneth E.; Hoover, William J.; Chait, Mark R.; McMahon, William G. (b) (7)(C) (b) (7)(C) (CRM); Cardona, David A. (FBI); Schield, Jim (USMS); Koschny, Drew (USMS); Gaddis, David L. (DEA-US); Leonhart, Michele M. (DEA-US); Wong, Norman (USAEO); Sanders, Michael J. (DEA-US); Padden, Thomas (SMO); (b) (7)(C) (CRM); Dinan, James (SMO); (b) (7)(C) (CRM)  
**Sent:** Mon Apr 04 10:39:01 2011  
**Subject:** Update of AG's SW Border Briefing papers

We are called upon to update the AG's briefing papers for his appearance before the Judiciary committees where the focus will be on what we are doing rather than the budget numbers. Please update the attached briefing papers and return to me by Friday April 8<sup>th</sup>.

Thanks for your continued help.

Debbie <<45 - SWB Enforcement - Operation Streamline.docx>> <<44 - SWB enforcement 3-7-11 v2.docx>>

Deborah A. Johnston

Associate Deputy Attorney General

950 Pennsylvania Ave. NW Rm 4116

Washington, DC 20530

(202) 305-(b) (7)(C)

**From:** (b) (7)(C)  
**Sent:** Tuesday, April 05, 2011 9:50 AM  
**To:** (b) (7)(C)  
**Subject:** RE: Update of AG's SW Border Briefing papers  
**Attachments:** 44 - SWB enforcement 3-7-11 v3.docx

I tweaked it a bit more.

(b) (7)(C)  
 Acting Chief of Staff  
 Office of the Director  
 O: 202-648-(b) (7)(C)  
 C: (b) (7)(C)  
 HQ Room 5 S 100

---

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(b) (7)(C)  
 ATF National Coordinator  
 Southwest Border/Project Gunrunner

(202) 648-(b) (7)(C)  
 (b) (7)(C) all

\*\*\*\*\*

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---

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**Sent:** Monday, April 04, 2011 2:29 PM  
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**Cc:** Hoover, William J.  
**Subject:** FW: Update of AG's SW Border Briefing papers

Please review and comment as necessary. thx

0 UN5 ||& KIW  
 \$VWVWCV UHFVW  
 ) IAH 2 SHLDRCV

|||||

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**Sent:** Monday, April 04, 2011 2:15 PM  
**To:** Chait, Mark R.  
**Subject:** Fw: Update of AG's SW Border Briefing papers

Mark,

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Billy

William J. Hoover  
Deputy Director  
Bureau of Alcohol, Tobacco, Firearms & Explosives  
O) 202-648-8710

\*\*\*\*\*

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---

**From:** Johnston, Deborah A. (ODAG)  
**To:** Melson, Kenneth E.; Hoover, William J.; Chait, Mark R.; McMahon, William G.; (b) (7)(C) Koukios, James (CRM) ; Cardona, David A. (FBI); Schield, Jim (USMS) ; Koschny, Drew (USMS) ; Gaddis, David L. (DEA-US) ; Leonhart, Michele M. (DEA-US) ; Wong, Norman (USAEO) ; Sanders, Michael J. (DEA-US) ; Padden, Thomas (SMO);

Employee 3

6452

Raabe, Wayne (CRM) ; Dinan, James (SMO); Pope, Amy (CRM)

**Sent:** Mon Apr 04 10:39:01 2011

**Subject:** Update of AG's SW Border Briefing papers

We are called upon to update the AG's briefing papers for his appearance before the Judiciary committees where the focus will be on what we are doing rather than the budget numbers. Please update the attached briefing papers and return to me by Friday April 8<sup>th</sup>.

Thanks for your continued help.

Debbie <<45 - SWB Enforcement - Operation Streamline.docx>> <<44 - SWB enforcement 3-7-11 v2.docx>>

Deborah A. Johnston

Associate Deputy Attorney General

950 Pennsylvania Ave. NW Rm 4116

Washington, DC 20530

(202) 305-(b) (7)(C)

**From:** (b) (7)(C)**Sent:** Monday, April 04, 2011 6:31 PM**To:** Gaston, Molly (SMO); Burton, Faith (SMO)**CC:** Axelrod, Matthew (ODAG) (SMO)**Subject:** FW: SWB Gunrunner Budget Documents

**Attachments:** ATF FY 2009 Congressional Budget Final\_01 30 08.doc; ATF FY 2010 Congressional Budget Final\_4 28 09.doc; ATF FY 2011 Cong FINAL.doc; Conf Reprot 111-366\_ATF.pdf; HR 111\_151 Conference Report.pdf; HR 6080\_P.L. 111-230.pdf; PL 111-5 American Recovery and Reinvestment Act of 2009.pdf; Senate Report 111-20.pdf; 2009 CJS House Report\_ATF.pdf; ATF FY12 Exhibit NEW Template - CJ Submission 508 Compliant Final 9 Feb 11.xlsx

Documents regarding funding for Project Gunrunner. – All public

**(b) (7)(C)**

Acting Chief of Staff

Office of the Director

O: 202-648-(b) (7)(C)

C: (b) (7)(C)

HQ Room 5 S 100

**From:** (b) (7)(C)**Sent:** Monday, April 04, 2011 5:17 PM**To:** (b) (7)(C)**Cc:** (b) (7)(C)**Subject:** FW: SWB Gunrunner Budget Documents

## Table of Contents

### Responses to the Congressional Oversight –SWB Budget Documents

1. FY 2009 SWB Enhancement (IOIs)	ATF FY 2009 Congressional Budget Final 01 30 08	Pages 36-38
2. FY 2009 Project Gunrunner Teams	CJS House Report 2009	Page 57
3. FY 2009 Supplemental Appropriations Act Project Gunrunner Nat'l Integrated Ballistic Info Network (NIBIN)	Senate Report 111-20 Conference Report 111-151	Page 11 Page 69
4. ARRA /FY 2009 Project Gunrunner Teams FY11/12 Annualization of Proj Gunrunner	P.L. 111-5 ATF FY 2011 Cong Final	Page 16 Pages 70-72
5. FY 2010 Project Gunrunner Teams	ATF FY 2010 Congressional Budget Final_4 28 09 Conference Report 111-366	Pages 46-54 Page 670
6. Border Security Supplemental (\$37.5M) FY 2010/2011 Project Gunrunner Teams National Tracing Center (NTC) Gunrunner Impact Teams (Grit) Reprogramming to other SWB needs	HR 6080_P.L. 111-230	Page 3
7. FY 2012 Border Security Supp Annualization Project Gunrunner Teams National Tracing Center (NTC)	ATF FY 12 Exhibit New Template–CJ Submission 508 Compliant Final 9 Feb 11	Exhibit E

**(b) (7)(C)**

Budget Officer



Employee 3

6520

Bureau of Alcohol, Tobacco, Firearms & Explosives

(202) 648-<sup>(b) (7)(C)</sup>

(202) 648-9655 (fax)

(b) (7)(C)

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cal year 2006. The number of MET teams has sharply decreased, and those teams that remain are hampered operationally by limits on temporary duty funding and other restrictions. The Committee recommends \$30,600,000 for the MET program in fiscal year 2009. This increase of \$10,000,000 will allow DEA to begin the rebuilding of the MET program, both through the establishment of additional teams and by increasing the funds available for existing teams. The Committee continues to believe that the MET program should be focused primarily on methamphetamine enforcement.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

Fiscal Year 2008 enacted .....	\$984,097,000
Fiscal Year 2009 request .....	1,027,814,000
Recommended in the bill .....	1,054,215,000
Bill compared with:	
Fiscal Year 2008 enacted .....	+70,118,000
Fiscal Year 2009 request .....	+26,401,000

ATF is responsible for enforcing Federal criminal laws and regulating the firearms and explosives industries. The combined efforts of special agents and industry operations investigators allow ATF to identify, investigate and recommend for prosecution violators of the Federal firearms and explosives laws. Additionally, ATF ensures that licensees are operating within established laws and regulations. For fiscal year 2009, the Committee recommends \$1,054,215,000, an increase of \$26,401,000 over the budget request.

*Southwest border initiative.*—The Committee believes that the Administration's Southwest border initiative is insufficiently balanced among the different types of border crime. Despite testimony and written materials describing an "iron river of guns" flowing from the United States into Mexico, firearms trafficking enforcement constitutes less than 1% of the Administration's requested initiative. This gap in the Administration's strategy impedes efforts to reduce the cross-border movement of illegal guns and, consequently, reduce violence in communities on both sides of the border. The Committee recommendation provides \$5,000,000 for the ATF to enhance Project Gunrunner and other efforts aimed at tracing and attacking firearms trafficking organizations operating in Mexico and the southwest border region, particularly in those cities along the border determined by ATF to have the highest volume of illegal gun trafficking.

*Regulatory backlog.*—The Committee remains concerned by the backlog of pending regulatory actions at ATF, particularly among explosives rules. ATF has testified that this backlog is due primarily to a staffing shortage among regulation writers. In order to address the staffing shortage and improve the timeliness of ATF's regulation development process, the Committee has provided \$200,000 to hire additional regulation writers.

*Restoring current services.*—The Committee is disappointed that the Administration did not request sufficient funding to fully restore the \$36,744,000 in services and activities that ATF has discontinued in fiscal year 2008. The Administration budgeted for the restoration of less than half of this amount; the Committee recommends the restoration of an additional \$21,201,000 to allow ATF to rebuild to its full current services level.

**Subject:** Phoenix  
**Location:** Director's Office  
**Start:** 4/5/2011 2:00 PM  
**End:** 4/5/2011 3:00 PM  
**Show Time As:** Tentative  
**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Required Attendees:** Hoover, William J.; Melson, Kenneth E.; Chait, Mark R.

**Resources:** Director's Office

When: Tuesday, April 05, 2011 2:00 PM-3:00 PM (GMT-05:00) Eastern Time (US & Canada).  
Where: Director's Office

Note: The GMT offset above does not reflect daylight saving time adjustments.

\*~\*~\*~\*~\*~\*~\*~\*~\*~\*

**From:** (b) (7)(C)  
**Sent:** Monday, April 04, 2011 2:43 PM  
**To:** Gaston, Molly (SMO)  
**Subject:** RE: ISSA RESPONSE - ATF STRATEGY

Molly:

I think we would be OK with providing them to the Committee if we had an assurance that they would not be posted to the net or distributed. Absent that, they could be provided for review by the Committee but not released.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** Gaston, Molly (SMO) [mailto:(b) (7)(C)]  
**Sent:** Monday, April 04, 2011 2:18 PM  
**To:** (b) (7)(C)  
**Subject:** RE: ISSA RESPONSE - ATF STRATEGY

(b) (7)(C)

Specifically with respect to these three documents, I understand that they are not public currently (notwithstanding the leak). Does ATF has a position on their release? We're currently going through everything you sent and trying to understand their level of sensitivity.

Thanks so much,  
Molly

---

**From:** (b) (7)(C) (ATF)  
**Sent:** Thursday, March 31, 2011 5:21 PM  
**To:** (b) (7)(C) (ATF); Burton, Faith (SMO); Gaston, Molly (SMO)  
**Cc:** Axelrod, Matthew (ODAG)  
**Subject:** RE: ISSA RESPONSE - ATF STRATEGY

These are ATF's two Firearms Trafficking related guidance documents. The National Firearms Trafficking Strategy and implementation plan are the first chronologically and represent our broad national strategy. These are not public documents.

The Cartel Strategy was released in September 2010 and specifically addresses Project Gunrunner. It is a focused subset of the National Strategy. The strategy document has been leaked and is in the public space. I do not believe the transmittal memo is "out there." Obviously we would consider these non public documents.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Thursday, March 31, 2011 5:06 PM  
**To:** Burton, Faith (SMO); Gaston, Molly (SMO)  
**Cc:** 'Axelrod, Matthew (ODAG)'  
**Subject:** ISSA RESPONSE - 2009 AND 2011 ONDCP SWB COUNTERNARCOTICS STRATEGY

This is the 2009 edition of the "parent document" that lays out the USG strategy. Project Gunner is specifically named in Chapter 7. This is a public document which is available on ONDCP's website :

[http://www.whitehousedrugpolicy.gov/publications/swb\\_countersnarcotics\\_strategy09/swb\\_countersnarcotics\\_strategy09.pdf](http://www.whitehousedrugpolicy.gov/publications/swb_countersnarcotics_strategy09/swb_countersnarcotics_strategy09.pdf)

I have also attached the 2011 version of the same document – it is not officially "public" (though it is in wide circulation within the USG for final review) and has been entered at OMB for clearance. It is wholly consistent with the 2009 version.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Monday, April 04, 2011 8:39 AM  
**To:** (b) (7)(C)  
**CC:** Chait, Mark R.  
**Subject:** Document Production on Fast and Furious

We have been working with OST to come up with a better way to handle document production from the organization for both the subpoena and the OIG. Can we meet today to discuss what has been done?

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

From: (b) (7)(C)  
Sent: Sunday, April 03, 2011 12:46:44 PM  
To: Hoover, William J.; Melson, Kenneth E.; Chait, Mark R.  
Subject: Re: Phoenix

6535

Meeting notice sent. I've started reading the file.

(b) (7)(C)

Acting Chief of Staff  
ATF Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)

----- Original Message -----

From: Hoover, William J.  
To: Melson, Kenneth E.; Chait, Mark R.; (b) (7)(C)  
Sent: Sun Apr 03 12:37:57 2011  
Subject: Re: Phoenix

(b) (7)(C)

Would you please schedule a meeting for Tuesday please?

Thank you,

Billy

William J. Hoover  
Deputy Director  
Bureau of Alcohol, Tobacco, Firearms & Explosives  
O) 202-648-8710

\*\*\*\*\*

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----- Original Message -----

From: Melson, Kenneth E.  
To: Hoover, William J.; Chait, Mark R.; (b) (7)(C)  
Sent: Sun Apr 03 12:18:49 2011  
Subject: Phoenix

Can we meet on Tues at 9 to talk further about Gillette and (b) (7)(C) I think I want Gillette to TDY to HQ now and (b) (7)(C) to be detailed to the USAO to push for and work on the next several sets of indictments, and to send to Phoenix on TDY an ASAC and a GS. I would also like to step up the process of the panel. Finally I want to consider finding someone to read the entire file and all associate documents who will be able to accurately answer questions and brief those who need it on the strategy, techniques, and enforcement actions in the case without ambiguity or caveats. Ken

\*\*\*\*\*

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ATF8-001-001-00024492

**Subject:** Phoenix

**Location:** Director's Office

**Start:** 4/5/2011 9:00 AM

**End:** 4/5/2011 10:00 AM

**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Required Attendees:** Hoover, William J.; Melson, Kenneth E.; Chait, Mark R.

**Resources:** Director's Office



**Subject:** Accepted: Conference call: document production request

**Location:** See phone numbers below

**Start:** 4/4/2011 3:00 PM

**End:** 4/4/2011 4:00 PM

**Show Time As:** Busy

**Recurrence:** (none)

**Meeting Status:** Accepted

**Required Attendees:** Stinnett, Melanie S.

**Resources:** See phone numbers below

From: (b) (7)(C)  
Sent: Friday, April 01, 2011 8:55 PM  
To: (b) (7)(C)  
Subject: Re: Email search

That's correct. Thanks (b) (7)(C)  
(b) (7)(C)  
Acting Chief of Staff  
ATF Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)

---

From: (b) (7)(C)  
To: (b) (7)(C)  
Cc: (b) (7)(C)  
Sent: Fri Apr 01 20:54:15 2011  
Subject: Email search

(b) (7)(C)

Based on our meeting this evening i wanted to confirm the list of names below are the correct names that you wanted added to email search. Please let me know if you need anyone else added to the list.

(b) (7)(C)

\*\*\*\*\*  
*How am I doing? We'd appreciate your feedback. Please send an email to ISD\_Support with comments or suggestions.*  
\*\*\*\*\*

(b) (7)(C)  
Information Services Division  
Service Management Branch  
202-648-(b) (7)(C)W  
(b) (7)(C) C)

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Friday, April 01, 2011 5:06 PM  
**To:** (b) (7)(C)  
**Subject:** Emailing: 2011%200401.EEC%20to%20Issa.DIJ%20subpoena.pdf  
**Attachments:** 2011%200401.EEC%20to%20Issa.DIJ%20subpoena.pdf

This is the context document for my last e-mail. We need to provide the department with fact based issues that arise from responding to the congressional inquiries.

For example, public production of our strategy documents would expose sources and methods.

From: (b) (7)(C)  
Sent: Friday, April 01, 2011 5:00:17 PM  
To: (b) (7)(C)  
Subject: RE: Fast and Furious Tech issues

Yes!

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

-----Original Message-----

From: (b) (7)(C)  
Sent: Friday, April 01, 2011 2:51 PM  
To: (b) (7)(C); Holgate, Rick; (b) (7)(C)  
Subject: RE: Fast and Furious Tech issues

do TFOs have anything to do with Fast and Furious

W

(b) (7)(C)  
AFT. OST  
202-648-(b) (7)(C)  
(b) (7)(C)

\*\*\*\*\*

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-----Original Message-----

From: (b) (7)(C)  
Sent: Friday, April 01, 2011 01:47 PM Eastern Standard Time  
To: Holgate, Rick; (b) (7)(C); Fuller, George F.  
Subject: Fast and Furious Tech issues

Here is what I have for take aways.

Additional E-Mail Box Space (Unlimited?) (b) (7)(C) and Melanie Stinnett

Secured, Password protected, shared drive. No users added without approval of (b) (7)(C). Initial access list has been provided to (b) (7)(C) and (b) (7)(C). Would this be where we run e-vault and related tools. Copy of Phoenix S:Drive moved to shared drive (s:\Phoenix VII\785115-10-0004)

Shared Depository drive for all users to add their documents to. Create their own folder, write only rights?

Some form of Indexing tool?

Concordance?

Bates Numbering?

Discovery Accelerator?

Document tagging - Who where did it come from, to whom disclosed, privilege invoked, grand jury material, meta data tagging, etc? Tracking on who has accessed documents?

Additional networked printer in Director's Office.

**(b) (7)(C)**

Acting Chief of Staff

Office of the Director

O: 202-648-**(b) (7)(C)**

C: **(b) (7)(C)**

HQ Room 5 S 100

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**From:** (b) (7)(C)  
**Sent:** Friday, April 01, 2011 4:52:28 PM  
**To:** Axelrod, Matthew (ODAG) (SMO)  
**Subject:** RE: Letter from Cummings to Issa

A bright spot -- thanks!

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** Axelrod, Matthew (ODAG) [mailto:(b) (7)(C)]  
**Sent:** Friday, April 01, 2011 4:10 PM  
**To:** Cunningham, Patrick (USAAZ); Burke, Dennis (USAAZ); Hoover, William J.; Melson, Kenneth E.; (b) (7)(C)  
**Subject:** Letter from Cummings to Issa

<http://democrats.oversight.house.gov/images/stories/FULLCOM/gunrunner%20subpo/2011%200401.EEC%20to%20Issa.DJ%20subpoena.pdf>

From: (b) (7)(C)  
Sent: Friday, April 01, 2011 3:37:19 PM  
To: (b) (7)(C); Holgate, Rick; Fuller, George F.  
CC: Stinnett, Melanie S.  
Subject: RE: Fast and Furious Tech issues

Thanks (b) (7)(C)

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

-----Original Message-----

From: (b) (7)(C)  
Sent: Friday, April 01, 2011 3:10 PM  
To: (b) (7)(C); Holgate, Rick; (b) (7)(C)  
Subject: RE: Fast and Furious Tech issues

(b) (7)(C)

You and Melanie are at LGB mailboxes. If you run into limits, can grow them bigger.

Share drives are created. working to get the input one mapped to all users by Monday. Will send techs to manually map the second working drive for the 14 names folks prob on Monday.

Further updates will follow.

W

(b) (7)(C)

AFT. OST  
202-648-(b) (7)(C)  
(b) (7)(C)

\*\*\*\*\*

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-----Original Message-----

From: (b) (7)(C)  
Sent: Friday, April 01, 2011 01:47 PM Eastern Standard Time  
To: Holgate, Rick; (b) (7)(C)  
Subject: Fast and Furious Tech issues



Here is what I have for take aways.

Additional E-Mail Box Space (Unlimited?) (b) (7)(C) and Melanie Stinnett

Secured, Password protected, shared drive. No users added without approval of (b) (7)(C). Initial access list has been provided to (b) (7)(C) and (b) (7)(C). Would this be where we run e-vault and related tools. Copy of Phoenix S:Drive moved to shared drive (s:\Phoenix VII\785115-10-0004)

Shared Depository drive for all users to add their documents to. Create their own folder, write only rights?

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Discovery Accelerator?

Document tagging - Who where did it come from, to whom disclosed, privilege invoked, grand jury material, meta data tagging, etc? Tracking on who has accessed documents?

Additional networked printer in Director's Office.

(b) (7)(C)

Acting Chief of Staff

Office of the Director

O: 202-648 (b) (7)(C)

C: (b) (7)(C)

HQ Room 5 S 100

\*\*\*\*\*

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approval. Any review, use, or dissemination of this e-mail message and any attached file(s) in any form outside of the Bureau of Alcohol, Tobacco, Firearms & Explosives or the Department of Justice without express authorization is strictly prohibited.

**From:** (b) (7)(C)  
**Sent:** Friday, April 01, 2011 2:28 PM  
**To:** Needles, James R.  
**Subject:** FW: Here is the link if the text didnt come out for the center story.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** (b) (7)(C)  
**Sent:** Friday, April 01, 2011 9:45 AM  
**To:** Melson, Kenneth E.; Hoover, William J.; McDermond, James E.  
**Cc:** (b) (7)(C)  
**Subject:** Here is the link if the text didn't come out for the center story.

<http://www.publicintegrity.org/articles/entry/3099/>

(b) (7)(C)  
Chief  
ATF Public Affairs Division  
Washington, DC  
Desk 202-648 (b) (7)(C)  
Cell (b) (7)(C)

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**From:** (b) (7)(C)  
**Sent:** Friday, April 01, 2011 1:47 PM  
**To:** Holgate, Rick; (b) (7)(C)  
**Subject:** Fast and Furious Tech issues

Here is what I have for take aways.

Additional E-Mail Box Space (Unlimited?) (b) (7)(C) and Melanie Stinnett  
Secured, Password protected, shared drive. No users added without approval of (b) (7)(C) Initial access list has  
been provided to (b) (7)(C) and (b) (7)(C) Would this be where we run e-vault and related tools. Copy of Phoenix  
S:Drive moved to shared drive (s:\Phoenix VII\785115-10-0004)  
Shared Depository drive for all users to add their documents to. Create their own folder, write only rights?  
Some form of Indexing tool?  
Concordance?  
Bates Numbering?  
Discovery Accelerator?  
Document tagging – Who where did it come from, to whom disclosed, privilege invoked, grand jury material, meta  
data tagging, etc? Tracking on who has accessed documents?

Additional networked printer in Director's Office.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Friday, April 01, 2011 1:09 PM  
**To:** (b) (7)(C)  
**Subject:** Fast and Furious Secure Shared Drive

The following is the initial list of people will need access to the secured share drive whenever we get it set up.

Ken Melson  
Billy Hoover

(b) (7)(C)

Mark Chait

(b) (7)(C)

Jim Needles  
Bill Newell

Melanie Stinnett

(b) (7)(C)

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

From: (b) (7)(C)  
Sent: Thursday, March 31, 2011 7:23:40 PM  
To: (b) (7)(C)  
Subject: How are you feeling?

6580

By now I am sure the good drugs have worn off and the swelling has set in. Hopefully you are not too bad off.

You and I will be seeing a lot of each other - effective today I am full time on FF and (b) (7)(C) is going to handle day to day COS stuff.

(b) (7)(C)

Acting Chief of Staff

ATF Office of the Director

O: 202-648-(b) (7)(C)

C: (b) (7)(C)

From: (b) (7)(C)  
Sent: Thursday, March 31, 2011 4:43:14 PM  
To: Melson, Kenneth E.  
Subject: RE: What is

6581

The response to Mr Smith is going to the DAG for final approval (we hope) today. We just had a 2 hour meeting on the response to Mr. Issa and OLA is working on a one week extension. We will see a draft response(similar to theSmith letter) soon. We have been asked to send some basic policy documents for potential viewing by or release to the Committee. We'll send finals once we get them.

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202 648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

-----Original Message-----

From: Melson, Kenneth E.  
Sent: Thursday, March 31, 2011 3:57 PM  
To: (b) (7)(C)  
Subject: what is

The status of the letters, etc.?

\*\*\*\*\*

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ATF8-001-001-00024668



Subject: Accepted: Congressman Issa Letter  
Location: Main Building, Room 4236 (OPL Conf. Rm.)

6582

Start: 3/31/2011 2:00 PM  
End: 3/31/2011 3:00 PM  
Show Time As: Busy

Recurrence: (none)

Required Attendees: Axelrod, Matthew (ODAG) (SMO)  
Resources: Main Building, Room 4236 (OPL Conf. Rm.)

Subject: Accepted: Congressman Issa Letter  
Location: ODAG -- Conf rm and call-in info to be provided

6584

Start: 3/31/2011 2:00 PM  
End: 3/31/2011 3:00 PM  
Show Time As: Busy

Recurrence: (none)

Required Attendees: Axelrod, Matthew (ODAG) (SMO)  
Resources: ODAG -- Conf rm and call-in info to be provided

**From:** (b) (7)(C)  
**Sent:** Wednesday, March 30, 2011 8:07 PM  
**To:** Hoover, William J.; Melson, Kenneth E.; Chait, Mark R.; McMahon, William G.  
**CC:** (b) (7)(C)  
**Subject:** Response to Mr. Issa  
**Attachments:** @ISSA 3-16-2011 Letter.pdf

All:

Now that we are close to done with the letter to Mr. Smith, Matt has asked that we turn our attention to the letter from Mr. Issa as our next priority. Apparently Mr. Issa and the committee have promised subpoenas if we do not meet their document demand by this Friday. In Matt's estimation we will be unable to do so, but do want to have some form of response to him by then. In that vein, Matt has asked that we review the document request received from the committee (attached) and determine:

- 1) What do we have that is responsive?
- 2) How much of the information is related to Fast and Furious and thus cannot be turned over?
- 3) How much can we turn over?
- 4) Our draft responses to each of the 8 issues below.

Can we meet after staff or SLT to discuss this please.

006

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100



**From:** (b) (7)(C)  
**Sent:** Wednesday, March 30, 2011 7:02 PM  
**To:** (b) (7)(C)  
**Subject:** RE: Newell

Nope, we can't use these words. The Director is on record with OIG saying this is of his doing unrelated to the OIG investigation. Let's talk tomorrow.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** (b) (7)(C)  
**Sent:** Wednesday, March 30, 2011 5:52 PM  
**To:** (b) (7)(C)  
**Subject:** Fw: Newell

(b) (7)(C)  
Chief  
ATF Public Affairs Division

\*\*\*\*\*

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**From:** (b) (7)(C)  
**To:** (b) (7)(C)  
**Sent:** Wed Mar 30 17:28:14 2011  
**Subject:** Newell

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) today announced that Special Agent in Charge (SAC) William D. Newell, Phoenix Field Division, will be temporarily reassigned to ATF headquarters in Washington in conjunction with the review of Operation Fast and Furious by the Department of Justice Office of Inspector General. During this period, SAC Thomas E. Brandon of the Detroit Field Division will act in Phoenix as that field division's SAC.

(b) (7)(C)  
Chief

**ATF Public Affairs Division**

**Washington, DC**

**Desk 202-648 (b) (7)(C)**

**Cell (b) (7)(C)**

**NOTICE: This e-mail message and any attached files are intended solely for the use of the addressee(s) named above in connection with official business. This communication may contain Sensitive But Unclassified information that may be statutorily or otherwise prohibited from being released without appropriate approval. Any review, use, or dissemination of this e-mail message and any attached file(s) in any form outside of the Bureau of Alcohol, Tobacco, Firearms & Explosives or the Department of Justice without express authorization is strictly prohibited.**

**From:** (b) (7)(C)  
**Sent:** Wednesday, March 30, 2011 6:46 PM  
**To:** Hoover, William J.; Melson, Kenneth E.  
**Subject:** FW: Issa interview

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** Axelrod, Matthew (ODAG) [mailto:(b) (7)(C)]  
**Sent:** Wednesday, March 30, 2011 12:49 PM  
**To:** (b) (7)(C)  
**Subject:** Issa interview

[http://www.cbsnews.com/8301-31727\\_162-20048509-10391695.html](http://www.cbsnews.com/8301-31727_162-20048509-10391695.html)



**From:** (b) (7)(C)  
**Sent:** Wednesday, March 30, 2011 6:40:34 PM  
**To:** Melson, Kenneth E.; Hoover, William J.; Chait, Mark R.  
**Subject:** FW: Issa letter to State Department

**Attachments:** Issa-Letter-2011-03-29.pdf

Attached FYI

(b) (7)(C)

Acting Chief of Staff  
Office of the Director

O: 202-648-(b) (7)(C)

C: (b) (7)(C)

HQ Room 5 S 100

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**From:** Axelrod, Matthew (ODAG) [mailto:(b) (7)(C)]  
**Sent:** Wednesday, March 30, 2011 12:50 PM  
**To:** (b) (7)(C)  
**Subject:** Issa letter



Issa-Letter-2011-03-29.pdf  
(2 MB)

DAN BURTON, INDIANA  
JOHN L. MCCAIN, FLORIDA  
TEDDY CRUZ, TEXAS  
RON WYDEN, OREGON  
PATROCK MURPHY, NORTH CAROLINA  
JIM JORDAN, OHIO  
JASON CHAFFETZ, UTAH  
CORNIE MAZIE, FLORIDA  
TIM WALTERS, MICHIGAN  
JAMES LANKFORD, OKLAHOMA  
JUSTIN AMode, MICHIGAN  
ASHLEY MURPHY, NEW YORK  
PAUL A. GOSAR, ARIZONA  
RAUL R. LABRADOR, IDAHO  
PATRICK MURPHY, NORTH CAROLINA  
SCOTT LEE, TENNESSEE  
JOE WYDEN, OREGON  
TROY GIBSON, SOUTH CAROLINA  
DENNIS A. ROSS, FLORIDA  
FRANK C. RHEINOLD, NEW HAMPSHIRE  
BLAKE FARENTHOLD, TEXAS  
MIKE KELLY, PENNSYLVANIA

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

Secretary (202) 225-3071  
Director (202) 225-3874  
Manager (202) 225-3071  
http://oversight.house.gov

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JOHN A. YARMOUTH, VERMONT  
CHRISTOPHER S. MURPHY, CONNECTICUT  
MARC SPRAVKA, CALIFORNIA

LAWRENCE J. GRADY  
STAFF DIRECTOR

March 29, 2011

The Honorable Hillary Rodham Clinton  
Secretary  
U.S. Department of State  
Harry S. Truman Building  
2201 C Street, NW  
Washington, DC 20520

Dear Secretary Clinton:

On March 4, 2011, Senator Charles E. Grassley wrote to you requesting basic information about the connection between Operation "Fast and Furious," conducted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and the December 14, 2010 firefright that claimed the life of Border Patrol Agent Brian Terry.<sup>1</sup> I understand that you have yet to respond and are likely to refuse Senator Grassley's request for information without a letter from the Chairman of the Senate Judiciary Committee. This refusal is mystifying in its own right, given Senator Grassley's standing as the Ranking Member of that Committee. More inexplicably, your refusal stands in stark contradiction to the promise of transparency promoted by President Obama. During Sunshine Week last year, the President stated that he had "recommit[ed] [his] administration to be the most open and honest ever."<sup>2</sup>

Given the gravity of this matter, this refusal is simply unacceptable. Therefore, I am joining Senator Grassley's request for any and all records relating to a meeting involving the then-U.S. Ambassador to Mexico Carlos Pascual with Assistant Attorney General Lanny Breuer, Mr. Breuer's deputy, and other officials in Mexico City in the summer of 2010 regarding "on-going investigations" related to Project Gunrunner and its "Fast and Furious" component. The records sought include meeting minutes, briefing notes, e-mails and cables relating to any such meeting or meetings that may have occurred from June through September 2010. Additionally, please explain in detail the reasons behind your refusal to answer the Senator directly.

<sup>1</sup> Letter from Sen. Charles Grassley, Ranking Member, S. Jud. Comm., to Hon. Hillary R. Clinton, Sec'y, U.S. Dep't of State (Mar. 4, 2011).

<sup>2</sup> The White House, Office of the Press Secretary, Statement from the President on Sunshine Week (Mar. 16, 2010), <http://www.whitehouse.gov/the-press-office/statement-president-sunshine-week>.

The Honorable Hillary Rodham Clinton

March 29, 2011

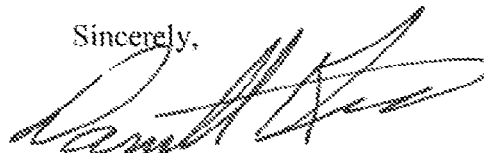
Page 2

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and may at "any time" investigate "any matter" as set forth in House Rule X.

We request that you provide the requested documents and information as soon as possible, but no later than 5:00 p.m. on April 12, 2011. When producing documents to the Committee, please deliver production sets to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building. The Committee prefers, if possible, to receive all documents in electronic format. An attachment to this letter provides additional information about responding to the Committee's request.

If you have any questions about this request, please contact Ashok Pinto or Henry Kerner of the Committee Staff at (202) 225-5074. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Darrell Issa", written in a cursive style.

Darrell Issa  
Chairman

Enclosure

cc: The Honorable Elijah E. Cummings, Ranking Member

The Honorable Charles E. Grassley, Ranking Member  
U. S. Senate Committee on the Judiciary

ONE HUNDRED TWELFTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM  
2157 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6143

Majority (201) 225-3074  
Minority (202) 225-8801

Responding to Committee Document Requests

1. In complying with this request, you should produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data or information should not be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization or individual denoted in this request has been, or is also known by any other name than that herein denoted, the request shall be read also to include that alternative identification.
3. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, or thumb drive) in lieu of paper productions.
4. Documents produced in electronic format should also be organized, identified, and indexed electronically.
5. Electronic document productions should be prepared according to the following standards:
  - (a) The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
  - (b) Document numbers in the load file should match document Bates numbers and TIF file names.
  - (c) If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.

6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, box or folder is produced, each CD, hard drive, memory stick, thumb drive, box or folder should contain an index describing its contents.
7. Documents produced in response to this request shall be produced together with copies of file labels, dividers or identifying markers with which they were associated when they were requested.
8. When you produce documents, you should identify the paragraph in the Committee's request to which the documents respond.
9. It shall not be a basis for refusal to produce documents that any other person or entity also possesses non-identical or identical copies of the same documents.
10. If any of the requested information is only reasonably available in machine-readable form (such as on a computer server, hard drive, or computer backup tape), you should consult with the Committee staff to determine the appropriate format in which to produce the information.
11. If compliance with the request cannot be made in full, compliance shall be made to the extent possible and shall include an explanation of why full compliance is not possible.
12. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.
13. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control.
14. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you should produce all documents which would be responsive as if the date or other descriptive detail were correct.
15. The time period covered by this request is included in the attached request. To the extent a time period is not specified, produce relevant documents from January 1, 2009 to the present.
16. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date, shall be produced immediately upon subsequent location or discovery.

17. All documents shall be Bates-stamped sequentially and produced sequentially.
18. Two sets of documents shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building.
19. Upon completion of the document production, you should submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

#### Definitions

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, email, regular mail, telexes, releases, or otherwise.
3. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might

otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.

4. The terms "person" or "persons" mean natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, or other units thereof.
5. The term "identify," when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
6. The term "referring or relating," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is pertinent to that subject in any manner whatsoever.

**From:** (b) (7)(C)  
**Sent:** Tuesday, March 29, 2011 10:30 AM  
**To:** Axelrod, Matthew (ODAG) (SMO)  
**Subject:** Draft Response from OLA to Grassley  
**Attachments:** 2011\_3\_3\_DRAFT FROM OLA TO GRASSLEY.pdf

Matt:

The initial draft of the first response to Senator Grassley as we discussed.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100



From: (b) (7)(C)  
 Sent: Tuesday, March 29, 2011 7:16 AM  
 To: (b) (7)(C)  
 Subject: Re: WEEKLY DOJ LEG AFFAIRS MEMO FOR THE ATTORNEY GENERAL

Is anyone going to reply to Issa?

(b) (7)(C)

Acting Chief of Staff  
 ATF Office of the Director  
 O: 202-648 (b) (7)(C)  
 C: (b) (7)(C)

---

From: (b) (7)(C)

To: All Area Supervisors, Industry Operations; All ASACS; All Assistant Directors; All Deputy Assistant Directors; All Directors, Industry Operations; All RAC's and Group Supervisors; All Special Agents in Charge; Hoover, William J.; (b) (7)(C) Liaison Division; Office of Legislative Affairs; (b) (7)(C) PIOs - Public Information Officers; Public Affairs Division; (b) (7)(C) Melson, Kenneth E.

Sent: Tue Mar 29 06:59:10 2011

Subject: WEEKLY DOJ LEG AFFAIRS MEMO FOR THE ATTORNEY GENERAL

Office of the Assistant Attorney General

Washington, D.C. 20530

March 28, 2011

MEMORANDUM FOR THE ATTORNEY GENERAL

THROUGH: THE DEPUTY ATTORNEY GENERAL

FROM: Ronald Weich  
 Assistant Attorney General for Legislative Affairs

SUBJECT: Weekly Report for the Week ending April 1, 2011

The following is a summary of DOJ current activities:

**A. Hearings at which the Department is testifying**

1. **Religious Liberty.** On Tuesday, March 29 at 10:00 a.m. in Room 226 of the Dirksen Senate Office Building, Assistant Attorney General for the Civil Rights Division Thomas Perez will testify before the Senate Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights at a hearing entitled "Protecting the Civil Rights of American Muslims."
2. **FBI Oversight.** On Wednesday, March 30 at 10:00 a.m. in Room 226 of the Dirksen Senate Office Building, FBI Director Robert Mueller will testify before the Senate Judiciary Committee at a hearing on FBI Oversight.
3. **FY 2012 Budget.** On Wednesday, March 30 at 10:00 a.m. in Room 309 of the House Visitors' Center,

Assistant Attorney General for the Office of Justice Programs Laurie Robinson will testify before the House Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies at a hearing on the FY 2012 budget.

4. **USA PATRIOT Act Renewal.** On Wednesday, March 30 at 10:00 a.m. in Room 2141 of the Rayburn House Office Building, Acting Assistant Attorney General for the National Security Division Todd Hinnen will testify before the House Judiciary Subcommittee on Crime, Terrorism and Homeland Security at a hearing entitled “The Permanent Provisions of the PATRIOT Act (PL 107-56).”
5. **Gang Importation of Drugs.** On Thursday, March 31 at 10:00 a.m., Assistant Administrator and Chief of Operations for the DEA Thomas Harrigan will testify before the Senate Homeland Security and Government Affairs Subcommittee on Disaster Recovery and Intergovernmental Affairs at a hearing entitled, “Exploring Drug Gangs’ Ever Evolving Tactics to Penetrate the Border and the Federal Government’s Efforts to Stop Them.”

#### **B. Hearings of interest to the Department**

1. **Regulatory Agency Issues.** On Tuesday, March 29 at 4:00 p.m. in Room 2141 of the Rayburn House Office Building, the House Judiciary Subcommittee on Courts, Commercial and Administrative Law will hold a hearing entitled “Raising the Agencies’ Grades—Protecting the Economy, Assuring Regulatory Quality and Improving Assessments of Regulatory Need.”
2. **America Invents Act.** On Wednesday, March 30 at 1:30 p.m. in Room 2141 of the Rayburn House Office Building, the House Judiciary Subcommittee on Intellectual Property, Competition and the Internet will hold a hearing on the America Invents Act.
3. **DHS and FOIA.** On Thursday, March 31 at 9:30 a.m. in Room 2154 of the Rayburn House Office Building, the House Oversight and Government Reform Committee will hold a hearing entitled “Why Isn’t the Department of Homeland Security Meeting the President’s Standard on FOIA?”
4. **H-1B Worker Visa Issues.** On Thursday, March 31 at 10:00 a.m. in Room 2141 of the Rayburn House Office Building, the House Judiciary Subcommittee on Immigration Policy and Enforcement will hold a hearing entitled “H-1B Visas: Designing a Program to Meet the Needs of the U.S. Economy and U.S. Workers.”
5. **Mexican Drug Cartels.** On Thursday, March 31 at 10:00 a.m. in Room 311 of the Cannon House Office Building, the House Homeland Security Subcommittee on Oversight, Investigations, and Management will hold a hearing entitled “The U.S. Homeland Security Role in the Mexican War Against Drug Cartels.” The DEA will submit a written statement in lieu of sending a witness to the hearing.
6. **Counternarcotics.** On Thursday, March 31 at 10:00 a.m. in Room 419 of the Dirksen Senate Office Building, the Senate Foreign Relations Subcommittee on Western Hemisphere, Peace Corps, and Global Narcotics Affairs will hold a hearing entitled “A Shared Responsibility: Counternarcotics and Citizen Security in the Americas.”
7. **2010 Election.** On Thursday, March 31 at 10:30 am in Room 1310 of the Longworth House Office Building, the House Administration Committee will hold a hearing entitled, “The 2010 Election: A Look Back At What Went Right and Wrong.”
8. **Financial Markets.** On Friday, April 1 at 10:00 a.m. in Room 2141 of the Rayburn House Office Building, the House Judiciary Subcommittee on Intellectual Property, Competition and the Internet will

hold a hearing entitled “Competition and Consolidation in Financial Markets.”

### C. Pending Nominations

1. **Department Nominees.** The following individuals have been nominated by the President to serve at the Department: James Cole, to be Deputy Attorney General; Donald Verrilli, to be Solicitor General; Virginia Seitz, to be Assistant Attorney General for the Office of Legal Counsel; Andrew Traver, to be Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives; Denise O’Donnell, to be Director of the Bureau of Justice Assistance; Thomas Harrigan, to be Deputy Administrator of Drug Enforcement, DEA; and Lisa Monaco, to be Assistant Attorney General for the National Security Division. On March 17, the Cole nomination was reported out of Committee.

On March 30, the Committee will hold a hearing on the following nominations: Donald Verrilli, to be Solicitor General; Virginia Seitz, to be Assistant Attorney General for the Office of Legal Counsel; and Denise O’Donnell, to be Director of the Bureau of Justice Assistance.

1. **Judicial Nominees:** The following judicial nominees are pending on the Senate Executive Calendar: Susan Carney, Second Circuit; Jimmie V. Reyna, Federal Circuit; Caitlin Halligan, D.C. Circuit; Michael H. Simon, D OR; John A. Kronstadt, DC CA; Vincent L. Briccetti, SD NY; Arenda L. Wright Allen, ED VA; Michael F. Urbanski, WD VA and Edward Chen, ND CA. On March 14, the Senate voted to confirm the nomination of James E. Boasberg, D DC. On March 17, the Senate voted to confirm the nomination of Amy B. Jackson, D DC. On March 28, the Senate voted to confirm the nomination of Mae D’Agostino, ND NY.

On March 31, the Committee is scheduled to vote on the nomination of Ester Salas, D NJ; J. Paul Oetken, SD NY; Paul A. Engelmayer, SD NY; and Ramona V. Manglona, D NMI as well as the following nominees previously held over on March 17: Goodwin Liu, Ninth Circuit; Kevin Hunter Sharp, MD TN; John J. McConnell, D RI; Roy Bale Dalton, Jr., MD FL; Claire C. Cecchi, D NJ.

2. **U.S. Attorneys.** The following individuals have been nominated by the President to serve as United States Attorneys: Ronald W. Sharpe, D VI; Felicia C. Adams, ND MS; Thomas Gray Walker, Ed NC; and S. Amanda Marshall, D OR.
3. **U.S. Marshals.** The following individuals have been nominated by the President to serve as United States Marshals: Juan Mattos Jr., D NJ; Robert W. Matheison, ED VA; Charles F. Salina, WD NY; Alfred C. Lomax, WD MO; and Clayton D. Johnson, ND OK.

### D. Markups

**Senate Judiciary Committee.** On Thursday, March 31 at 10:00 a.m. in Room 226 of the Dirksen Senate Office Building, the Senate Judiciary Committee is scheduled to markup the following legislation: S. 222, Limiting Investor and Homeowner Loss in Foreclosure Act; S. 216, Food Safety Accountability Act; S. 410, Sunshine in the Courtroom Act; S. 627, Faster FOIA Act; and S. 394, No Oil Producing and Exporting Cartels Act (NOPEC).

### E. Briefings

1. **Human Trafficking.** On Tuesday, March 29 at 10:30 a.m. in Room 224 of the Dirksen Senate Office Building, Department representatives will provide a briefing for Senator Cardin’s staff and other interested Helsinki Committee staff on activities of the Criminal and Civil Rights Division’s efforts to enforce anti-human trafficking statutes and provide input on how the TVPA has been working so far.

2. **High-Value Detainee Interrogation Group (HIG).** On Tuesday, March 29 at 2:00 p.m. in Room 304 of the House Visitors' Center, HIG Director Andrew McCabe will brief the Chair, Ranking Minority Member and Staff Directors of the House Permanent Select Committee on Intelligence regarding HIG deployments.
3. **Mortgage Fraud.** On Thursday, March 31 at 2:00 p.m., the Financial Fraud Enforcement Task Force and representatives from the Associate Attorney General's Office will provide a briefing for the Banking Committee bipartisan staff on efforts of the task force to address mortgage fraud. Possibly this week, the task force and representatives of the Executive Office of United States Attorneys will provide a similar briefing for staffs of Senator Nelson and Representative Wasserman-Schultz.

#### **F. Floor**

1. **FY 2011 Spending.** Until April 8, the government is operating under P.L. 112-6, the Further Continuing Appropriations Amendments, 2011. The Obama Administration and Congressional leadership continue negotiations on a long-term spending plan this week.
2. **FAA Authorization.** H.R. 658, FAA Authorization bill is scheduled to be on the House floor Thursday, March 31 and Friday, April 1. This bill, if passed, has implications for FAA access to NCIC records.

#### **G. Looking Ahead**

1. **Electronic Communications Issues.** The Department of Justice will testify before the Senate Judiciary Committee on Wednesday, April 6, on proposals to amend the Electronic Communications Privacy Act, one of the key statutes on which the Department relies in connection with anti-terrorism and law enforcement investigations. We also anticipate that both the Senate and House Judiciary Committees will soon begin consideration of possible amendments to the Communications Assistance for Law Enforcement Act (CALEA). In addition, we expect work to resume in the near future on cyber security legislation in both the House and the Senate. The Department is working with our interagency partners to develop cleared positions on these matters.
2. **CEJA.** Senate Judiciary Committee staff have indicated that they are planning an April hearing on the Civilian Extraterritorial Jurisdiction Act (CEJA). We are working through OMB to clear Administration talking points on the measure so that we will be in a position to testify and to influence the revised bill before it is introduced.
3. **Public Corruption Hearings/Legislation.** House Judiciary Committee has tentatively scheduled a hearing for Thursday, April 14 on public corruption issues and its proposed legislation.

(b) (7)(C)

DOJ- Bureau of Alcohol, Tobacco, Firearms & Explosives  
Chief - Office of Legislative Affairs

(b) (7)(C) (mobile1)  
(b) (7)(C) (mobile2)  
202.648.(b) (7)(C) (office)  
202.648.9708 (fax)

\*\*\*\*\*

**NOTICE: This e-mail message and any attached files are intended solely for the use of the addressee(s) named above in connection with official business. This communication may contain Sensitive But Unclassified information that may be statutorily or otherwise prohibited from being released without appropriate approval. Any review, use, or dissemination of this e-mail message and any attached file(s) in any form outside of the Bureau of Alcohol, Tobacco, Firearms & Explosives or the Department of Justice without express authorization is strictly prohibited.**

**Department of Justice**  
**EXECUTIVE SECRETARIAT**  
**CONTROL SHEET**

**DATE OF DOCUMENT:** 03/09/2011                      **WORKFLOW ID:** 2317223  
**DATE RECEIVED:** 03/10/2011                      **DUE DATE:** 3/24/2011

**FROM:**                      The Honorable Lamar Smith  
                                    Chairman  
                                    Committee on the Judiciary  
                                    U.S. House of Representatives  
                                    Washington, DC 20515

**TO:**                              AG

**MAIL TYPE:**                      Congressional Priority

**SUBJECT:**                      (Copy rec'd via email from OLA) Expressing concerns about allegations that ATF's Operation Gunrunner may have been complicit in the illegal transfer of firearms into Mexico. Requesting a response to the enclosed questions by 03/18/2011. Ltr also signed by 13 other MCs. See WF 2300644 and other related corres in ES.

**DATE ASSIGNED**  
03/11/2011

**ACTION COMPONENT & ACTION REQUESTED**  
ATF  
Prepare response for AAG/OLA signature.

**INFO COMPONENT:**              OAG, OAG (Wilkinson), ODAG, CRM, EOUSA, OIG, FBI, OLA

**COMMENTS:**

**FILE CODE:**

**EXECSEC POC:**                      Erika Thompson: 202-616-0070

LAMAR S. SMITH, Texas  
CHAIRMAN

Employee 3  
F. JAMES SENSENBRENNER, Jr., Wisconsin  
HOWARD COBLE, North Carolina  
ELTON GALLEGLY, California  
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STEVE CHABOT, Ohio  
DARRIN L. ISSA, California  
MIKE PENCE, Indiana  
J. RANDY FOYBEES, Virginia  
STYVE KING, Iowa  
TREAT FRANKS, Arizona  
LOUIE GOHMERT, Texas  
JIM JORDAN, Ohio  
TED POE, Texas  
JASON CHAFFETZ, Utah  
TOM REED, New York  
TIM GRIFFIN, Arkansas  
TOM MARINO, Pennsylvania  
TREY GOWDY, South Carolina  
DENNIS ROSS, Florida  
SANDY ADAMS, Florida  
ULIN CLAYLE, Arizona

ONE HUNDRED TWELFTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

March 9, 2011

The Honorable Eric H. Holder, Jr.  
Attorney General  
U.S. Department of Justice  
Washington, D.C. 20530

Dear Attorney General Holder,

We write to express our concerns about allegations that the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) Operation Gunrunner may have been complicit in the illegal transfer of firearms into Mexico. According to media reports, the Phoenix-based program known as "Fast and Furious" intentionally allowed straw buyers for criminal organizations to purchase thousands of guns so that ATF could track them across the border.

We find it ironic that the government allowed guns to be trafficked into Mexico as part of a program designed to stop guns from being trafficked into Mexico. We are also troubled that ATF engaged in activities that may have facilitated the transfer of guns to violent drug cartels while simultaneously attempting to restrict lawful firearms sales by border-area firearms dealers. In December, ATF sought to impose additional reporting requirements on semi-automatic rifles, a proposal that we strongly oppose.

The program resulted in a large flow of weapons across the border to Mexico. According to the Center for Public Integrity, ATF allowed nearly 2,000 guns—valued at over one million dollars—to cross the border to known criminal organizations.<sup>1</sup> As would be expected, many of the guns were used in violent crimes. Worse, two guns from the program were found at the murder scene of Customs and Border Protection Agent Brian Terry in December.

<sup>1</sup> John Solomon, David Heath, and Gordon Witkin, *ATF Let Hundreds of U.S. Weapons Fall into Hands of Suspected Mexican Gunrunners*, The Center for Public Integrity (March 3, 2011), available at <http://www.publicintegrity.org/articles/entry/2976/>.

2011 MAR 10 11:11:10  
EXECUTIVE SECRETARIAT  
6674  
HOWARD L. BERMAN, California  
JERROLD NADEAU, New York  
ROBERT C. "BOBBY" SCOTT, Virginia  
MELVIN L. WATT, North Carolina  
ZOE LOPHEN, California  
SHALA JACKSON LEE, Texas  
MAXINE WATERS, California  
STEVE COHEN, Tennessee  
HENRY C. "HANK" JOHNSON, JR., Georgia  
PEDRO R. PERALTA, Puerto Rico  
MIKE QUIGLEY, Illinois  
JUDY CHU, California  
TED DEUTCH, Florida  
LINDA Y. SANCHEZ, California  
DEBBIE WASSERMAN SCHULTZ, Florida

2011 MAR 10 11:11:10  
EXECUTIVE SECRETARIAT  
DEPT OF JUSTICE  
RECEIVED

ATF's strategy to allow weapons to flow into the hands of criminals carried serious and obvious risks. More disturbing, however, is that ATF appears to have accepted these risks without due regard for the consequences

ATF initiated Operation Gunrunner after the Department of Justice Inspector General (IG) criticized the ATF's gun tracing ability. In a 2010 report, the IG wrote:

Despite the increased activity related to Project Gunrunner, ATF is not using intelligence effectively to identify and target firearms trafficking organizations operating along the Southwest border and in Mexico. Moreover, ATF's expansion of its automated system (eTrace) to trace guns seized in Mexico has yielded very limited information of intelligence value.<sup>2</sup>

In addition, there seems to have been little effective coordination between ATF and the Department as a whole. While guns continued to cross the border, the Department was apparently slow to approve wiretaps and to bring prosecutions. Internal ATF documents show that ATF's supervisors became increasingly concerned about the pace of the investigations. It was only this January, 15 months after ATF initiated the program and a month after agent Terry's murder, that the Department finally issued its first indictment based on evidence from the program.

We commend your request that the Department's Inspector General investigate these allegations. In the meantime, we ask that the Department respond to the following questions:

1. How many weapons have been allowed to pass to Mexico under the program known as "Fast and Furious"? Is the program still active?
2. Who at ATF Headquarters approved the program?
3. Who in the U.S. Attorney's Office for the District of Arizona approved the program? On what authority did the Office approve the program?
4. Did ATF or the U.S. Attorney's Office in Phoenix coordinate the "Fast and Furious" program with the Department? Did the Department approve the strategy?
5. What changes or improvements has ATF made to its eTrace program and its ability to use intelligence to target gun trafficking organizations in general?
6. Does ATF view the "Fast and Furious" program as a success?

Thank you for your attention to this matter. We respectfully request that the Department respond to these questions by Friday, March 18, 2011.

Sincerely,

---

<sup>2</sup> Review of ATF's Project Gunrunner, U.S. Dept. of Justice Office of the Inspector General, p. vi (2010), available at <http://www.justice.gov/oig/reports/ATF/e1101.pdf>.



Lamar Smith

Cheney

Tom Marino

Frey Gordon

Judy Hoke

Elton Gallegly

~~ATM~~

Jim Sensenbrenner

Paul E. Ryan

Tim Wirth

Frank Lautenberg

Bob Goodenow

Howard Coble

Steve King

cc: The Honorable John Conyers, Jr.

**Myies, Tonia (JMD)**

---

**From:** McKay, Shirley A (SMO)  
**Sent:** Thursday, March 10, 2011 9:21 AM  
**To:** DOJExecSec (JMD)  
**Cc:** Tolson, Kimberly G (JMD); Wells, Barbara A (JMD)  
**Subject:** FW: Letter to General Holder  
**Attachments:** 3.9.11 HJC Gunrunner Letter.pdf

**Importance:** High

Pls log the attached ltr. Thanks.

**From:** Agrast, Mark D. (SMO)  
**Sent:** Wednesday, March 09, 2011 7:13 PM  
**To:** McKay, Shirley A (SMO); Kralovec, Jamie (JMD)  
**Cc:** Weich, Ron (SMO); Burton, Faith (SMO); Gaston, Molly (SMO)  
**Subject:** FW: Letter to General Holder

Shirley/Jamie,

Please log in and assign.

Mark

**From:** Lynch, Caroline [<mailto:Caroline.Lynch@mail.house.gov>]  
**Sent:** Wednesday, March 09, 2011 5:30 PM  
**To:** Agrast, Mark D. (SMO)  
**Cc:** Hertling, Richard; Jezierski, Crystal  
**Subject:** Letter to General Holder

Mark – attached please find a letter to General Holder. Thanks.

*Caroline G. Lynch*  
Chief Majority Counsel  
Subcommittee on Crime, Terrorism & Homeland Security  
House Committee on Judiciary  
B-370 Rayburn House Office Building  
Washington, D.C. 20515  
(202) 225-5727  
(202) 225-3672 (fax)

1. How many weapons have been allowed to pass to Mexico under the program known as "Fast and Furious"? Is the program still active?

Moreover, the allegation that the "Fast and Furious" investigation somehow caused a "large flow of weapons across the border to Mexico," is mistaken. "Fast and Furious" did not involve agents watching as guns crossed into Mexico. This investigation did not include any planned or attempted controlled delivery of firearms to Mexico. It was not part of the investigation to permit guns to pass through any Port of Entry into Mexico. Indeed, this investigative team was keenly aware of the difficulty in gathering evidence that is located or recovered in Mexico and the difficulty in conducting coordinated interdiction efforts south of the border. Simply put, illegal arms traffickers delivered those weapons to Mexico -- despite efforts by U.S. law enforcement to stop them.

Of the XXXX guns involved in F&F

Xxx before suspects identified

Xxx recovered by LE/ATF

Xxx recovered by Mexico

Of the xxx remaining, the sale of xxx guns occurred prior to ATF having knowledge of the sale

We continue to work on discerning the number of guns we had under surveillance at the time of purchase and did not interdict.

2. Who at ATF Headquarters approved the program?
3. Who in the U.S. Attorney's Office for the District of Arizona approved the program? On what authority did the Office approve the program?

Defer to the District of Arizona for this response.

4. Did ATF or the U.S. Attorney's Office in Phoenix coordinate the "Fast and Furious" program with the Department? Did the Department approve the strategy?
5. What changes or improvements has ATF made to its eTrace program and its ability to use intelligence to target gun trafficking organizations in general?

You have also asked for information about eTrace, an important tool in ATF's work to dismantle gun trafficking. eTrace is an internet-based system that allows participating law enforcement agencies to submit firearm traces to the ATF National Tracing Center. Authorized users can receive firearm trace results electronically, search a database of all firearm traces submitted by their individual agency, and perform analytical functions. In the last year, eTrace has gained strong new features. eTrace now accommodates data in Spanish, gives translations, and allows users to better sort and search additional data elements and images to improve weapons tracing. In the next 24 months, planned enhancements

to eTrace will improve ATF's ability to monitor and map gun tracing data in real time and to share information with other federal agencies, as well as with state and local law enforcement.

6. Does ATF view the "Fast and Furious" program as a success?

The Fast and Furious investigation meets and exceeds the objectives of the US government strategies

Department of Justice  
**EXECUTIVE SECRETARIAT**  
CONTROL SHEET

**DATE OF DOCUMENT:** 03/09/2011                              **WORKFLOW ID:** 2317223  
**DATE RECEIVED:** 03/10/2011                              **DUE DATE:** 3/24/2011

**FROM:**                              The Honorable Lamar Smith  
                                                 Chairman  
                                                 Committee on the Judiciary  
                                                 U.S. House of Representatives  
                                                 Washington, DC 20515

**TO:**                                              AG

**MAIL TYPE:**                              Congressional Priority

**SUBJECT:**                              (Copy rec'd via email from OLA) Expressing concerns about allegations that ATF's Operation Gunrunner may have been complicit in the illegal transfer of firearms into Mexico. Requesting a response to the enclosed questions by 03/18/2011. Ltr also signed by 13 other MCs. See WF 2300644 and other related corres in ES.

**DATE ASSIGNED**  
03/11/2011

**ACTION COMPONENT & ACTION REQUESTED**  
ATF  
Prepare response for AAG/OLA signature.

**INFO COMPONENT:**                      OAG, OAG (Wilkinson), ODAG, CRM, EOUSA, OIG, FBI, OLA

**COMMENTS:**

**FILE CODE:**

**EXECSEC POC:**                              Erika Thompson: 202-616-0070

LAMAR S. SMITH, Texas  
CHAIRMAN

Employee 3  
F. JAMES SENSENBRENNER, Jr., Wisconsin  
HOWARD COBLE, North Carolina  
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J. RANDY FOXBES, Virginia  
STYVE KING, Iowa  
TREAT FRANKS, Arizona  
LOUIE GOMPERT, Texas  
JIM JORDAN, Ohio  
TED POE, Texas  
JASON CHAFFETZ, Utah  
TOM REED, New York  
TIM GRIFFIN, Arkansas  
TOM MARINO, Pennsylvania  
TREY GOWDY, South Carolina  
DENNIS ROSS, Florida  
SANDY ADAMS, Florida  
ULIN CLAYLE, Arizona

ONE HUNDRED TWELFTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

March 9, 2011

The Honorable Eric H. Holder, Jr.  
Attorney General  
U.S. Department of Justice  
Washington, D.C. 20530

Dear Attorney General Holder,

We write to express our concerns about allegations that the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) Operation Gunrunner may have been complicit in the illegal transfer of firearms into Mexico. According to media reports, the Phoenix-based program known as "Fast and Furious" intentionally allowed straw buyers for criminal organizations to purchase thousands of guns so that ATF could track them across the border.

We find it ironic that the government allowed guns to be trafficked into Mexico as part of a program designed to stop guns from being trafficked into Mexico. We are also troubled that ATF engaged in activities that may have facilitated the transfer of guns to violent drug cartels while simultaneously attempting to restrict lawful firearms sales by border-area firearms dealers. In December, ATF sought to impose additional reporting requirements on semi-automatic rifles, a proposal that we strongly oppose.

The program resulted in a large flow of weapons across the border to Mexico. According to the Center for Public Integrity, ATF allowed nearly 2,000 guns—valued at over one million dollars—to cross the border to known criminal organizations.<sup>1</sup> As would be expected, many of the guns were used in violent crimes. Worse, two guns from the program were found at the murder scene of Customs and Border Protection Agent Brian Terry in December.

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2011 MAR 10 11:11:10  
EXECUTIVE SECRETARIAT  
6681  
HOWARD L. BERMAN, California  
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MELVIN L. WATT, North Carolina  
ZOE LOPREHN, California  
SHARLA JACKSON LEE, Texas  
MAXINE WATERS, California  
STEVE COHEN, Tennessee  
HENRY C. "HANK" JOHNSON, JR., Georgia  
PEDRO R. PERALTA, Puerto Rico  
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DEBBIE WASSERMAN SCHULTZ, Florida

2011 MAR 10 11:11:10  
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DEPT OF JUSTICE  
RECEIVED

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In addition, there seems to have been little effective coordination between ATF and the Department as a whole. While guns continued to cross the border, the Department was apparently slow to approve wiretaps and to bring prosecutions. Internal ATF documents show that ATF's supervisors became increasingly concerned about the pace of the investigations. It was only this January, 15 months after ATF initiated the program and a month after agent Terry's murder, that the Department finally issued its first indictment based on evidence from the program.

We commend your request that the Department's Inspector General investigate these allegations. In the meantime, we ask that the Department respond to the following questions:

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Thank you for your attention to this matter. We respectfully request that the Department respond to these questions by Friday, March 18, 2011.

Sincerely,

---

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Lamar Smith

Leahm

Tom Marino

Frey Bordy

J Rudy Forke

Elton Gallegly

~~Attn~~

Jim Scurran

Quil E. Jones

Tom Giffel

Kent Starks

Bob Goodlatte

Howard Coble

Steve King

cc: The Honorable John Conyers, Jr.



**Myies, Tonia (JMD)**

---

**From:** McKay, Shirley A (SMO)  
**Sent:** Thursday, March 10, 2011 9:21 AM  
**To:** DOJExecSec (JMD)  
**Cc:** Tolson, Kimberly G (JMD); Wells, Barbara A (JMD)  
**Subject:** FW: Letter to General Holder  
**Attachments:** 3.9.11 HJC Gunrunner Letter.pdf

**Importance:** High

Pls log the attached ltr. Thanks.

**From:** Agrast, Mark D. (SMO)  
**Sent:** Wednesday, March 09, 2011 7:13 PM  
**To:** McKay, Shirley A (SMO); Kralovec, Jamie (JMD)  
**Cc:** Weich, Ron (SMO); Burton, Faith (SMO); Gaston, Molly (SMO)  
**Subject:** FW: Letter to General Holder

Shirley/Jamie,

Please log in and assign.

Mark

**From:** Lynch, Caroline [<mailto:Caroline.Lynch@mail.house.gov>]  
**Sent:** Wednesday, March 09, 2011 5:30 PM  
**To:** Agrast, Mark D. (SMO)  
**Cc:** Hertling, Richard; Jezierski, Crystal  
**Subject:** Letter to General Holder

Mark – attached please find a letter to General Holder. Thanks.

*Caroline G. Lynch*  
Chief Majority Counsel  
Subcommittee on Crime, Terrorism & Homeland Security  
House Committee on Judiciary  
B-370 Rayburn House Office Building  
Washington, D.C. 20515  
(202) 225-5727  
(202) 225-3672 (fax)

From: (b) (7)(C)

Sent: Wednesday, March 23, 2011 5:07 PM

To: (b) (7)(C)

Subject: FW: F&F BPs

Attachments: December Fast and Furious BP for SAC.DOCX; briefing paper for round-up.docx; Fast and Furious Talking Points for DAD doc.docx; December Fast and Furious BP Supplemental December 16 2010.docx; December Fast and Furious BP for SAC (2) (2).docx

(b) (7)(C)

Acting Chief of Staff  
Office of the Director

O: 202-648-(b) (7)(C)

C: (b) (7)(C)

HQ Room 5 S 100

---

From: McMahon, William G.

Sent: Tuesday, March 22, 2011 8:35 AM

To: (b) (7)(C)

Subject: F&F BPs

(b) (7)(C)

Here are the BPs I have on the F&F case.

William G. McMahon  
Deputy Assistant Director (West)  
Office of Field Operations  
Office - (202) 648-(b) (7)(C)

\*\*\*\*\*

**NOTICE: This e-mail message and any attached files are intended solely for the use of the addressee(s) named above in connection with official business. This communication may contain Sensitive But Unclassified information that may be statutorily or otherwise prohibited from being released without appropriate approval. Any review, use, or dissemination of this e-mail message and any attached file(s) in any form outside of the Bureau of Alcohol, Tobacco, Firearms & Explosives or the Department of Justice without express authorization is strictly prohibited.**

**From:** (b) (7)(C)

**Sent:** Wednesday, March 23, 2011 2:07 PM

**To:** Chait, Mark R.; McMahon, William G.; Needles, James R.; (b) (7)(C)

**Subject:** FW: The President Speaks On Fast and Furious

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** (b) (7)(C)

**Sent:** Wednesday, March 23, 2011 2:07 PM

**To:** Axelrod, Matthew (ODAG) (SMO)

**Subject:** The President Speaks On Fast and Furious

Interview with Univision (link below) in case you have not seen it.

[http://www.cbsnews.com/8301-31727\\_162-20046151-10391695.html](http://www.cbsnews.com/8301-31727_162-20046151-10391695.html)

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)

**Sent:** Wednesday, March 23, 2011 2:00 PM

**To:** Melson, Kenneth E.; Hoover, William J.; Chait, Mark R.; McMahon, William G.;

(b) (7)(C) Needles, James R.

(b) (7)(C)

**Subject:** FW: ODAG's Strategy for Combatting Mexican Cartels

**Attachments:** Strategy for Combating the Mexican Cartels.pdf

Resending this so everyone has a copy handy

(b) (7)(C)

Acting Chief of Staff

Office of the Director

O: 202-648-(b) (7)(C)

C: (b) (7)(C)

HQ Room 5 S 100

---

**From:** (b) (7)(C)

**Sent:** Wednesday, March 23, 2011 1:56 PM

**To:** Axelrod, Matthew (ODAG) (SMO)

**Subject:** ODAG's Strategy for Combatting Mexican Cartels

Matt:

I missed this in the last group of documents I sent to you.

(b) (7)(C)

Acting Chief of Staff

Office of the Director

O: 202-648-(b) (7)(C)

C: (b) (7)(C)

HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Wednesday, March 23, 2011 11:37 AM  
**To:** (b) (7)(C)  
**Subject:** RE: Sen. Grassley letter to USCBP

No. I am hearing rumor of one sent to ICE ????????

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** (b) (7)(C)  
**Sent:** Wednesday, March 23, 2011 11:37 AM  
**To:** (b) (7)(C)  
**Subject:** Sen. Grassley letter to USCBP

This one?

(b) (7)(C)  
*DOJ- Bureau of Alcohol, Tobacco, Firearms & Explosives*  
*Chief - Office of Legislative Affairs*  
(b) (7)(C) (mobile1)  
(b) (7)(C) (mobile2)  
202.648.(b) (7)(C) (office)  
202.648.9708 (fax)

\*\*\*\*\*

**NOTICE:** This e-mail message and any attached files are intended solely for the use of the addressee(s) named above in connection with official business. This communication may contain Sensitive But Unclassified information that may be statutorily or otherwise prohibited from being released without appropriate approval. Any review, use, or dissemination of this e-mail message and any attached file(s) in any form outside of the Bureau of Alcohol, Tobacco, Firearms & Explosives or the Department of Justice without express authorization is strictly prohibited.

JOHN A. WILSON, JR.  
 JOHN W. FENNER, JR.  
 JOHN J. JAMES  
 BOB PATRICK  
 MARY ELLEN WHELAN  
 ANDREW W. WHELAN  
 ANDREW W. WHELAN  
 ANDREW W. WHELAN  
 ANDREW W. WHELAN  
 ANDREW W. WHELAN

JOHN W. FENNER, JR.  
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 JOHN W. FENNER, JR.  
 JOHN W. FENNER, JR.

**United States Senate**  
 COMMITTEE ON THE JUDICIARY  
 WASHINGTON, DC 20540-1225

March 16, 2011

**Via Electronic Transmission**

The Honorable Alan D. Bersin  
 Commissioner  
 U.S. Customs and Border Protection  
 U.S. Department of Homeland Security  
 1300 Pennsylvania Avenue, NW  
 Washington, DC 20229

Dear Commissioner Bersin:

Since January, I have been investigating the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) operation called “Fast and Furious”—part of the broader “Project Gunrunner” initiative. According to several agents, ATF leadership encouraged gun dealers to engage in sales of multiple weapons to individuals suspected of illegally purchasing them for resale to Mexican cartels. Specifically, I am seeking information on whether CBP officials had an opportunity to seize weapons from straw purchasers on two specific occasions.

First, on March 8, 2011, federal authorities indicted 11 defendants, including the Mayor and the Police Chief of a small town in New Mexico, for conspiring to smuggle weapons from the United States into Mexico.<sup>1</sup> According to the indictment, on January 14, 2010, Blas Gutierrez and Miguel Carrillo were pulled over near the border and were found in possession of eight weapons, including three AK-47-type pistols.<sup>2</sup> Also according to the indictment, two of the weapons were later smuggled to Mexico, where they were found this month, March 2011.<sup>3</sup> I understand that CBP may have been the agency that conducted the vehicle stop referenced in the indictment and that some of the weapons may have been connected to Operation Fast and Furious. However, CBP allegedly let the individuals go, perhaps because it failed to determine that the weapons or individuals were connected to ATF operation at the time of the vehicle stop.

Second, CBP officials allegedly stopped Jaime Avila near the border in the spring or summer of 2010. He allegedly had the two WASR-10 rifles in his possession that were later found at the scene of Agent Brian Terry’s murder, along with over thirty additional weapons. CBP officials contacted ATF or an Assistant United States Attorney who allegedly instructed CBP to allow Avila proceed without seizing the weapons.

<sup>1</sup> Indictment, filed March 8, 2011, *United States v. Villalobos*, Case 2:11-cr-00487. (Attachment 1)

<sup>2</sup> *Id.* at 3.

<sup>3</sup> *Id.*

In order to ascertain the extent to which these accounts are accurate, please ensure that CBP officials are prepared to answer questions about these two incidents in addition to questions about the use of force policy at the staff briefing scheduled for this Friday. If you have any questions about this request, please contact Brian Downey at (202) 224-5225. Thank you for your prompt attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "Chuck Grassley". The signature is written in a cursive style with a prominent flourish at the end.

Charles E. Grassley  
Ranking Member

Attachment

**From:** (b) (7)(C)  
**Sent:** Tuesday, March 22, 2011 3:58 PM  
**To:** (b) (7)(C)  
**Subject:** smith gunrunner clean.docx  
**Attachments:** smith gunrunner clean.docx



**From:** (b) (7)(C)  
**Sent:** Tuesday, March 22, 2011 8:42 AM  
**To:** McMahon, William G.  
**Subject:** RE: F&F BPs

Thanks Bill

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** McMahon, William G.  
**Sent:** Tuesday, March 22, 2011 8:35 AM  
**To:** (b) (7)(C)  
**Subject:** F&F BPs

(b) (7)(C)

Here are the BPs I have on the F&F case.

William G. McMahon  
Deputy Assistant Director (West)  
Office of Field Operations  
Office - (202) 648-(b) (7)(C)

\*\*\*\*\*

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**Subject:** Discuss the Fast and Furious Briefing

**Location:** Director's Conference Room

**Start:** 3/21/2011 2:00 PM

**End:** 3/21/2011 3:00 PM

**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Required Attendees:** Hoover, William J.; McMahon, William G.; (b) (7)(C)  
E.; Needles, James R.; (b) (7)(C)

**Resources:** Director's Conference Room

When: Monday, March 21, 2011 2:00 PM-3:00 PM (GMT-05:00) Eastern Time (US & Canada).

Where: Director's Conference Room

Note: The GMT offset above does not reflect daylight saving time adjustments.

\*~\*~\*~\*~\*~\*~\*~\*~\*~\*

This is a pre-meet to discuss how we will present the briefing on Fast and Furious to Matt Axelrod Tuesday morning.

**From:** (b) (7)(C)  
**Sent:** Monday, March 21, 2011 10:49 AM  
**To:** (b) (7)(C) (Mexico City)  
**Subject:** RE: Call with Director Melson

(b) (7)(C)

The Director would like to obtain the Ambassador's thoughts regarding (b) (5)  
Director Melson thinks the call should not take more than about 10 minutes.

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** (b) (7)(C) (Mexico City) [mailto:(b) (7)(C)]  
**Sent:** Monday, March 21, 2011 10:30 AM  
**To:** (b) (7)(C)  
**Subject:** Re: Call with Director Melson

Hi (b) (7)(C)

The AMB is supposed to be in a meeting at that time, but it is an internal one. Let me ask him and I will let you know. Do you know the topic of the call?

Thanks.

---

This message has been sent via BlackBerry

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**From:** (b) (7)(C) (b) (7)(C)  
**To:** (b) (7)(C) (Mexico City)  
**Sent:** Mon Mar 21 08:24:34 2011  
**Subject:** RE: Call with Director Melson

(b) (7)(C)

The Director has to attend a meeting called by the Attorney General for 10:00 tomorrow. Can we move his conference call with the Ambassador back to 12:00 EST, 10:00 your time?

Sorry for the inconvenience.

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** (b) (7)(C) (Mexico City) [mailto:(b) (7)(C)]  
**Sent:** Saturday, March 19, 2011 11:42 AM  
**To:** (b) (7)(C)  
**Subject:** RE: Call with Director Melson

Hi (b) (7)(C)

Just one last reminder about the time change – we are still in daylight savings, so we are 2 hours behind DC right now.

Thanks.

---

**From:** (b) (7)(C) [mailto:(b) (7)(C)]  
**Sent:** Friday, March 18, 2011 7:42 PM  
**To:** (b) (7)(C) (Mexico City)  
**Subject:** Re: Call with Director Melson

We will call down to the Ambassador. Enjoy the weekend

(b) (7)(C)

Acting Chief of Staff  
ATF Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)

\*\*\*\*\*

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---

**From:** (b) (7)(C) (Mexico City)  
**To:** (b) (7)(C)  
**Sent:** Fri Mar 18 21:39:46 2011  
**Subject:** RE: Call with Director Melson

Fantastic! I'm not usually the one who does these things (AMB's secretary is out for the week, leaving the much less technically competent me in charge), so who calls who, and which number should we use?

Thank you so much for your flexibility -- we appreciate it.

This email is UNCLASSIFIED.

---

**From:** (b) (7)(C) [mailto:(b) (7)(C)]  
**Sent:** Friday, March 18, 2011 7:38 PM  
**To:** (b) (7)(C) (Mexico City)  
**Subject:** Re: Call with Director Melson

Yes. We will rearrange his schedule to make that work.

(b) (7)(C)  
Acting Chief of Staff  
ATF Office of the Director  
O: 202-648-(b) (7)(C)  
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**From:** (b) (7)(C) (Mexico City)  
**To:** (b) (7)(C)  
**Sent:** Fri Mar 18 21:35:44 2011  
**Subject:** RE: Call with Director Melson

Yes, the AMB would like a call for Tues at 8 am our time, however, we are closed Monday for a federal Mexican holiday and will not be in the office to arrange (and I will be in a place with likely poor cell reception for the long weekend). I'd like to set it up now if possible - will the Director be available to speak to the AMB then?

This email is UNCLASSIFIED.

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**From:** (b) (7)(C) mailto:(b) (7)(C)  
**Sent:** Friday, March 18, 2011 7:31 PM  
**To:** (b) (7)(C) (Mexico City)  
**Subject:** Call with Director Melson

(b) (7)(C)

I am Director Melson's Chief of Staff. Director Melson has been in email contact with the Ambassador today. The Ambassador indicated to him that he was unavailable on Monday and requested we arrange a call for Tuesday. Has this changed? If so, please advise and we will make every effort to accommodate your request.

Feel free to call me on the cell number below if we need to speak before Monday.

Warm regards,  
(b) (7)(C)  
Acting Chief of Staff  
ATF Office of the Director  
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**From:** (b) (7)(C)  
**Sent:** Monday, March 21, 2011 10:24 AM  
**To:** (b) (7)(C) (Mexico City)  
**Subject:** RE: Call with Director Melson

(b) (7)(C)

The Director has to attend a meeting called by the Attorney General for 10:00 tomorrow. Can we move his conference call with the Ambassador back to 12:00 EST, 10:00 your time?

Sorry for the inconvenience.

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** (b) (7)(C) (Mexico City) [mailto:(b) (7)(C)]  
**Sent:** Saturday, March 19, 2011 11:42 AM  
**To:** (b) (7)(C)  
**Subject:** RE: Call with Director Melson

H: (b) (7)(C)

Just one last reminder about the time change -- we are still in daylight savings, so we are 2 hours behind DC right now.

Thanks.

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**From:** (b) (7)(C) [mailto:(b) (7)(C)]  
**Sent:** Friday, March 18, 2011 7:42 PM  
**To:** (b) (7)(C) (Mexico City)  
**Subject:** Re: Call with Director Melson

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Acting Chief of Staff  
ATF Office of the Director  
O: 202-648-(b) (7)(C)  
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**From:** (b) (7)(C) (Mexico City)

**To:** (b) (7)(C)

**Sent:** Fri Mar 18 21:39:46 2011

**Subject:** RE: Call with Director Melson

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Thank you so much for your flexibility – we appreciate it.

This email is UNCLASSIFIED.

---

**From:** (b) (7)(C) mailto:(b) (7)(C)

**Sent:** Friday, March 18, 2011 7:38 PM

**To:** (b) (7)(C) (Mexico City)

**Subject:** Re: Call with Director Melson

Yes. We will rearrange his schedule to make that work.

(b) (7)(C)

Acting Chief of Staff

ATF Office of the Director

O: 202-648 (b) (7)(C)

C: (b) (7)(C)

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**To:** (b) (7)(C)

**Sent:** Fri Mar 18 21:35:44 2011

**Subject:** RE: Call with Director Melson

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**To:** (b) (7)(C) (Mexico City)

**Subject:** Call with Director Melson



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Feel free to call me on the cell number below if we need to speak before Monday.

Warm regards,

(b) (7)(C)

Acting Chief of Staff  
ATF Office of the Director  
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**From:** (b) (7)(C)  
**Sent:** Sunday, March 20, 2011 5:10 PM  
**To:** (b) (7)(C)  
**Subject:** Re: Call with Director Melson

I'm not sure who is having more fun. Enjoy.

(b) (7)(C)  
Acting Chief of Staff  
ATF Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)

---

**From:** (b) (7)(C) (Mexico City)  
**To:** (b) (7)(C)  
**Sent:** Sun Mar 20 10:45:07 2011  
**Subject:** Re: Call with Director Melson

Hi (b) (7)(C)

I was not told any specific topic - I will check in with the Ambassador to make sure.

Enjoy the garden! I am n Guanajuato this weekend...mummies and pottery...

---

This message has been sent via BlackBerry

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**From:** (b) (7)(C) <(b) (7)(C)>  
**To:** (b) (7)(C) (Mexico City)  
**Sent:** Sun Mar 20 06:56:18 2011  
**Subject:** Re: Call with Director Melson

(b) (7)(C)

Sorry for the tardy response. I was out planting the garden yesterday and forget to check the BB when I came in.

We are set on the time change - 10:00 EST which is 8:00 your time.

Is there any particular topic I should have staffed before the call?

(b) (7)(C)  
Acting Chief of Staff  
ATF Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)

---

**From:** (b) (7)(C) (Mexico City)  
**To:** (b) (7)(C)  
**Sent:** Sat Mar 19 11:42:05 2011  
**Subject:** RE: Call with Director Melson

Hi (b) (7)(C)

Just one last reminder about the time change – we are still in daylight savings, so we are 2 hours behind DC right

now.

Thanks.

---

**From:** (b) (7)(C) [mailto:(b) (7)(C)]  
**Sent:** Friday, March 18, 2011 7:42 PM  
**To:** (b) (7)(C) (Mexico City)  
**Subject:** Re: Call with Director Melson

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**From:** (b) (7)(C) (Mexico City)  
**To:** (b) (7)(C)  
**Sent:** Fri Mar 18 21:59:46 2011  
**Subject:** RE: Call with Director Melson

Fantastic! I'm not usually the one who does these things (AMB's secretary is out for the week, leaving the much less technically competent me in charge), so who calls who, and which number should we use?

Thank you so much for your flexibility -- we appreciate it.

This email is UNCLASSIFIED.

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**From:** (b) (7)(C) [mailto:(b) (7)(C)]  
**Sent:** Friday, March 18, 2011 7:38 PM  
**To:** (b) (7)(C) (Mexico City)  
**Subject:** Re: Call with Director Melson

Yes. We will rearrange his schedule to make that work.

(b) (7)(C)  
Acting Chief of Staff  
ATF Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)

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**From:** (b) (7)(C) (Mexico City)  
**To:** (b) (7)(C)  
**Sent:** Fri Mar 18 21:35:44 2011  
**Subject:** RE: Call with Director Melson

Yes, the AMB would like a call for Tues at 8 am our time, however, we are closed Monday for a federal Mexican holiday and will not be in the office to arrange (and I will be in a place with likely poor cell reception for the long weekend). I'd like to set it up now if possible -- will the Director be available to speak to the AMB then?

This email is UNCLASSIFIED.

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**From:** (b) (7)(C) [mailto:(b) (7)(C)]  
**Sent:** Friday, March 18, 2011 7:31 PM  
**To:** (b) (7)(C) (Mexico City)  
**Subject:** Call with Director Melson

(b) (7)(C)

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Feel free to call me on the cell number below if we need to speak before Monday.

Warm regards,

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**From:** (b) (7)(C)  
**Sent:** Sunday, March 20, 2011 8:56 AM  
**To:** (b) (7)(C)  
**Subject:** Re: Call with Director Melson

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Acting Chief of Staff  
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O: 202-648-(b) (7)(C)  
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**To:** (b) (7)(C)  
**Sent:** Sat Mar 19 11:42:05 2011  
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**From:** (b) (7)(C) (Mexico City)  
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**Subject:** RE: Call with Director Melson

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**To:** (b) (7)(C) (Mexico City)  
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Acting Chief of Staff

ATF Office of the Director

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**Sent:** Friday, March 18, 2011 9:42 PM  
**To:** (b) (7)(C)  
**Subject:** Re: Call with Director Melson

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(b) (7)(C)

Acting Chief of Staff  
ATF Office of the Director  
O: 202-648-(b) (7)(C)  
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**To:** (b) (7)(C) (Mexico City)  
**Subject:** Re: Call with Director Melson

Yes. We will rearrange his schedule to make that work.

(b) (7)(C)

Acting Chief of Staff  
ATF Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)

\*\*\*\*\*

NOTICE: This e-mail message and any attached files are intended solely for the use of the addressee(s) named above in connection with official business. This communication may contain Sensitive But Unclassified information that may be statutorily or otherwise prohibited from being released without appropriate approval. Any review, use, or dissemination of this e-mail message and any attached file(s) in any form outside of the Bureau of Alcohol, Tobacco, Firearms &

Explosives or the Department of Justice without express authorization is strictly prohibited.

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**From:** (b) (7)(C) Mexico City)  
**To:** (b) (7)(C)  
**Sent:** Fri Mar 18 21:35:44 2011  
**Subject:** RE: Call with Director Melson

Yes, the AMB would like a call for Tues at 8 am our time, however, we are closed Monday for a federal Mexican holiday and will not be in the office to arrange (and I will be in a place with likely poor cell reception for the long weekend). I'd like to set it up now if possible -- will the Director be available to speak to the AMB then?

This email is UNCLASSIFIED.

---

**From:** (b) (7)(C) mailto:(b) (7)(C)  
**Sent:** Friday, March 18, 2011 7:31 PM  
**To:** (b) (7)(C) Mexico City)  
**Subject:** Call with Director Melson

(b) (7)(C)

I am Director Melson's Chief of Staff. Director Melson has been in email contact with the Ambassador today. The Ambassador indicated to him that he was unavailable on Monday and requested we arrange a call for Tuesday. Has this changed? If so, please advise and we will make every effort to accommodate your request.

Feel free to call me on the cell number below if we need to speak before Monday.

Warm regards,

(b) (7)(C)  
Acting Chief of Staff  
ATF Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)

\*\*\*\*\*

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**Sensitive But Unclassified information that may be statutorily or otherwise prohibited from being released without appropriate approval. Any review, use, or dissemination of this e-mail message and any attached file(s) in any form outside of the Bureau of Alcohol, Tobacco, Firearms & Explosives or the Department of Justice without express authorization is strictly prohibited.**

**From:** (b) (7)(C)  
**Sent:** Thursday, March 17, 2011 12:12 PM  
**To:** (b) (7)(C)  
**Subject:** RE: Where are the (b) (7)(C) ROIs?

Thanks

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** (b) (7)(C)  
**Sent:** Thursday, March 17, 2011 12:12 PM  
**To:** (b) (7)(C)  
**Subject:** Re: Where are the (b) (7)(C) ROIs?

Chait has them.

(b) (7)(C)

\*\*\*\*\*

NOTICE: This e-mail message and any attached files are intended solely for the use of the addressee(s) named above in connection with official business. This communication may contain Sensitive But Unclassified information that may be statutorily or otherwise prohibited from being released without appropriate approval. Any review, use, or dissemination of this e-mail message and any attached file(s) in any form outside of the Bureau of Alcohol, Tobacco, Firearms & Explosives or the Department of Justice without express authorization is strictly prohibited.

---

**From:** (b) (7)(C)  
**To:** (b) (7)(C)  
**Sent:** Thu Mar 17 12:07:46 2011  
**Subject:** Where are the (b) (7)(C) ROIs?  
Director needs them – are they in the office?

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Thursday, March 17, 2011 12:07 PM  
**To:** (b) (7)(C)  
**Subject:** Where are the (b) (7)(C) ROIs?

Director needs them – are they in the office?

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

## Agenda

## ATF Monthly Meeting with the Deputy Attorney General

March 15, 2011

## ESF 13

- NLE in light of Japan
- 63 people in training this week in Nashville
- Reprogramming

## Fast &amp; Furious

- No word from OIG

## Mexico Training Activity

- E-Trace – 30 students in Mexico City
- Post Blast – 30 Military Personnel from Mexico at NCETR
- Explosives Identification - ATF/DEA SIU – 60 students from SSP in Mexico

## NIBIN

NAS has agreed to fund a NIBIN system for the State of Mexico (Baja California) – arranged by our S/A (b) (7)(C) assigned to Tijuana

## Zapata Homicide

- All firearms recovered in the case are being sent to the STF Lab in Ammendale for tool mark examination
- Attempt to link (b) (7)(C) tools to the guns recovered at the crime scene
- Missing 9mm handgun

## Significant Cases

- Operation Pirate Town – Longbeach, CA April 2011
  - 260 arrests
- Columbus, NM – Firearms Trafficking, Mayor, Chief, Board Member
- Erie, PA., Collar Bomb - LIFE
- West Memphis, AR., Bombing – LIFE
- Charlotte ACC - LIFE
- Colombia Weapons Seizure

## Industry Meetings

- FYI – Planned meeting with NSSF and Manufacturers that were scheduled in advance of DOJ meetings beginning this week.

### Mexico Training Details

- ***Bureau of Alcohol, Tobacco, Firearms and Explosives Provides Firearms, Explosives Identification and eTrace Training — Mexico City, Mexico:***

From March 14-18, 2011, personnel from the Bureau of Alcohol, Tobacco, Firearms and Explosives office will provide Basic Firearms and Explosives Identification and eTrace training to approximately 30 students from Mexican law enforcement agencies. An additional 60 students from SSP are receiving basic explosives identification.

- ***Bureau of Alcohol, Tobacco, Firearms and Explosives Trains Mexican Law Enforcement in Post Blast Investigation — Huntsville, Alabama:***

From March 14-18, 2011, six instructors from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) will conduct bomb scene investigation training for approximately 30 Mexican law enforcement officials at the Redstone Arsenal in Huntsville. This course will provide hands-on training by requiring participants to reconstruct components of an explosive device recovered through various investigative techniques. Mexican law enforcement and military officers and laboratory technicians will attend.

### Significant Case Details

- ***Operation Pirate Town Take Down – see BP***
- ***The Good, The Bad and the Ugly – see SIR***
- ***Final Erie Collar Bomb Defendant Sentenced to Life — Erie, Pennsylvania:***  
On February 28, 2011, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) reported on the sentencing of the final defendant in the Erie collar bomb trial in Erie. In November 2010, the defendant was found guilty by a jury for her involvement in the 2003 fatal “collar bombing” in which a person fitted with an explosive device around his neck was killed when the device detonated after he robbed a bank in Erie. The defendant was convicted on all counts and was sentenced to life plus 10 years to be served consecutively, in addition to a separate State sentence of 20 years.
- ***Life Sentence in Car Bombing Case — West Memphis, Arkansas:***  
On March 1, 2011, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) reported on the sentencing of a defendant found guilty by a Federal jury in August 2009 for the bombing of a vehicle in West Memphis which resulted in serious bodily injury to a doctor who was the Chairman of the Arkansas State Medical Board. The defendant, a medical doctor, was found guilty on eight of nine counts, including use of weapons of mass destruction, possession of 98 unregistered grenades, possession of unregistered machine guns, conspiracy to obstruct justice, and obstruction of justice. The defendant was sentenced to life in prison for the use of weapons of mass destruction and an additional 40 years on all other charges.
- ***Armed Career Criminal Sentenced to Life Plus 5 Years — Charleston, South Carolina:***

On February 28, 2011, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) reported on the sentencing of a defendant to life in prison plus 5 years on Federal firearms and narcotics violations. The defendant was convicted on all counts in a Federal trial in September 2010. The defendant has an extensive criminal history and is both an Armed Career Criminal and a Career Offender. This case was investigated by ATF, the North Charleston Police Department, and the Charleston Police Department.

- ***Bureau of Alcohol, Tobacco, Firearms and Explosives and Colombian Military Counter Intelligence Unit Examine Seized Firearms — Santander, Colombia:***

On March 2, 2011, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) reported that personnel from ATF's Colombia office examined 1,325 firearms in Santander, Colombia with the Colombian Military Counter Intelligence Unit. This was the second of ten planned inspections of army firearm repositories located throughout Colombia. All firearms data will be sent to the ATF National Tracing Center and information will be shared with other U.S government agencies. Appropriate information will be forwarded to ATF field divisions for further investigations.

#### **Industry Meetings**

- ***Bureau of Alcohol, Tobacco, Firearms and Explosives to Hold Quarterly Meeting with the National Shooting Sports Federation - Washington, DC:***

On March 23, 2011, officials with the Bureau of Alcohol, Tobacco, Firearms and Explosives' Firearms and Explosives Industry Division (FEID) will hold its quarterly meeting with the National Shooting Sports Foundation with the intent of promoting greater transparency and collaboration.

- ***Bureau of Alcohol, Tobacco, Firearms and Explosives to Hold Roundtable Meeting With Firearms Manufacturers — Washington, DC:***

On April 5, 2011, officials with the Bureau of Alcohol, Tobacco, Firearms and Explosives' Firearms and Explosives Industry Division (FEID) will hold a major manufacturer round table meeting with the top 10-12 U.S. firearms manufacturers to begin discussing common firearms regulatory issues with the intent of promoting greater transparency and collaboration.



## ATF ORDER 3250.1A – INFORMANT USE AND UNDERCOVER OPERATIONS

## CHAPTERB – UNDERCOVER OPERATIONS

## SECTION 3 UNDERCOVER RESOURCES

## PARAGRAPH 42 ET.SEQ., UNDERCOVER MERCHADISE

## 42. UNDERCOVER MERCHANDISE.

a. Policy. It is ATF policy to use undercover merchandise as an investigative technique only after special agents have explored all possible alternatives and determined that using undercover merchandise is essential to the success of the investigation.

b. Undercover Merchandise. Undercover merchandise is any tangible item purchased using agent cashier funds or acquired through other means for the purpose of sale, trade, or display in furtherance of an ATF investigation. This includes ATF property or other merchandise (e.g., Title II firearms, explosives, flashrolls, narcotics) that may be exhibited to a person and in which the proprietary interest does not change. Special agents shall exercise adequate controls and security in the use of all undercover merchandise.

c. Acquisition. Before purchasing any undercover merchandise, the requesting SAC should contact another field division or the appropriate Headquarters division chief for assistance in determining if merchandise currently available in inventory would meet the needs of the division. If the merchandise needed is explosives, inert explosives, or inert explosive devices, the SAC shall contact the Chief, Explosives Technology Branch, to determine what items are available.

(1) Agent Cashier Funds. Funds to purchase undercover merchandise will be obtained in the manner prescribed in ATF O 3251.1.

(2) Approved Expenditures. In accordance with ATF O 3251.1, the expenditure of agent cashier funds is limited to specified purposes stated on ATF F 3251.3. Therefore, if undercover merchandise is to be purchased, funds must be specifically requested for that purpose.

(3) Reporting Procedures.

(a) Purchase of Undercover Merchandise. Purchase of undercover merchandise will be reported on ATF F 3251.2A, Report of Expenditures (for Investigative Purposes), and will include the date of purchase, identity of the seller, a detailed description and identification of items, and the amount of expenditure. Special agents will obtain and attach all paid receipts, invoices, etc., to ATF F 3251.2A.

(b) Sale/Trade of Undercover Merchandise. Sale/ trade of undercover merchandise shall be recorded on ATF F 3120.2. The report shall include the date of the sale/trade; identity of the purchaser (suspect), if known (otherwise, nickname and/or description); detailed description, identification, and value of the items sold/traded; identity of the seller (in the case of informants, the assigned informant control number shall be used); and the amount of the sale and balance, if

any, of unsold/ untraded merchandise. In the case of a trade, the property acquired from the trade shall be completely described.

1 Cash Proceeds From the Sale of Undercover Merchandise. The proceeds of the sale of undercover merchandise are recovered funds and must be deposited in the General Fund of the Treasury when the investigation is closed. Special agents shall transmit these proceeds, through the field division office, to the Headquarters agent cashier with ATF F 3251.2. (Refer to ATF O 3251.1, subparagraph 13f.) The funds will be returned using a money order or cashier's check, made payable to the Bureau of Alcohol, Tobacco and Firearms. Because the proceeds will be deposited to the General Fund of the Treasury, the payee will not be the designated agent cashier.

2 Retention for Evidence of Proceeds and/or Property From Sale of Undercover Merchandise. In instances where proceeds or property from the sale of undercover merchandise is retained as evidence, the retention shall be reported as contained in ATF O 3400.1A, Property Taken Into Bureau Custody. In these instances, ATF F 3400.16, Property Inventory/Forfeited Property Appraisal Report, shall be attached to ATF F 3120.2. If evidence is released by the court for ATF disposition or it is determined that the funds or property is not needed as evidence, it will be disposed of according to ATF O 3400.1A.

(c) Retention of Undercover Merchandise as Evidence. Any undercover merchandise that becomes evidence in criminal investigations shall be documented and maintained according to ATF O 3400.1A.

(4) Required Receipts. The special agent obtaining the agent cashier funds shall obtain a signed receipt in all instances when the custody of the undercover merchandise is transferred to an informant, police officer, or special agent. The informant may sign an assumed name, provided the receipt contains the informant control number. ATF F 3251.1 (exhibit 6) shall be used. Receipts shall be attached to ATF F 3251.2A.

(5) Other. Acquisition of undercover merchandise from a local, State, or Federal agency, such as food stamps, tools, televisions, etc., for purposes of resale or trade by means other than through expending agent cashier funds must receive the SAC's prior approval. The authorized receipt of this type of undercover merchandise shall be documented on ATF F 3120.2, listing merchandise received and from whom it was received. The sale/trade of undercover merchandise acquired in this manner shall be documented as stated herein.

d. Prohibited Merchandise.

(1) The following items shall not be used as undercover merchandise: property subject to forfeiture proceedings, detained or retained property, evidentiary property, and property being processed as abandoned. Only property to which ATF or another agency has legal title shall be used as undercover merchandise.

(2) Certain investigative and undercover situations require the use of "props." Before the use of a prop is approved, specific reasons for its use should be outlined via TECS message or memorandum. In all matters involving props, the request shall contain a detailed outline as to why this technique must be used and an explanation of what alternatives have been attempted or

considered. A showing or illustration to a subject to enhance the undercover special agent's role is one possible justification. Another would be solicitation of the merchandise by the subjects of the investigation. The U.S. attorney should be contacted before initiating this technique, and his or her policy on props should be covered in the request or notification. In addition, the U.S. attorney should be advised that, in some cases, it is preferable that the props not be detained in pending court action. Most U.S. attorneys will agree to accept photographs of the props and special agent testimony. The results of discussions with the U.S. attorney should also be covered in the request or notification.

(3) No tangible property shall be used as a prop unless prior SAC approval is received. When items such as television sets, videocassette recorders, or other merchandise are used, the SAC may grant approval. The SAC should document the approval and notify special agents by memorandum. Verbal approval may be granted in emergency situations. The props must satisfy the requirement of this chapter.

(4) The SAC may approve the following items as undercover merchandise: firearms, ammunition, explosives or explosive devices (including inert or dummy items), alcoholic beverages, tobacco products, counterfeit currency, or counterfeit official documents. If the field division does not have such props available in its inventory, then the field division may request the assistance of the appropriate Headquarters division chief.

\* (5) If a specialized undercover prop is required from the Firearms Technology Branch, the SAC will issue a memorandum to the Chief, Firearms Programs Division, to request the prop from the Firearms Technology Branch's inventory. Likewise, requests for props from the Explosives Technology Branch will be submitted to the Chief, Arson and Explosives Programs Division. The SAC will be responsible for authorizing the use of the prop in the investigation prior to submitting a request to the appropriate Headquarters division. Certification and maintenance of all firearms undercover props and display weapons are the responsibility of the Firearms Technology Branch. \*

(6) Situations that place special agents in a position of initiating contact with and offering contraband to persons who might be engaged in criminal activity shall be discouraged. Background investigations should be complete and accurate to clearly establish that the subject is predisposed to committing the violation. Exchange of prohibited merchandise/ Government-supplied contraband for currency will be authorized only in those circumstances in which the buyer is a felon, is documented as an active criminal posing a potential threat to the community, or plans to use weapons supplied by the Government for illegal purposes, such as armed robbery, armed assault, kidnapping, or murder. Buyers who have no criminal record, who are not suspected of being actively involved in other criminal activities, and who do not plan to use Government-supplied weapons for crimes of violence should not be targeted for the use of these investigative techniques. (Note: buy/bust.) RAC/GSs and special agents must ensure that provisions have been made to guard against the defense of entrapment (subparagraph 22f).

(7) When conducting investigations in which consideration is being given to the use of narcotics (including synthetic narcotics or any substance that will be represented as narcotics) as props, the special agent shall place priority on establishing the elements of firearms violations under ATF

jurisdiction. This technique shall be used only in furtherance of an ATF firearms charge. The use of narcotics props creates extremely hazardous situations for undercover agents, informants, and cover teams because of the possibility of rip-offs and confrontations with armed suspects, especially in buy/bust scenarios. These potentially violent situations create an endangerment to the general public as well. Special agents shall not provide any amount of narcotics to an informant as payment for services or cooperation rendered. The use of subsistence money (or funds provided to facilitate the purchase of narcotics evidence) by an informant to purchase narcotics for his or her personal use will not be condoned. The following guidelines will apply to requests for the use of narcotics as props:

(a) Special agents shall forward requests to the SAC as described in subparagraph 42d(2). The SAC will review the request to ensure compliance with the requirements set forth in subparagraph 42d(7), above.

(b) The SAC may give authorization for the use of narcotics as props, except for the following two instances where the appropriate DAD(FO) will be the authorizing official:

1 When the situation involves providing samples of the narcotics (including synthetic narcotics or any substance that will be represented as narcotics) that the subject may ingest or leave with. The procedures for requests of this nature are described in subparagraph 42d(8), below. The use of narcotics props in these instances should be considered only as a last resort. Requests for such use shall document all other investigative techniques previously attempted.

2 When this technique is to be used during a home invasion investigation as defined in paragraph 52. (c) The SAC shall report significant/sensitive investigations, incidents, or involvements in which narcotics are used as props by significant activity report (SAR) sent to the Chief, Intelligence Division (with a copy also forwarded to the affected Headquarters division chief).

(8) Only in extremely sensitive or complex investigations will approval be considered to consummate the sale of "prohibited merchandise" and allow the subject to leave for future contacts, arrests, or probable cause for search warrants. In these cases, the appropriate DAD(FO)'s approval is required. A memorandum or TECS message requesting approval will be sent to Headquarters. In emergency situations, the DAD(FO) may grant verbal approval without a memorandum or TECS message. After receiving verbal approval, the SAC will submit a memorandum or TECS message within 24 hours or the next business day confirming the approval and providing the information described in subparagraph 42d(2).

(9) In any case where prohibited merchandise is used as a prop, especially where narcotics are used, special agents should attempt to contact representatives of other Federal, State, and local law enforcement agencies who may have ongoing undercover operations in the same area. Every effort should be made beforehand to avoid the possibility of special agents exhibiting prohibited merchandise to an undercover member of another law enforcement agency. This is particularly sensitive in the case of narcotics since Federal, State, city, and county law enforcement officers aggressively pursue these investigations. These contacts may be made discreetly without compromising the case at hand.

(10) Safeguards must be established to protect the safety of the undercover special agents(s) and the general public at the location where the reverse operation will occur, to include safeguards to protect against a "rip-off" by the subject. Every effort should be made to remove the undercover special agents(s) from the location of a proposed buy/bust before the arresting agents' arrival to ensure the safety of the undercover special agents(s).

e. Refund/Merchandise Transfer Procedures. Special agents shall attempt to return any unneeded merchandise to the original vendor and obtain a refund. If possible, merchandise acquired from local, State, or Federal agencies will be returned and documented by memorandum. Receipts obtained for returned merchandise shall be maintained in the investigative file.

(1) Refunds. Cash refunds shall be returned to the agent cashier fund.

(2) Transfers. Undercover merchandise for which refunds cannot be obtained may be used in another investigation or the merchandise may be transferred to another office within the same field division for use provided such transfer is cost effective. Whenever undercover merchandise is transferred, the losing office shall obtain a signed receipt (ATF F 3400.23, Receipt for Property and Other Items (exhibit 10)) from the acquiring office. This receipt will be maintained in the investigative file. (Note: Property description on ATF F 3400.23 shall specify the item(s) as "undercover merchandise," a category of property that does not require attaching ATF F 3400.16.)

(3) Disposition. When undercover merchandise is no longer needed in a field division, the field division tactical operations officer will retain the merchandise for 1 year. The receipt from the field office to the tactical operations officer will require an ATF F 3400.23, which will show that all unused undercover merchandise has been closed out of the investigative case file and transferred to the division for maintenance. The field division should advise the Technical Operations Branch and the UCB of the availability of the merchandise. Any storage costs incurred will be paid by the field division in possession of the merchandise. If after 1 year there have been no requests to use the merchandise, the SAC may authorize its disposition.

\* f. Annual Review of Undercover Merchandise. By the end of each fiscal year, each field division's firearms instructor coordinator (FIC) will conduct an annual review of undercover props and display weapons maintained by his or her respective field division and field offices. The review may be conducted during the Property and Fleet Management Section's annual inventory of all ATF-owned firearms, which is completed during the period May through July. During the review, the FIC should examine any firearm(s) that appear(s) to be damaged or not functioning properly. The FIC will forward the questionable firearm(s) to the Chief, Firearms Technology Branch, for recertification or removal from ATF's inventory, using proper procedures. During this review, the FIC will also ensure that the undercover props and display weapons in the field division and field offices have been certified by the Firearms Technology Branch. \*

**From:** (b) (7)(C)  
**Sent:** Tuesday, March 08, 2011 12:58 PM  
**To:** (b) (7)(C)  
**Subject:** RE: TPs for your consideration

Thanks

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C:(b) (7)(C)  
HQ Room 5 S 100

---

**From:** (b) (7)(C)  
**Sent:** Tuesday, March 08, 2011 12:21 PM  
**To:** (b) (7)(C)  
**Subject:** FW: TPs for your consideration

This is Weinstein's draft that was amended by Burton that day before we went.

(b) (7)(C)  
Chief, Firearms Operations Division  
ATF HQ - Room 6.S.129  
202.648-(b) (7)(C) Cell (b) (7)(C)

---

**From:** Burton, Faith (SMO) [mailto:(b) (7)(C)]  
**Sent:** Thursday, February 10, 2011 12:38 PM  
**To:** Weinstein, Jason (CRM); Weich, Ron (SMO); (b) (7)(C); McDermond, James E.; Chait, Mark R.; Burke, Dennis (USAAZ)  
**Subject:** RE: TPs for your consideration

Please see the redlined version here. Based upon the letter we received from Grassley last night DP

DP  
DP Jason, thanks for taking the lead here - this outline is very detailed -- expect that everything you say will be scrutinized and cross-examined - DP see you soon. FB

---

**From:** Weinstein, Jason (CRM)  
**Sent:** Thursday, February 10, 2011 11:56 AM  
**To:** Burton, Faith (SMO); Weich, Ron (SMO); (b) (7)(C) (ATF); McDermond, James E. (ATF); Chait, Mark R. (ATF); Burke, Dennis (USAAZ)  
**Subject:** TPs for your consideration

Sorry for lateness in getting these to you.

---

Jason M. Weinstein  
Deputy Assistant Attorney General  
Criminal Division

**Employee 3**

6773

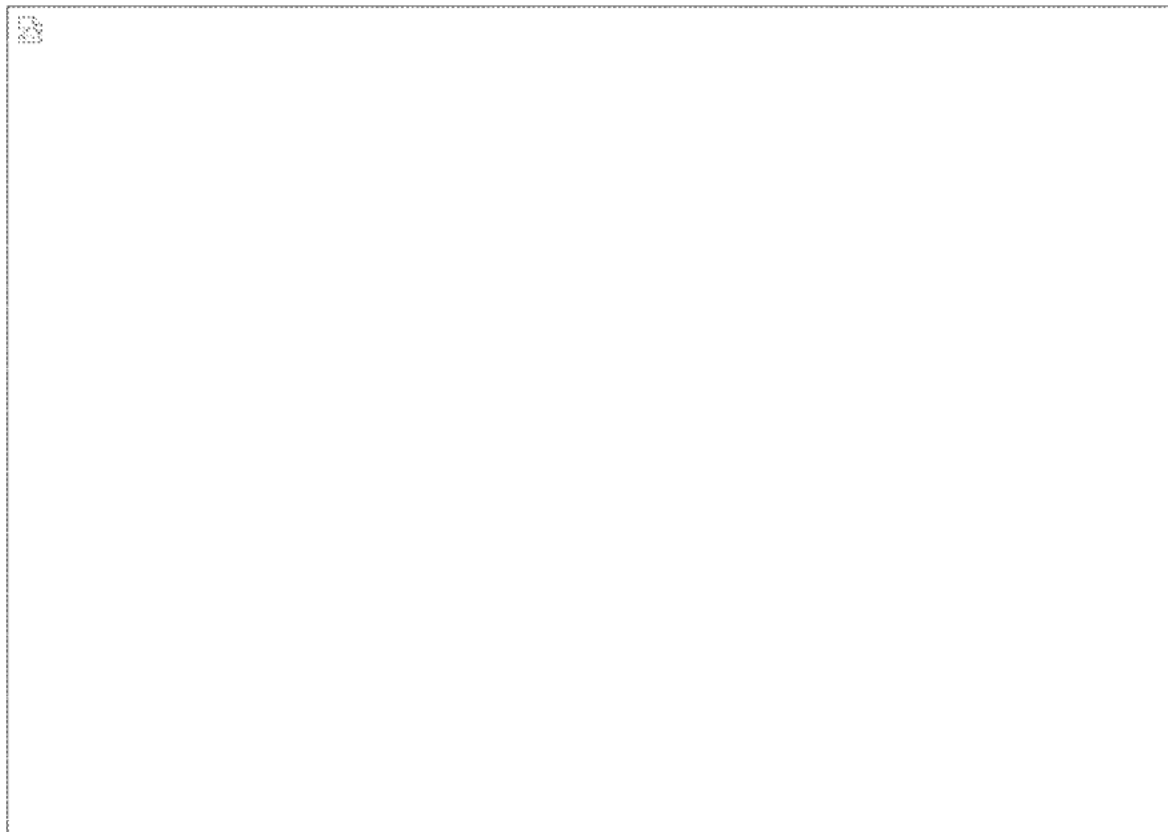
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530  
Office: (202) 305-(b) (7)(C)  
Cell: (b) (7)(C)

**From:** Gaston, Molly (SMO) (b) (7)(C)  
**Sent:** Thursday, April 07, 2011 6:10 PM  
**To:** (b) (7)(C)  
**Subject:** RE: Slide 11 - image

Thanks!

---

**From:** (b) (7)(C) (ATF)  
**Sent:** Thursday, April 07, 2011 6:10 PM  
**To:** Gaston, Molly (SMO)  
**Subject:** RE: Slide 11 - image



(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** Gaston, Molly (SMO) [mailto:(b) (7)(C)]  
**Sent:** Thursday, April 07, 2011 5:57 PM  
**To:** (b) (7)(C)  
**Subject:** RE: Slide 25

Thanks, and one last question—in the copy we have on disc, slide 11 isn't showing up (I can see it on the PDF from yesterday, though). Could you email me just that slide? Thanks.



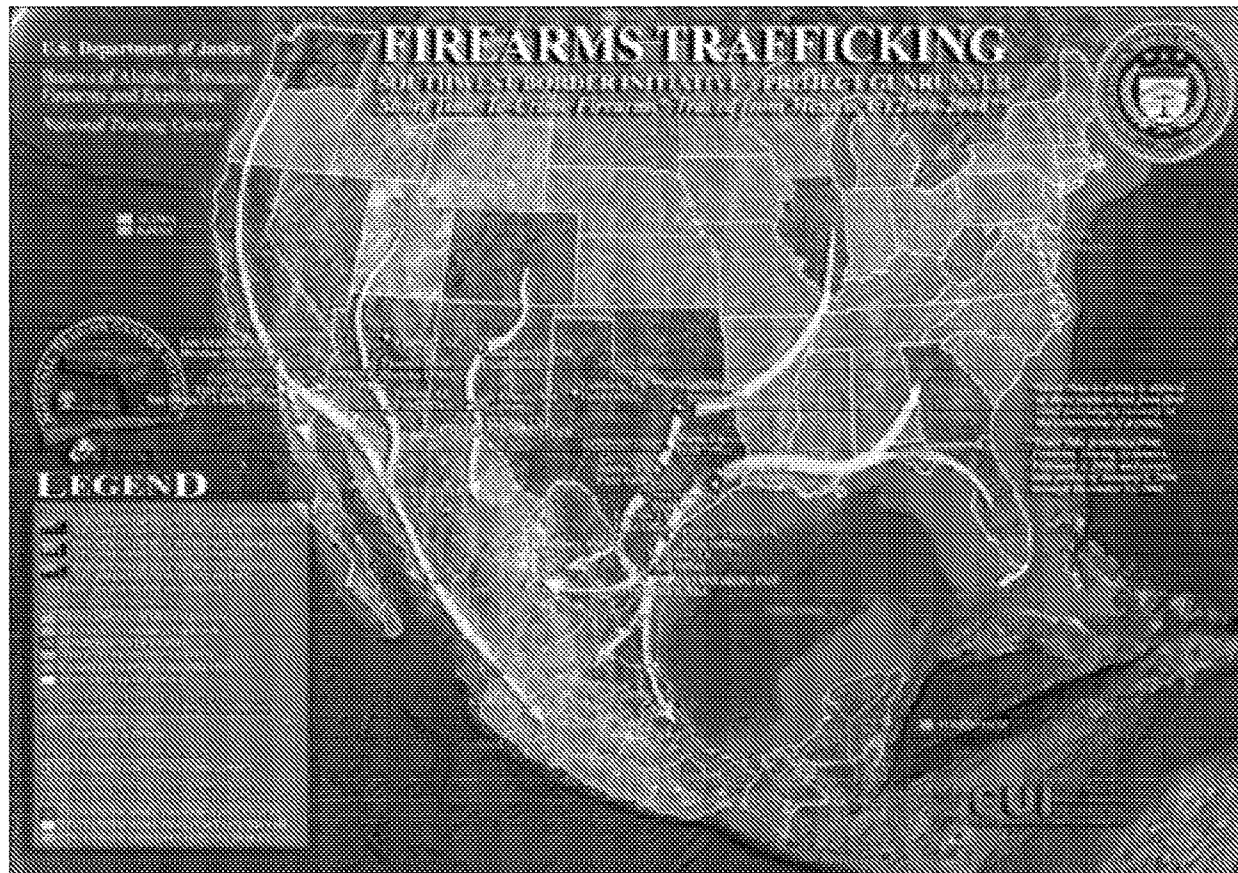
**From:** (b) (7)(C) (ATF)  
**Sent:** Thursday, April 07, 2011 5:50 PM  
**To:** Gaston, Molly (SMO)  
**Subject:** Slide 25

Molly:

Reference slide 25.

Both cases referred to are closed cases, DEA and ATF. It was a DEA controlled delivery of cocaine. SAC Newell uses this case to highlight the link between drug and firearms trafficking and the use of "Suspect Gun" database. Only 1 of the 12 AKs seized matched the 40 empty AK boxes found at two of the stash houses. Our Tucson guys responded and ran the info from the boxes and got "hits" in Suspect Gun. Our Phoenix office was buying these guns from the bad guys.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100



**From:** Gaston, Molly (SMO) (b) (7)(C)  
**Sent:** Thursday, April 07, 2011 5:56 PM  
**To:** (b) (7)(C)  
**Subject:** RE: Slide 25

Thanks, and one last question---in the copy we have on disc, slide 11 isn't showing up (I can see it on the PDF from yesterday, though). Could you email me just that slide? Thanks.

---

**From:** (b) (7)(C) ATF  
**Sent:** Thursday, April 07, 2011 5:50 PM  
**To:** Gaston, Molly (SMO)  
**Subject:** Slide 25

Molly:

Reference slide 25.

Both cases referred to are closed cases, DEA and ATF. It was a DEA controlled delivery of cocaine. SAC Newell uses this case to highlight the link between drug and firearms trafficking and the use of "Suspect Gun" database. Only 1 of the 12 AKs seized matched the 40 empty AK boxes found at two of the stash houses. Our Tucson guys responded and ran the info from the boxes and got "hits" in Suspect Gun. Our Phoenix office was buying these guns from the bad guys.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Wednesday, April 06, 2011 10:26:57 AM  
**To:** (b) (7)(C)  
**Subject:** FW: (ocdetf memo 091509)

**Attachments:** OCDETF 2010 Program memo dated 9-15-2009.tif

ADFO memo to field 091509 reference OCDETF and FT cases with nexus to cartels.

(b) (7)(C)

Chief, Firearms Operations Division  
ATF HQ - Room 6.S.129  
202.648. (b) (7)(C) Cell (b) (7)(C)

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**From:** (b) (7)(C)  
**Sent:** Wednesday, March 02, 2011 2:37 PM  
**To:** Chait, Mark R.  
**Subject:** (ocdetf memo 091509)



OCDETF  
2010  
Program  
memo dated  
9-15-2009.tif  
(369 kB)

(b) (7)(C)

Chief, Firearms Operations Division  
ATF HQ - Room 6.S.129  
202.648 (b) (7)(C) Cell (b) (7)(C)



Bureau of Alcohol, Tobacco,  
Firearms and Explosives

*Assistant Director*

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Washington, DC 20226

SEP 15 2009

701230:SAQ  
3530

MEMORANDUM TO: All Special Agents in Charge

FROM: Acting Assistant Director  
(Field Operations)

SUBJECT: Organized Crime Drug Enforcement Task Force (OCDETF) Program

Twenty-five years after its creation, the OCDETF Program continues to pursue comprehensive, multijurisdictional investigations of major drug-trafficking and money-laundering organizations. OCDETF simultaneously attacks all elements of the most significant drug organizations affecting the United States, to include international supply sources, domestic transportation cells, and regional and local distribution networks. OCDETF combines the resources and expertise of its seven Federal agency members (ATF, the Drug Enforcement Administration, Federal Bureau of Investigation, U.S. Marshals Service, U.S. Coast Guard, Immigration and Customs Enforcement, and the Internal Revenue Service), in cooperation with the Department of Justice's Criminal and Tax Divisions, the 94 U.S. attorneys' offices, and State and local enforcement, to identify, disrupt, and dismantle the drug-trafficking and money-laundering organizations most responsible for the Nation's supply of illegal drugs.

ATF consistently participates in close to 30 percent of all OCDETF cases nationwide. Within the OCDETF arena, ATF maintains its focus on major drug traffickers who use firearms to further their trade and violate firearms-trafficking laws, as well as laws relating to explosives. As we are all aware, firearms often serve as a form of payment for drugs and, together with explosives and arson, are used as tools by drug organizations for purposes of intimidation, enforcement, and retaliation against their own members, rival organizations, or the community in general. ATF's jurisdiction and expertise make it a well-suited partner in the OCDETF Program in the fight against illegal drugs.

-2-

### All Special Agents in Charge

The OCDETF Program has achieved remarkable past successes against regional and national targets, as well as members of major Mexican cartels. The senior leadership of the Departments of Justice, State, and Homeland Security have recently re-emphasized their commitment to work with the Government of Mexico to dismantle the Mexican drug cartels that currently threaten the national security of our Mexican neighbors, pose an organized crime threat to the United States, and are the source of illicit drugs and accompanying violence in both countries. Firearms trafficking from the United States to Mexico contributes to the escalating levels of cartel-related violence and is of particular concern for law enforcement on both sides of the border. ATF plays a leading role in connection with the U.S. Government-wide efforts to stem the southbound smuggling of arms to Mexican drug-trafficking organizations.

The OCDETF Guidelines provide wide latitude for designating cases targeting the trafficking of firearms by criminal organizations associated with the Mexican cartels. Investigations principally targeting firearms trafficking, rather than the underlying drug trafficking, are now eligible for OCDETF designation, provided there is a sufficient nexus between the firearms and a major Mexican drug-trafficking organization.

It is not necessary that every OCDETF prosecution include specific drug charges but simply that every OCDETF prosecution must be drug related. That is, the specific charges may be weapons, explosives, or other nondrug violations as long as the targets have been identified as major drug violators and otherwise meet the OCDETF standards.

The goal of every OCDETF case is to continually work up and across the supply chain to make connections among related organizations nationwide. In particular, OCDETF participants strive to identify links to regional priority targets whose drug-trafficking activities have a significant impact on the particular drug threats facing each OCDETF region and, ultimately, to one of the international "command and control" networks identified as a CPOT (Consolidated Priority Organization Target).

If you have a firearms investigation against a major organization, including those committing acts of violence to further their drug-trafficking activities that have linkage to, or have the demonstrated potential linkage to, components and/or facilitators of regional, nationwide, or international drug-trafficking and money-laundering organizations, you are encouraged to contact your regional OCDETF coordinator. The nine regional coordinators and their locations as follows:

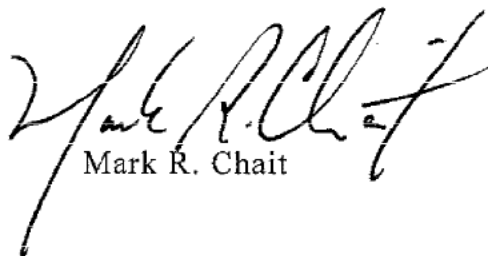
-3-

## All Special Agents in Charge

<u>Region</u>	<u>Core City</u>	<u>OCDETF Coordinator</u>
<i>New England</i>	<i>Boston</i>	(b) (7)(C)
<i>New York/New Jersey</i>	<i>New York</i>	(b) (7)(C)
<i>Mid-Atlantic</i>	<i>Baltimore</i>	(b) (7)(C)
<i>Southeast</i>	<i>Atlanta</i>	(b) (7)(C)
<i>Florida/Caribbean</i>	<i>Miami</i>	(b) (7)(C)
<i>Great Lakes</i>	<i>Chicago</i>	(b) (7)(C)
<i>West Central</i>	<i>St. Louis</i>	(b) (7)(C)
<i>Southwest</i>	<i>Houston</i>	(b) (7)(C)
<i>Pacific</i>	<i>San Francisco</i>	(b) (7)(C)

If you do not know under which region your office falls, please see the attached map for guidance.

Frequently asked questions regarding the OCDETF Program are also attached to this memorandum. Should you have any further questions on the OCDETF Program and the resources that are available, please contact your OCDETF coordinator or the Special Operations Division.



Mark R. Chait

Attachments



### Answers To Your Most Frequently Asked OCDETF Questions

#### *Why designate a case under the OCDETF Program?*

There are numerous benefits to OCDETF approval—of which the most important are as follows:

- Significant operational funding for your investigation, to include travel funding for you and the State and local investigators working with you
- State and local overtime for officers working on the investigation
- An experienced OCDETF prosecutor will be assigned to the investigation

#### *What about gang investigations? Are they suitable for OCDETF designation?*

Gangs are viewed no differently under the OCDETF Guidelines than any other drug-trafficking organization. If information developed as a result of a gang investigation reveals a valid connection to components of major drug supply or money-laundering organizations, then the investigation should be submitted for OCDETF designation. However, gang investigations that remain focused solely in the geographic area where the gang operates and that reveal no links to nationwide drug-trafficking activity—no matter how prominent or violent the gang may be—should not be submitted for designation as OCDETF cases.

#### *What about local drug-trafficking organizations?*

If it is revealed that an organization's drug distributors are receiving their supply from a larger, identifiable supply network operating throughout the region or in another region, the case may be proposed as an OCDETF case. Similarly, a case targeting numerous small-scale methamphetamine labs or lab operators in and around the State is NOT an OCDETF case. However, if evidence is developed to demonstrate that the labs are obtaining precursors from a source of supply outside the region, or even outside the United States, the case may become an OCDETF case. Similarly, even if the lab operators are purchasing their precursors from local-area convenience stores, but the convenience store owners are all receiving chemicals from outside the district or region and/or sending the proceeds of their chemical sales to foreign banks, the case may develop into an OCDETF case.

#### *What is the role for small or rural cities and districts in the OCDETF Program?*

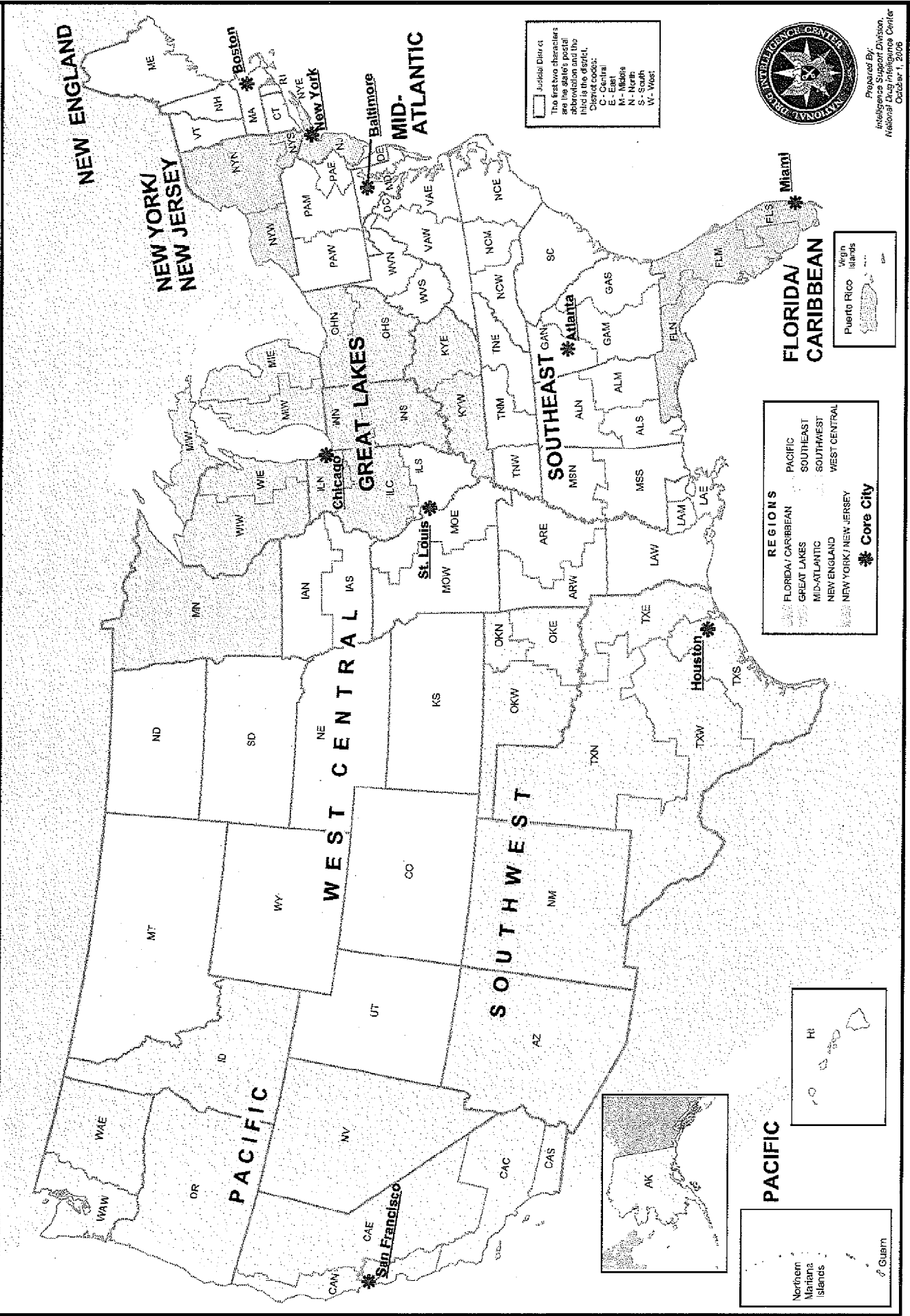
Many of our small, more rural districts consistently make excellent OCDETF investigations because the U.S. attorneys' offices and the ATF agents assigned to the areas are committed to making all possible connections to individuals and groups along the drug supply chain. The majority of drugs in our local communities invariably come from supply components outside the immediate area. It is by concentrating our efforts on making the connections to those supply components,

-2-

and on conducting coordinated multiregional investigations of those components, that we will succeed in attacking the nationwide organizations. Moreover, by actively participating in these simultaneous, coordinated investigations, the small or rural cities and districts will continue to have a critical role in the OCDETF Program.

# ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES

## REGIONAL MAP



Prepared By:  
 Intelligence Support Division,  
 National Drug Intelligence Center  
 October 1, 2006

**REGIONS**

- FLORIDA/ CARIBBEAN
- PACIFIC
- GREAT LAKES
- SOUTH EAST
- SOUTH WEST
- MID-ATLANTIC
- NEW ENGLAND
- NEW YORK/ NEW JERSEY
- Core City

**FLORIDA/ CARIBBEAN**

Puerto Rico  
 Virgin Islands

**PACIFIC**

Northern Mariana Islands  
 Guam

**PACIFIC**

AK

**Subject:** Call in re Gunrunner Talkers/One Pager for Hill use/distribution....

**Location:** Call in number to follow.

**Start:** 4/5/2011 2:30 PM

**End:** 4/5/2011 3:00 PM

**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Required Attendees:** (b) (7)(C)  
(b) (7)(C)  
Potter, Mark W. (b) (7)(C)

**Resources:** Call in number to follow.



Gunrunner  
Talkers  
06FEB11.docx  
(21 kB)

- *Project Gunrunner*, implemented in 2006 as ATF's southwest border strategy, works in conjunction with its domestic and international law enforcement partners to identify, disrupt and dismantle the firearms trafficking infrastructure of criminal organizations operating in Mexico and along the border.
- Though primarily a border strategy, *Project Gunrunner* has targeted and prosecuted firearms trafficking organizations in all parts of the United States, from Minnesota to Florida to all our border states, where ATF tracing data and intelligence has provided valuable leads in identifying individuals bent on providing guns to the cartels.
- Today, there are over 4,600 open *Project Gunrunner* investigations throughout the United States looking into the firearm traffickers that bring such violence to Mexico.
- Since its 2006 inception, ATF's *Project Gunrunner* investigations have seized in excess of 10,000 firearms and 1.1 million rounds of ammunition destined for Mexico.
- In December 2009, ATF deployed Spanish eTrace, which allows our Mexican law enforcement partners and other Spanish-speaking nations to enter information about recovered crime guns into ATF's National Tracing Center. eTrace allows law enforcement representatives to electronically submit firearm trace requests, to retrieve completed trace results and to query firearm trace-related data in a real-time environment.
- *Project Gunrunner* proves that valuable investigative information is obtained when all crime guns are traced. Numerous illegal purchasers have been found and trafficking networks investigated and prosecuted.
- Since 2009, ATF has tripled its *Project Gunrunner* personnel in Mexico which has increased its capabilities for intelligence sharing and scene response. As a result, the Government of Mexico is able to perfect additional cases and prosecute offenders.
- As part of ATF's *Project Gunrunner* contributions within the Merida initiative, ATF continues to train Government of Mexico officials in firearms and explosives identification, firearms tracing procedures, post blast investigations, crisis negotiations, and canine explosive training.
- ATF has partnered with the Government of Mexico to create the **Combined Explosives Investigation Team (CEIT)**. This team is a deployable, bi-national unit composed of Mexican law enforcement officers, ATF Special Agents, and ATF Explosives Enforcement Officers. The team responds to, and investigates, the rapidly increasing number of incidents involving the use or recovery of improvised explosive devices (IED's) and Vehicle Bourne Improvised Explosive Devices (VBIED's) in Mexico.
- ATF personnel attached to the CEIT's are specialist Explosive Enforcement Officers (EEO's), physically located in various U.S. consular offices throughout Mexico. This allows broader coverage and a more rapid response wherever the scenes may be.

- ATF has partnered with Immigration and Customs Enforcement (ICE) and the Government of Mexico to form the DC Arms Group. Based in Washington, DC, this group is a multi-agency effort to coordinate strategic efforts of the participating agencies.
- Further *Project Gunrunner* statistics, FY 2006 – 2010 (only that information coded as Project Gunrunner, not ATF as a whole):
  - 2,451 defendants have been recommended for prosecution.
  - 809 defendants are serving an average of 104 months in prison and an additional 260 are under the supervision of the court for an average of 39 months
  - 300 defendants have been convicted and await their sentence.
  - 1,573 defendants (64% of all defendants recommended for prosecution) faced charges related to firearms trafficking.
  - ATF conducted 11,745 firearms licensee compliance inspections.
  - ATF Industry Operations Investigators (IOIs) identified 92,871 firearms that FFLs could not locate in inventory or account for by sale or other disposition. By working with industry members, IOIs located either the firearms or records to confirm the disposition of 76,436, or 82% of the missing firearms.
  - ATF's IOIs reviewed over 1.75 million firearm transaction records to both validate their correct and accurate completion as well as glean investigative leads regarding patterns of purchases.
- The cornerstone of Project Gunrunner is intelligence-driven firearms trafficking investigations. ATF gathers intelligence from FFL's, ballistic and forensic analysis, and tracing data, in addition to using traditional intelligence sources and methods. This information is shared with our partners from DEA, ICE, CBP, and our Mexican counterparts to form a multi-layered approach to disrupting firearms trafficking and drug-related violence.
- Project Gunrunner's objective is to deny Mexican drug cartels the "tools of the trade," which they employ to murder civilians, as well as political, military, and law enforcement figures, in order to strengthen their grip on the lucrative drug and firearms routes into and out of the United States. To this end, the Administration has looked to ATF to find solutions to shut down the firearms trafficking organizations affiliated with the Mexican cartels, and to reduce the violence associated with cartel activity on both sides of the border.
- Based on its combined regulatory and criminal enforcement authorities, ATF has the unique expertise required to investigate domestic and international weapons trafficking,

and the unparalleled capabilities and resources to develop actionable intelligence regarding the illegal trafficking of firearms and explosives.

- In April 2009, ATF developed the Gun Runner Impact Team (GRIT) initiative as a supplement to Project Gunrunner to aggressively target and disrupt groups and organizations responsible for the trafficking of firearms to Mexico. The GRIT initiative, designed to be intelligence driven and investigative in nature, focuses on investigating a large number of firearms trafficking leads based on trace information from firearms recovered in Mexico and information obtained from the inspection of Federal firearms licensees (FFLs). GRITs deployments to Houston in 2009 and Phoenix in 2010 involved surges in ATF personnel of 80-100 employees for 100-120 days.

### **Expansion:**

- In 2009, ATF established new offices dedicated to Project Gunrunner firearms trafficking investigations in McAllen, Texas, El Centro, California, and Las Cruces, New Mexico, including a satellite office in Roswell, New Mexico. ATF also added new Gunrunner teams in Phoenix and Houston and added 12 new industry operations investigators (IOIs) to Southwest border offices. In addition, a total of four special agents were located in consulate offices in Juarez and Tijuana, Mexico to provide investigative support to the government of Mexico.
- These new Gunrunner offices are based both on ATF tracing and intelligence data, and that of National Drug Intelligence Center (NDIC) data confirming Mexican cartel centers of activity in the United States.
- As of August 2010, ATF has 224 special agents, 165 IOIs and 32 support staff assigned to Project Gunrunner in the four contiguous Southwest Border States. ATF is currently staffing two new Gunrunner offices in El Paso, Texas and Tucson, Arizona, with plans for 2011 to open new Gunrunner offices in Sierra Vista, Arizona and Brownsville, Texas. Additional expansion plans for Mexico include the opening of three new offices located in Hermosillo, Guadalajara and Mérida, as well as adding additional staff to the ATF Mexico Country Office (MCO) in Mexico City.
- ATF has established an ES-1811, Country Attaché in Mexico City, Mexico. The SES-level Attaché will work closely with the AD and DAD, Field Operations, the Chief of the International Affairs Office, the Southwest border SACs, and others on matters pertaining to Mexico. The Attaché will significantly assist in developing overall strategies, goals, and objectives for ATF representation and operational activity in Mexico; conduct studies of criminal activities; and develop criteria for measuring and evaluating accomplishments, results, and effectiveness.

### **Deployment of eTrace in Mexico**

- eTrace provides for the electronic exchange of crime gun incident-related data in a secure Web-based environment. eTrace allows law enforcement officials to electronically submit their trace requests to ATF, monitor the progress of traces, retrieve completed trace results, and to query firearm trace related data in a real-time environment.
- Over 50 countries around the world trace firearms through ATF, and approximately 30 countries utilize the full benefits of eTrace.
- In December 2009, ATF deployed a Spanish version of eTrace to Mexico. This will improve Mexico's law enforcement tracing results and will assist Mexican authorities in developing investigative leads in their native language.
- In addition, eTrace will enable ATF and Mexican authorities to timely share intelligence and investigative leads, and undertake joint action in the investigations of cross-border firearms traffickers.
- ATF continues to work with the Government of Mexico to make firearms tracing in that country more comprehensive, thereby ensuring the accurate tracing of all known recovered/seized firearms.



**From:** Gaston, Molly (SMO) (b) (7)(C)  
**Sent:** Friday, April 01, 2011 5:21 PM  
**To:** (b) (7)(C)  
**Subject:** RE: ISSA RESPONSE - 2009 AND 2011 ONDCP SWB COUNTERNARCOTICS STRATEGY

Many thanks!

---

**From:** (b) (7)(C) (ATF)  
**Sent:** Friday, April 01, 2011 5:20 PM  
**To:** Gaston, Molly (SMO)  
**Subject:** RE: ISSA RESPONSE - 2009 AND 2011 ONDCP SWB COUNTERNARCOTICS STRATEGY

Molly:

We have already cleared on the document earlier in the editing process. See attached e-mail transmittal from ONDCP as a lead to who may be able to push this.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

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**From:** Gaston, Molly (SMO) [mailto:(b) (7)(C)]  
**Sent:** Friday, April 01, 2011 5:17 PM  
**To:** Pelletiere, Christopher A.  
**Subject:** RE: ISSA RESPONSE - 2009 AND 2011 ONDCP SWB COUNTERNARCOTICS STRATEGY

Thanks (b) (7)(C) Can you tell me who at ATF is working the clearance process on this? I just want to see if I can check in on where it is at OMB for clearance (e.g., any chance we could nudge it along).

---

**From:** (b) (7)(C) (ATF)  
**Sent:** Thursday, March 31, 2011 5:06 PM  
**To:** Burton, Faith (SMO); Gaston, Molly (SMO)  
**Cc:** Axelrod, Matthew (ODAG)  
**Subject:** ISSA RESPONSE - 2009 AND 2011 ONDCP SWB COUNTERNARCOTICS STRATEGY

This is the 2009 edition of the "parent document" that lays out the USG strategy. Project Gunner is specifically named in Chapter 7. This is a public document which is available on ONDCP's website :  
[http://www.whitehousedrugpolicy.gov/publications/swb\\_countersnarcotics\\_strategy09/swb\\_countersnarcotics\\_strategy09.pdf](http://www.whitehousedrugpolicy.gov/publications/swb_countersnarcotics_strategy09/swb_countersnarcotics_strategy09.pdf)

I have also attached the 2011 version of the same document – it is not officially "public" (though it is in wide circulation within the USG for final review) and has been entered at OMB for clearance. It is wholly consistent with the 2009 version.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)

Employee 3

6792

C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)**Sent:** Friday, March 25, 2011 5:55 PM**To:** (b) (7)(C)**Subject:** FW: Materials For Bill Newell and ATF in DC**Attachments:** (b) (7)(C) indictment.pdf; (b) (7)(C) pdf; (b) (7)(C) indictment.pdf; (b) (7)(C) indictment.pdf; (b) (7)(C) indictment.pdf; 12 2 10 Ltr to USSC.PDF**Importance:** High**(b) (7)(C)**

Chief, Firearms Operations Division

ATF HQ - Room 6, S.129

202.648 (b) (7)(C) Cel (b) (7)(C)

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**From:** Newell, William D.**Sent:** Sunday, March 06, 2011 7:14 PM**To:** (b) (7)(C); (b) (7)(C)**Subject:** Fw: Materials For Bill Newell and ATF in DC**Importance:** High

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**From:** Cunningham, Patrick (USAAZ)**To:** Newell, William D.; Needles, James R.

Employee 3

2172

Cc: Burke, Dennis (USAAZ) ; (b) (7)(C) (USAAZ) (b) (7)(C) (USAAZ) (b) (7)(C) (USAAZ) ; (b) (7)(C) (b) (7)(C) (USAAZ) ; (b) (7)(C) (USAAZ) 6

Sent: Sun Mar 06 18:20:55 2011

Subject: Materials For Bill Newell and ATF in DC

Bill and Jim:

As you work in DC today to prepare with ATF Leadership, enclosed below are some issues and our answers we have compiled. Issues are in Green and proposed answers are in black.

Hope they are helpful. Thanks. PIC

A. On the Status of F and F lead indictment, (b) (7)(C)

Questions: Whether (b) (7)(C) in custody, what's his plea, next steps?

Answer:

Under 9<sup>th</sup> Circuit law offenses committed by "straw purchasers" are not considered crimes of violence for which a person can be detained pending trial. As to the only other basis for pretrial detention – flight risk – (b) (7)(C) is a US citizen and the Bail Reform Act requires the court to impose the least restrictive conditions that will reasonably assure his appearance and the safety of the community. Here, (b) (7)(C) was released on conditions pending Trial by the Magistrate Court. His release conditions include reporting as directed to U.S. Pretrial Services, surrendering any passport, not traveling outside the district of Arizona, having no contact with the other defendants, and not possessing a firearm or other dangerous weapon.

Regarding the treatment of "straw purchasers" by the Criminal Justice System, the five Southwest Border United States Attorneys from Arizona, Texas, California and New Mexico recently sent the enclosed letter (pdf enclosed) to the United States Sentencing Commission urging that the prison sentences for "straw purchasers" be strengthened because of their role in the trafficking and illegal export of weapons." The letter states in part:

'As the chief federal law enforcement officers in the Southwest border region, we strongly believe the Commission must amend USSG § 2K2.1 if it is truly to address the national security implications of arms trafficking. As the Department explained during its meeting with Commission staff, straw purchasers are the primary source of firearms trafficked to Mexico from the United States. Most of the defendants prosecuted for arms export or arms trafficking offenses involving the Southwest border would not have obtained the firearms at issue were it not for the efforts of straw purchasers. Yet because straw purchasers face such low guideline ranges under § 2K2.1, and because many judges see straw purchasing as a mere "paper" violation, the sentences received by straw purchasers fail to reflect the seriousness of the crime or the critical role played by these defendants in the trafficking and illegal export of weapons. Simply put, straw purchasing and illegal arms exporting go hand in hand, and both must be addressed together.'"

Regarding (b) (7)(C) plea and next steps, he has entered a plea of Not Guilty and the current schedule for the case is as follows:

CR-11-126-PHX-JAT (b) (7)(C)

Motions Deadline -4/22/11

Jury Trial- 06/07/2011 at 09:00 AM

*B. On the issue of “sanctioning” or “encouraging” gun sales:*

**ATF Agents and Lawyers from the US Attorney’s Office did not “encourage” any FFL to “keep selling guns to known straw buyers.” In the two meetings with FFLs, attorneys and agents advised the FFLs that the Government cannot advise them to sell multiple guns or advise not to sell multiple guns. The FFLs were advised that those decisions were up to FFLs as are all decisions to sell left up to the FFL to evaluate the sale and determine whether it is lawful. In short, the FFLs were advised that the Government cannot advise FFLs to halt a sale that appears lawful and we cannot authorize a sale that appears unlawful. There was no mistake as to the clarity of the Agents’ and Attorneys’ message.**

**FFLs need no encouragement to sell guns as that is their actual business, selling guns. By the time that the government met with the owners, they had made many multiple sales and the guns were gone.**

**The FFLs wanted to know that the information that they provided was actually useful, and that they were not unwittingly implicating themselves in some criminal activity of which they weren’t aware. As we have said so many times before, they were told that ATF could not authorize illegal sales to be made any more than they could prohibit lawful sales, however, ATF appreciated their cooperation and willingness to voluntarily provide information to ATF including notice of multiple long gun purchases and notice of single gun sales of certain types of firearm or sales to particular individuals. No one discussed civil liability. The FFLs were providing information to ATF regarding transactions that the FFL must have viewed as lawful, having no knowledge or reason to know that the transfers were unlawful.]**

Main Justice position on the issue of Sanctioning or encouraging arms sales, the Quote of Assistant Attorney General Ronald Weich in his February 4, 2011 letter:

**“At the outset, the allegation described in your January 27 letter-- that ATF “sanctioned” or otherwise knowingly allowed the sale of assault weapons to a straw purchaser who then transported them into Mexico—is false.”**

*C. On the issue of “walking guns” or the timely seizure of guns:*

**Neither the USAO nor ATF was engaged in an effort “to let guns flow to straw buyers” or to “walk” guns that could have been seized under any lawful theory with available facts to prove the theory.**

**The guns flow FROM straw buyers and until agents observe illegal conduct they cannot treat them as anything other than ordinary buyers. At the time of transfer of the firearms from the FFL to the straw purchaser based upon the facts available to the FFL at the time of the sale, the sales to the “straw purchasers” are lawful; and seizure of the weapons in the hands of those purchasers without evidence of criminality would violate the United States Constitution and would be an unlawful seizure and deprivation of property rights without cause. (Fourth and Fifth Amendments).**

**In these investigations, there may come a point over the course of an investigation where ATF believes, though it is well short of proof beyond a reasonable doubt required in criminal cases, that they can prove that a particular person only buys guns for the purposes of illegal trafficking. However, seizure of the guns at that point may not be legal because purchasing multiple long guns in Arizona is lawful, transferring them to another is lawful and even sale or barter of the guns to another is lawful unless the United States can prove by clear and convincing evidence that the firearm is intended to be used to commit a crime. (18 USC 924 (d))**

**In short, the law does not permit agents to take guns away from anyone who buys ten AKs at a time solely because they bought multiple guns.**

*D. When weapons sales were monitored and those guns later turned up in crime scenes, had ATF somehow "authorized" the sales that ATF could have ordered stopped, or did ATF somehow not seize the guns appropriately or in a timely fashion?:*

**The number one concern for DOJ is interdicting guns that are unlawfully transferred to persons in the United States and in Mexico who will then commit crimes with those guns. The purpose of this investigation was to locate those guns, interdict those guns and bring those responsible for their unlawful purchase, transfer, finance and use to justice.**

**The full array of rights available to indicted defendants is also available to those persons suspected of committing gun crimes, and the government cannot violate legitimate gun owners rights by prematurely seizing their guns.**

**DOJ's goals of the investigation were two-fold: 1. Interdiction of the weapons that were purchased or possessed in furtherance of the unlawful trafficking conspiracy; and 2. Investigation with an emphasis on discovering other members of the trafficking organization, particularly the leaders of the organization who procure the guns from straw purchasers and have them smuggled into Mexico to the Cartels. There seems to be some misconception on the part of the press and members of congress that the minute that ATF suspects that someone is a straw purchaser, agents can arrest that person and seize all of their guns. As explained above, that seizure would be unlawful, and ATF may only seize when a lawful basis for seizure can be proven under the US Constitution and statues passed by Congress.**

**The question seems to connote that ATF can promulgate a "No Sell" list like a "No Fly List", under which FLLs would be prohibited from selling any guns to any person on the list. ATF has no such power and ATF cannot interfere with the operation of commerce and prohibit a gun store from making a lawful sale to lists of suspects based upon nothing more than mere suspicion. These lists might well be long and would curtail a person's rights to purchase arms without any due process.**

**How is it that a person becomes a suspect in a straw purchase investigation? If they are buying multiple handguns, it could be because of multiple sales reports to ATF, notifying the bureau that a suspect is buying large quantities of handguns. If they are buying only long guns, they may not become a suspect until guns they have purchased can be traced after being recovered at a crime scene, or an FFL voluntarily notifies ATF of an unusually large purchase. But a multiple purchase by itself, or the recovery of a firearm at a crime scene does not establish that the original buyer of the gun is an "unlawful straw purchaser." If it did, then when a person buys a gun and then decides they don't shoot it well, or it recoils too much, or they really can't afford the ammunition, and sells it, out of the paper, or a gun show, or to a friend, if the next owner of the gun commits a crime with it, the original purchaser would become a suspect as an "unlawful straw purchaser" and a suspect in a gun trafficking case.**

**And your question presupposes that ATF agents should never let mere suspects possess a firearm. Your question seems to presume that once ATF identifies a suspect, they can treat that suspect as though they were a "prohibited person", never again allowed to possess a firearm, regardless of the fact that they have not been convicted of a crime. If this were the case, ATF could stop any person they label a suspect and take any gun they have away from them. This means that if you (1) bought two 5.7 mm pistols because you wanted one for the home and one for the office, or (2) bought three AR type rifles for you and your two sons to target shoot, or (3) you sold one of your guns to your brother in law, who resold it to a co-worker who took it into Mexico and got caught with it, then you are an "unlawful straw purchaser" suspect and the next time you buy a gun, with your own money, for a hunting trip,**

**ATF should take it away from you.**

E. Regarding the question "In regards to the guns recovered in Rio Rico after the Terry shooting, when they were purchased from (b) (7)(D) was there surveillance going on in conjunction with Operation Fast and Furious, or did ATF only become aware after the fact and link it to Lone Wolf after the fact?"

**Answer: There was no surveillance going on and the ATF did not learn of the sale until three days after it took place and the weapons were gone.**

F. Regarding the LA Times and CBS News stories, they do not account for the fact, or rebut in any way, that this District is actively prosecuting unlawful weapons and ammunition traffickers.

**In just two recent investigations in Phoenix, 51 defendants in 10 indictments have been charged.**

**In Fast and Furious announced on January 25 (Press release link below) 34 defendants in five indictments were announced. The trials are set for these dates:**

**Fast and Furious**

- CR-11-126-PHX-JAT (b) (7)(C) et al)- Motions Deadline -4/22/11  
Jury Trial- 06/07/2011 at 09:00 AM
- CR-11-013-PHX-SRB (b) (7)(C) Motions Deadline- 2/25/11  
Jury Trial- 04/05/2011 at 09:00 AM
- CR-10-1187-PHX-ROS (b) (7)(C) et al.)- Motions Deadline (dft: (b) (7)(C) 2/4/11  
Motions Deadline (dft:(b) (7)(C) 2/4/11  
Jury Trial(dft:(b) (7)(C) 04/05/2011 at 08:30 AM
- CR-10-1607-PHX-NVW (b) (7)(C) Motions Deadline- 3/11/11  
Change of Plea Hearing- 3/23/11  
Jury Trial- 04/05/2011 at 09:00 AM
- CR-10-1831-PHX-FJM (b) (7)(C) Motions Deadline (dft:(b) (7)(C) (b) (7)(C) (b) (7)(C) 3/18/11  
Jury Trial (dft:(b) (7)(C) (b) (7)(C) (b) (7)(C) 05/03/2011 at 09:00 AM

Press Release at:  
[http://www.justice.gov/usao/az/press\\_releases/2011/PR\\_02172011 \(b\) \(7\)\(C\) 20et%20al.pdf](http://www.justice.gov/usao/az/press_releases/2011/PR_02172011_(b) (7)(C) 20et%20al.pdf)

Links to Indictments:  
[http://www.justice.gov/usao/az/news\\_archive\\_2011.html](http://www.justice.gov/usao/az/news_archive_2011.html)

**In the Too Hot to Handle set of cases announced on February 17, 2011, 17 defendants in five indictments were announced. The trials are set for these dates:**

**Too Hot to Handle**

- CR-10-00961-PHX-NVW (U.S. v (b) (7)(C) et al.) Motions Deadline (dft:(b) (7)(C) (b) (7)(C) 03/07/11



Motions Deadline (dft: (b) (7)(C))

(b) (7)(C) 3/11/11

Jury Trial (dft: (b) (7)(C))

(b) (7)(C)

04/05/2011 at 09:00 AM

CR-11-00231-PHX-JAT (U.S. v. (b) (7)(C) et al.)

Motions Deadline (dft: (b) (7)(C))

(b) (7)(C)

/7/11

Motions Deadline (dft: (b) (7)(C))

3/16/11

Status Conference (dft: (b) (7)(C))

(b) (7)(C)

(b) (7)(C)

- 03/16/2011 at 11:15 AM Jury Trial

(dft: (b) (7)(C))

(b) (7)(C)

(b) (7)(C) 04/05/2011 at 09:00 AM

Jury Trial (dft: (b) (7)(C)) 04/05/2011 at 09:00 AM

CR-10-01129-PHX-NVW (U.S. v. (b) (7)(C) et al.)

Motions Deadline (both defendants)- 05/13/2011

Jury Trial (both defendants)- 06/07/2011 at 09:00 AM

CR-11-00245-PHX-ROS (U.S. v. (b) (7)(C) et al.)

Motions Deadline (both defendants)- 03/03/2011

Jury Trial- 04/05/2011 at 09:00 AM

CR-10-01296-PHX-ROS (U.S. v. (b) (7)(C))

Motions Deadline-02/19/2011

Jury Trial- 05/03/2011 at 08:30 AM

Press Release at:

[http://www.justice.gov/usao/az/press\\_releases/2011/PR\\_02172011\\_\(b\) \(7\)\(C\)\\_20et%20al.pdf](http://www.justice.gov/usao/az/press_releases/2011/PR_02172011_(b) (7)(C)_20et%20al.pdf)

Indictments as:

[http://www.justice.gov/usao/az/press\\_releases/2011/US\\_v\\_\(b\) \(7\)\(C\)\\_adictment.pdf](http://www.justice.gov/usao/az/press_releases/2011/US_v_(b) (7)(C)_adictment.pdf)

**In the Tucson Office alone there are currently five (5) pending indictments charging 23 defendants with attempting to export thousands of rounds of ammunition to Mexico and with weapons offenses. Those indictments are enclosed in PDFs.**



**From:** (b) (7)(C)  
**Sent:** Monday, March 21, 2011 12:01 PM  
**To:** (b) (7)(C)  
**Subject:** FW: one more, I hope this is working  
**Attachments:** (b) (7)(E)affidavit.pdf; (b) (7)(E)order and application.pdf

(b) (7)(C)

Chief, Firearms Operations Division  
ATF HQ - Room 6.S.129  
202.648 (b) (7)(C) Cell (b) (7)(C)

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**From:** (b) (7)(C)  
**Sent:** Friday, March 18, 2011 6:54 PM  
**To:** Needles, James R.; (b) (7)(C)  
**Subject:** one more, I hope this is working

(b) (7)(C)

Group Supervisor  
Phoenix Group VII  
(b) (7)(C)

**From:** (b) (7)(C)

**Sent:** Tuesday, March 22, 2011 8:42 AM

**To:** Axelrod, Matthew (ODAG) (SMO)

**Subject:** FAST AND FURIOUS BRIEFING PAPERS

**Attachments:** December Fast and Furious BP for SAC.DOCX; briefing paper for round-up.docx; Fast and Furious Talking Points for DAD doc.docx; December Fast and Furious BP Supplemental December 16 2010.docx; December Fast and Furious BP for SAC (2) (2).docx

Matt:

A collection of briefing papers on the case from DAD McMahon. These are printed as well.

(b) (7)(C)

Acting Chief of Staff

Office of the Director

O: 202-648-(b) (7)(C)

C: (b) (7)(C)

HQ Room 5 S 100

**From:** (b) (7)(C)

**Sent:** Tuesday, March 22, 2011 8:18 AM

**To:** Axelrod, Matthew (ODAG) (SMO)

**Subject:** EAST AND FURIOUS 2/11/10 (b) (7)(E)

(b) (7)(E)

**Attachments:** Feb 11, 2010 (b) (7)(E)

(b) (7)(E)

I HAVE ALL OF THIS PRINTED FOR YOU. YOU CAN PICK IT UP TODAY AT THE MEETING.

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648- (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Tuesday, March 22, 2011 8:14 AM  
**To:** Axelrod, Matthew (ODAG) (SMO)  
**Subject:** FAST AND FURIOUS OCDETF PROPOSAL  
**Attachments:** OCDETF PROPOSAL.pdf

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Monday, March 21, 2011 12:05 PM  
**To:** Axelrod, Matthew (ODAG) (SMO)  
**Subject:** Fast and Furious (b) (7)(E)  
**Attachments:** (b) (7)(E) Order and Application.pdf; (b) (7)(E) Affidavit.pdf

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Thursday, March 17, 2011 3:49 PM  
**To:** Axelrod, Matthew (ODAG) (SMO)  
**Subject:** Fast and Furious Indictment Attached  
**Attachments:** Fast and Furious Indictment.pdf

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Friday, April 08, 2011 7:11 AM  
**To:** (b) (7)(C)  
**Subject:** Re: HQ's PST Collection

(b) (7)(C) the decision was made last night to use the same script used in the field to capture the PSTs for those at Headquarters. Would you be able to give a list of names? I have the list of HQ users we mapped to the OIG folder and a list of expanded email users but each list is different and I don't what to miss someone. Users don't need to be logged on but their laptops do need to turned on. Thanks

(b) (7)(C)

\*\*\*\*\*

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**From:** (b) (7)(C)  
**To:** (b) (7)(C)  
**Sent:** Thu Apr 07 14:47:11 2011  
**Subject:** RE: HQ's PST Collection

Sure. I'm in all day.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Thursday, April 07, 2011 2:46 PM  
**To:** (b) (7)(C)  
**Subject:** Re: HQ's PST Collection

I had to go to TechWorld and can't make it before 3. Can we make it tomorrow?

\*\*\*\*\*

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**From:** (b) (7)(C)  
**To:** (b) (7)(C)  
**Sent:** Thu Apr 07 14:40:56 2011  
**Subject:** RE: HQ's PST Collection

I am at my desk until 3, then back in meetings.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Thursday, April 07, 2011 12:07 PM  
**To:** (b) (7)(C)  
**Subject:** HQ's PST Collection

(b) (7)(C) when you have a moment I would like to discuss collecting PST files from the list of 14 and moving them to the OIG and Congress folder.



Employee 3

6061

Thanks,

(b) (7)(C)

HQ Support Manager  
99 New York Avenue  
Washington, DC 20226  
(202) 648-(b) (7)(C) Office)  
(b) (7)(C) Cell)

\*\*\*\*\*

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**From:** (b) (7)(C)

**Sent:** Thursday, April 07, 2011 7:51 PM

**To:** (b) (7)(C)

**Subject:** Read: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

Your message

To: All Assistant Directors; All Deputy Assistant Directors; All Special Agents in Charge

Subject: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

Sent: 4/6/2011 11:06 AM

was read on 4/7/2011 6:51 PM

**From:** (b) (7)(C)  
**Sent:** Thursday, April 07, 2011 8:25 AM  
**To:** (b) (7)(C)  
**CC:** (b) (7)(C); Holgate, Rick; (b) (7)(C)  
**Subject:** RE: Simplified Access to the Fast and Furious Shared Drive.

(b) (7)(C)

Could you please advise the HQ "14" power users that a member of the OST support staff will need to visit them in the next day or two to physically map a new drive that will allow them to access the data getting placed on this new "R:\ drive"

Thanks

W

(b) (7)(C)

Deputy Chief  
IT Systems Management Division  
Office of Science and Technology  
Bureau of Alcohol, Tobacco, Firearms & Explosives  
Room 6N553  
99 New York Ave, NE  
Washington, DC 20226  
202-648-(b) (7)(C) (office)  
(b) (7)(C) (cell)

\*\*\*\*\*

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*How am I doing? We'd appreciate your feedback. Please send an email to ISD\_Support with comments or suggestions.*

---

**From:** (b) (7)(C)  
**Sent:** Thursday, April 07, 2011 8:17 AM  
**To:** (b) (7)(C)  
**Subject:** FW: Simplified Access to the Fast and Furious Shared Drive.

FYI

(b) (7)(C)

Acting Chief of Staff  
Office of the Director

O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Thursday, April 07, 2011 8:16 AM  
**To:** All Assistant Directors; All Deputy Assistant Directors; All Special Agents in Charge  
**Subject:** Simplified Access to the Fast and Furious Shared Drive.

THE PROCESS FOR EACH EMPLOYEE TO SUBMIT RESPONSIVE DOCUMENTS ELECTRONICALLY HAS BEEN SIMPLIFIED.

Due to difficulties some personnel were having following the previous directions with folder creation and file access, we have greatly simplified the process of submitting your responsive documents.

ATF will compile all responsive documents by having employees place electronic copies of the documents into a shared computer drive. Do not produce hard copies or e-mail copies of documents to HQ.

Each employee and task force officer in ATF has been given access to a nationwide shared computer drive titled "Fast and Furious Investigation." When accessing this shared drive, each employee or TFO is now connecting directly into a uniquely created folder specific to each employee/TFO that was automatically created when you logged in to your computer Thursday, April 7, 2011. You no longer need to create or rename any folders.

If you have responsive documents to submit, follow the procedure below to deposit them into the shared drive. If you have no responsive documents, complete your certification and return it in accordance with the instructions provided by your supervisor.

#### **How to Access the Fast and Furious Investigation shared drive.**

To access this drive, place your mouse pointer over the "Start" button in the lower left corner of your screen and right click, then select "Explore."

Scroll down until you see a drive labeled Username on 'ntcpcifs02\common01\Fast and Furious Investigation\Users' R: where username is the login id of the employee or TFO. (If you do not see this drive or your computer has not been rebooted today, you will need to log out of the network and log back in so that the network may create your access to the updated shared drive.) Click on this drive to access it and deposit any responsive documents directly into this space. You do not need to create or rename any folders.

**Copy any responsive documents into the shared drive bearing this label. This area is available only to you, and has been uniquely created for your use. If you deposited any documents into the shared drive yesterday, please resubmit them to this new drive space.**

About your folder:

Only you can access your folder. No one else in your office, division, or directorate can view your submission(s).

Similarly, you cannot see or access anyone else's folder.

You can deposit documents into the folder, but once deposited in the folder you cannot rename or delete them.

**(b) (7)(C)**

Acting Chief of Staff  
Office of the Director  
O: 202-648-**(b) (7)(C)**  
C: **(b) (7)(C)**  
HQ Room 5 S 100

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**From:** (b) (7)(C)

**Sent:** Wednesday, April 06, 2011 4:11 PM

**To:** (b) (7)(C)

**CC:** Marianos, Richard W.; Brownlee, Willie J.

**Subject:** Fast and Furious Certification

**Attachments:** WFD OIG and Congress Subpoena Search Certification 04062011

(b) (7)(C)

On behalf of the Washington Field Division, please find attached the new WFD OIG and Congress Subpoena Search Certification form. I tried to follow the instructions on your previous email and it allowed me to access the Fast and Furious folder initially but denied me access subsequently.

Thanks,

(b) (7)(C) *Division Operations Officer*

*Washington Field Division*

202-648-(b) (7)(C) (Office)

(b) (7)(C) Cell



(b) (7)(C)

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**From:** (b) (7)(C)  
**Sent:** Friday, March 25, 2011 5:51 PM  
**To:** (b) (7)(C)  
**Subject:** FW: Grassley 020911 draft responses  
**Attachments:** Draft Responses Grassley 020911.docx

See last paragraph. This was based on the previous document that Needles had sent us on 2/9/11. That chronological spreadsheet of purchases was prepared by the IRS. I have asked (b) (7)(C) to determine when the IRS prepared it, and when it was last updated (is there a more recent version?) and how to interpret some of the line items without a numerical entry for # recovered. I want to make sure we understand that document from the person who created it... As you can see on it, the very last purchase it included was (b) (7)(C) on 10/8/10, so I'm assuming a few more purchases were made by some prior to indictments, and that additional guns have been recovered since then.

(b) (7)(C)  
Chief, Firearms Operations Division  
ATF HQ - Room 6.S.129  
202.648 (b) (7)(C) Cell (b) (7)(C)

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**From:** (b) (7)(C)  
**Sent:** Thursday, February 10, 2011 3:56 PM  
**To:** Hoover, William J.  
**Subject:** Fw: Grassley 020911 draft responses

(b) (7)(C)  
Chief, Firearms Operations Division  
202-648 (b) (7)(C) Cell (b) (7)(C)

\*\*\*\*\*

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**From:** (b) (7)(C)  
**To:** Chait, Mark R.; McMahon, William G.  
**Sent:** Thu Feb 10 12:25:47 2011  
**Subject:** Grassley 020911 draft responses

<<Draft Responses Grassley 020911.docx>>

(b) (7)(C)

Chief, Firearms Operations Division

ATF HQ - Room 6.S.129

202.648 (b) (7)(C) Cell (b) (7)(C)



**From:** Gaston, Molly (SMO) (b) (7)(C)  
**Sent:** Friday, April 01, 2011 5:16 PM  
**To:** (b) (7)(C)  
**Subject:** RE: ISSA RESPONSE - 2009 AND 2011 ONDCP SWB COUNTERNARCOTICS STRATEGY

Thanks (b) (7)(C) Can you tell me who at ATF is working the clearance process on this? I just want to see if I can check in on where it is at OMB for clearance (e.g., any chance we could nudge it along).

---

**From:** (b) (7)(C) (ATF)  
**Sent:** Thursday, March 31, 2011 5:06 PM  
**To:** Burton, Faith (SMO); Gaston, Molly (SMO)  
**Cc:** Axelrod, Matthew (ODAG)  
**Subject:** ISSA RESPONSE - 2009 AND 2011 ONDCP SWB COUNTERNARCOTICS STRATEGY

This is the 2009 edition of the "parent document" that lays out the USG strategy. Project Gunner is specifically named in Chapter 7. This is a public document which is available on ONDCP's website :  
[http://www.whitehousedrugpolicy.gov/publications/swb\\_counternarcotics\\_strategy09/swb\\_counternarcotics\\_strategy09.pdf](http://www.whitehousedrugpolicy.gov/publications/swb_counternarcotics_strategy09/swb_counternarcotics_strategy09.pdf)

I have also attached the 2011 version of the same document – it is not officially "public" (though it is in wide circulation within the USG for final review) and has been entered at OMB for clearance. It is wholly consistent with the 2009 version.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C:(b) (7)(C)  
HQ Room 5 S 100



United States Attorney  
District of Arizona

*Two Renaissance Square  
40 North Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408*

*Main: (602) 514-7500  
Main FAX: (602) 514-7693*

March 31, 2010

The Honorable Mary H. Murguia  
United States District Judge  
District of Arizona  
401 West Washington Street  
Phoenix, Arizona 85003

Re:

**(b) (7)(E)**

Dear Judge Murgia:

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(C), (b) (7)(E)**

Letter to Honorable Mary H. Murguia  
March 31, 2010  
Page 2

(b) (7)(C), (b) (7)(E)

(b) (7)(E)

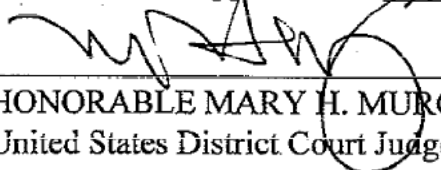
Sincerely yours,

DENNIS K. BURKE  
United States Attorney  
District of Arizona

(b) (7)(C)

Assistant United States Attorney

Reviewed and Approved this 31<sup>st</sup> day of March, 2010, by:

  
HONORABLE MARY H. MURGUIA  
United States District Court Judge

Enclosures: As indicated

(b) (7)(E)

(b) (7)(E)

INTRODUCTION

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

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(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)



(b) (7)(E)





United States Attorney  
District of Arizona

Two Renaissance Square  
40 North Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408

Main: (602) 514-7500  
Main FAX: (602) 514-7693

May 5, 2010

The Honorable Mary H. Murguia  
United States District Judge  
District of Arizona  
401 West Washington Street  
Phoenix, Arizona 85003

Re:

(b) (7)(E)

Dear Judge Murguia:

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

Letter to Honorable Mary H. Murguia  
May 5, 2010.  
Page 2

(b) (7)(C), (b) (7)(E)

(b) (7)(E)

It is requested that this letter be ordered sealed until the Court should order otherwise.

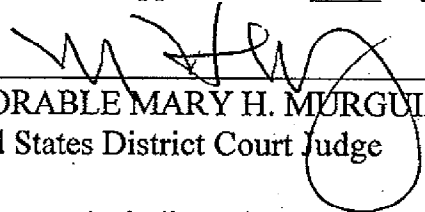
Sincerely yours,

DENNIS K. BURKE  
United States Attorney  
District of Arizona

(b) (7)(C)

Letter to Honorable Mary H. Murguia  
May 5, 2010.  
Page 3

Reviewed and Approved this 5<sup>th</sup> day of May, 2010, by:

  
\_\_\_\_\_  
HONORABLE MARY H. MURGUIA  
United States District Court Judge

Enclosures: As indicated

(b) (7)(E)

(b) (7)(E)

INTRODUCTION

(b) (7)(E)

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(b) (7)(C), (b) (7)(E)

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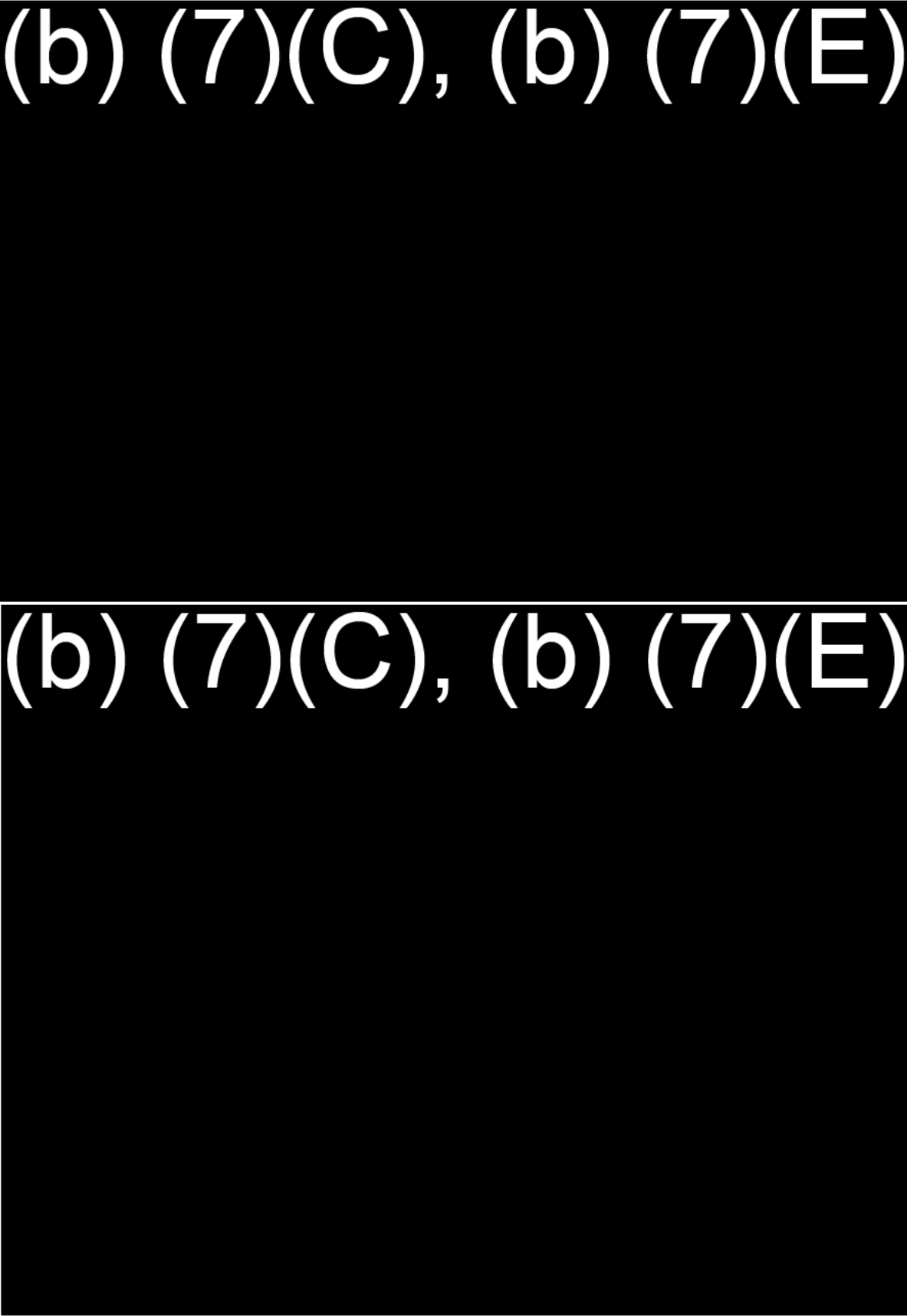
(b) (7)(E)

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(b) (7)(C), (b) (7)(E)

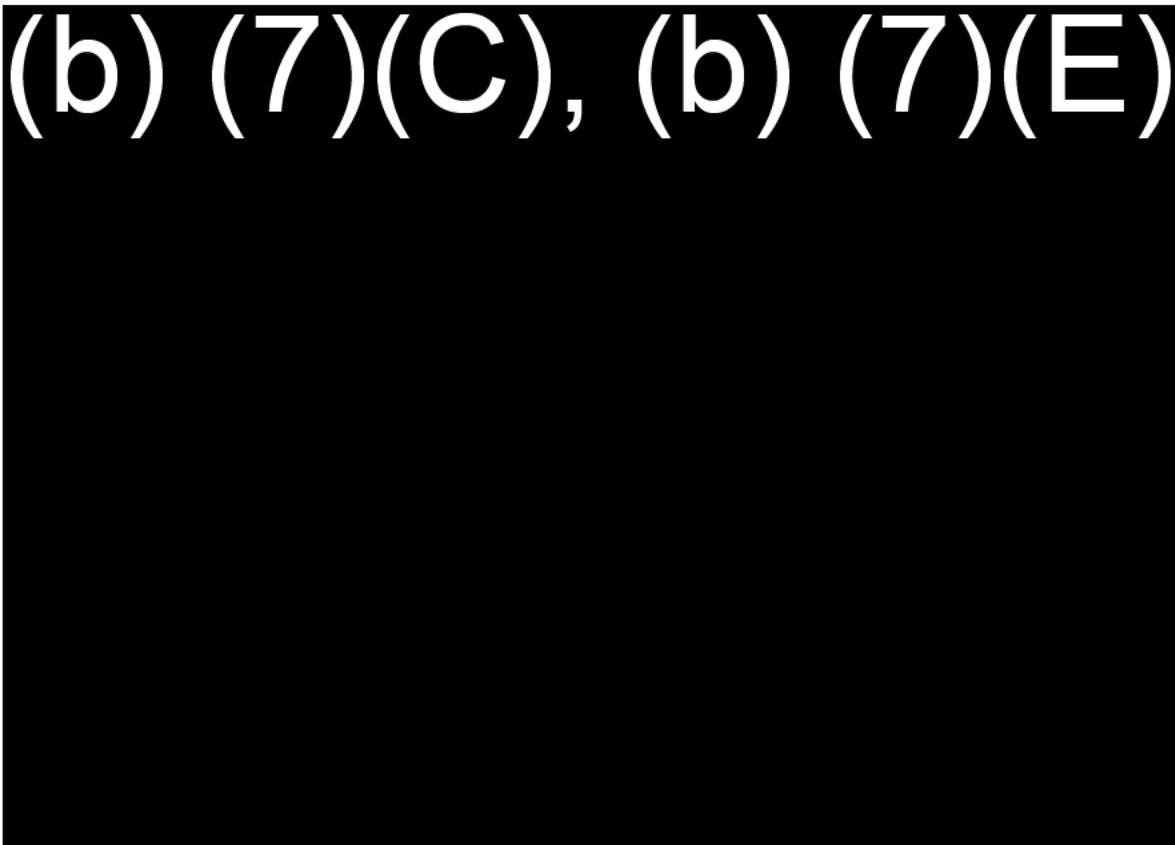
(b) (7)(C), (b) (7)(E)



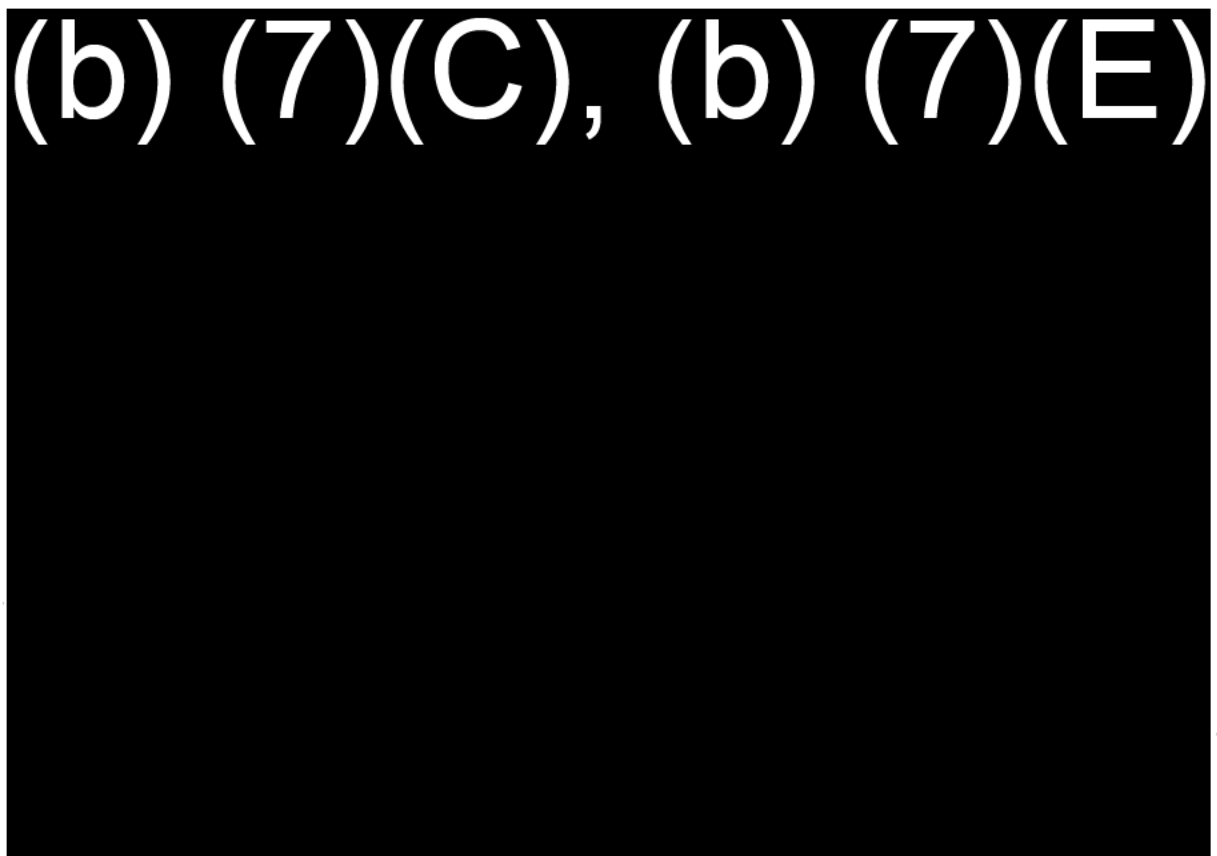
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(b) (7)(C), (b) (7)(E)



(b) (7)(C), (b) (7)(E)



(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

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(b) (7)(C), (b) (7)(E)

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(b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(E)



United States Attorney  
District of Arizona

*Two Renaissance Square  
40 North Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408*

*Main: (602) 514-7500  
Main FAX: (602) 514-7693*

May 18, 2010

The Honorable Mary H. Murgia  
United States District Judge  
District of Arizona  
401 West Washington Street  
Phoenix, Arizona 85003

Re:

**(b) (7)(E)**

Dear Judge Murgia:

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(C), (b) (7)(E)**

Letter to Honorable Mary H. Murguia  
May 5, 2010.  
Page 2

(b) (7)(C), (b) (7)(E)


It is requested that this letter be ordered sealed until the Court should order otherwise.

Sincerely yours,

DENNIS K. BURKE  
United States Attorney  
District of Arizona

(b) (7)(C)

Reviewed and Approved this 7 day of <sup>June</sup> May, 2010, by:

  
HONORABLE MARY H. MURGUIA  
United States District Court Judge

Enclosures: As indicated



(b) (7)(E)

(b) (7)(E)

INTRODUCTION

(b) (7)(E)

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(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

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(b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(E)



United States Attorney  
District of Arizona

Two Renaissance Square  
40 North Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408

Main: (602) 514-7500  
Main FAX: (602) 514-7693

June 23, 2010

The Honorable Mary H. Murguia  
United States District Judge  
District of Arizona  
401 West Washington Street  
Phoenix, Arizona 85003

Re:

**(b) (7)(E)**

Dear Judge Murgia:

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(E)**



Letter to Honorable Mary H. Murguia

June 23, 2010.

Page 2

(b) (7)(C), (b) (7)(E)

(b) (7)(E)

It is requested that this letter be ordered sealed until the Court should order otherwise.

Sincerely yours,

DENNIS K. BURKE  
United States Attorney  
District of Arizona

(b) (7)(C)

Letter to Honorable Mary H. Murguia

June 23, 2010.

Page 3

Reviewed and Approved this 23<sup>rd</sup> day of June, 2010, by:

  
\_\_\_\_\_  
HONORABLE MARY H. MURGUIA  
United States District Court Judge

Enclosures: As indicated

(b) (7)(E)

(b) (7)(E)

INTRODUCTION

(b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

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(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

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(b) (7)(C), (b) (7)(E)

(b) (7)(E)





United States Attorney  
District of Arizona

*Two Renaissance Square  
40 North Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408*

*Main: (602) 514-7500  
Main FAX: (602) 514-7693*

June 8, 2010

The Honorable Mary H. Murguia  
United States District Judge  
District of Arizona  
401 West Washington Street  
Phoenix, Arizona 85003

Re:

**(b) (7)(E)**

Dear Judge Murgia:

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(E)**

Letter to Honorable Mary H. Murguia  
June 8, 2010.  
Page 2

(b) (7)(C), (b) (7)(E)

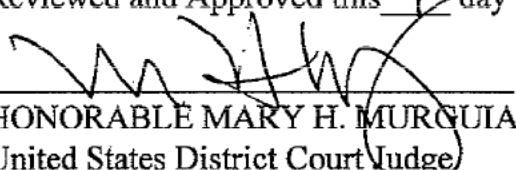
It is requested that this letter be ordered sealed until the Court should order otherwise.

Sincerely yours,

DENNIS K. BURKE  
United States Attorney  
District of Arizona

(b) (7)(C)

Reviewed and Approved this 9<sup>th</sup> day of June, 2010, by:

  
HONORABLE MARY H. MURGUIA  
United States District Court Judge

Enclosures: As indicated

(b) (7)(E)

(b) (7)(E)

INTRODUCTION

(b) (7)(C), (b) (7)(E)

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(b) (7)(C), (b) (7)(E)

(b) (7)(E)





United States Attorney  
District of Arizona

Two Renaissance Square  
40 North Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408

Main: (602) 514-7500  
Main FAX: (602) 514-7693

July 23, 2010

The Honorable Mary H. Murguia  
United States District Judge  
District of Arizona  
401 West Washington Street  
Phoenix, Arizona 85003

Re:

(b) (7)(E)

Dear Judge Murguia:

(b) (7)(C), (b) (7)(E)

(b) (7)(E)

Letter to Honorable Mary H. Murguia

July 23, 2010.

Page 2

(b) (7)(C), (b) (7)(E)

It is requested that this letter be ordered sealed until the Court should order otherwise.

Sincerely yours,

DENNIS K. BURKE  
United States Attorney

(b) (7)(C)

Letter to Honorable Mary H. Murguia  
July 23, 2010.  
Page 3

Reviewed and Approved this 26<sup>th</sup> day of July, 2010, by:



HONORABLE MARY H. MURGUIA  
United States District Court Judge

Enclosures: As indicated

(b) (7)(E)

(b) (7)(E)

INTRODUCTION

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

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(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)



(b) (7) (E)



United States Attorney  
District of Arizona

Two Renaissance Square  
40 North Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408

Main: (602) 514-7500  
Main FAX: (602) 514-7693

July 8, 2010

The Honorable Mary H. Murgia  
United States District Judge  
District of Arizona  
401 West Washington Street  
Phoenix, Arizona 85003

Re:

**(b) (7)(E)**

Dear Judge Murgia:

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(C), (b) (7)(E)**

Letter to Honorable Mary H. Murguia

July 8, 2010.

Page 2

(b) (7)(C), (b) (7)(E)

It is requested that this letter be ordered sealed until the Court should order otherwise.

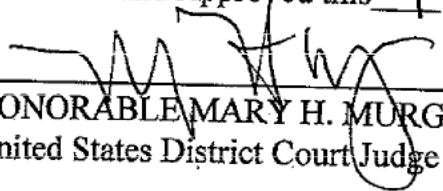
Sincerely yours,

DENNIS K. BURKE  
United States Attorney

District of Arizona

(b) (7)(C)

Reviewed and Approved this 9<sup>th</sup> day of July, 2010, by:

  
HONORABLE MARY H. MURGUIA  
United States District Court Judge

Enclosures: As indicated

(b) (7)(E)

(b) (7)(E)

INTRODUCTION

(b) (7)(C), (b) (7)(E)

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(b) (7)(C), (b) (7)(E)



(b) (7)(C), (b) (7)(E)

(b) (7)(E)



United States Attorney  
District of Arizona

*Two Renaissance Square  
40 North Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408*

*Main: (602) 514-7500  
Main FAX: (602) 514-7693*

May 21, 2010

The Honorable Mary H. Murguia  
United States District Judge  
District of Arizona  
401 West Washington Street  
Phoenix, Arizona 85003

Re:

**(b) (7)(E)**

Dear Judge Murguia:

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(C), (b) (7)(E)**

Letter to Honorable Mary H. Murguia  
May 21, 2010  
Page 2

(b) (7) (E)


It is requested that this letter be ordered sealed until the Court should order otherwise.

Sincerely yours,

DENNIS K. BURKE  
United States Attorney  
District of Arizona

(b) (7) (C)

Reviewed and Approved this 2<sup>nd</sup> day of June 2010, by:

  
HONORABLE MARY H. MURGUIA  
United States District Court Judge

Enclosures: As indicated

(b) (7)(E)

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(b) (7)(C), (b) (7)(E)

[Redacted content]



(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(E)



United States Attorney  
District of Arizona

*Two Renaissance Square  
40 North Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408*

*Main: (602) 514-7500  
Main FAX: (602) 514-7693*

June 7, 2010

The Honorable Mary H. Murguia  
United States District Judge  
District of Arizona  
401 West Washington Street  
Phoenix, Arizona 85003

Re:

**(b) (7)(E)**

Dear Judge Murguia:

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(C), (b) (7)(E)**

Letter to Honorable Mary H. Murguia

May 21, 2010

Page 2

(b) (7)(C), (b) (7)(E)

It is requested that this letter be ordered sealed until the Court should order otherwise.

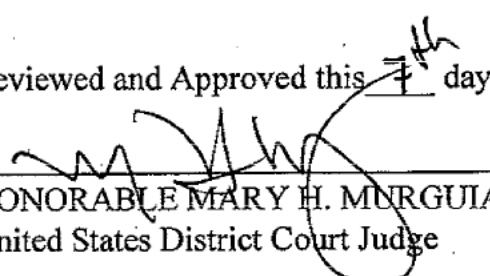
Sincerely yours,

DENNIS K. BURKE  
United States Attorney  
District of Arizona

(b) (7)(C)

Assistant United States Attorney

Reviewed and Approved this 7<sup>th</sup> day of June, 2010, by:

  
HONORABLE MARY H. MURGUIA  
United States District Court Judge

Enclosures: As indicated

(b) (7)(E)

(b) (7)(E)

INTRODUCTION

(b) (7)(C), (b) (7)(E)

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(b) (7)(E)

(b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

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(b) (7)(E)



**(b) (7)(E)**

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(E)**



United States Attorney  
District of Arizona

Two Renaissance Square  
40 North Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408

Main: (602) 514-7500  
Main FAX: (602) 514-7693

June 17, 2010

The Honorable Mary H. Murguia  
United States District Judge  
District of Arizona  
401 West Washington Street  
Phoenix, Arizona 85003

Re:

**(b) (7)(E)**

Dear Judge Murgia:

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(C), (b) (7)(E)**

Letter to Honorable Mary H. Murguia  
June 2, 2010.  
Page 2

(b) (7)(C), (b) (7)(E)

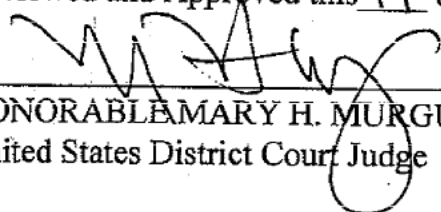
It is requested that this letter be ordered sealed until the Court should order otherwise.

Sincerely yours,

DENNIS K. BURKE  
United States Attorney  
District of Arizona

(b) (7)(C)

Reviewed and Approved this 17<sup>th</sup> day of June, 2010, by:

  
HONORABLE MARY H. MURGUIA  
United States District Court Judge

Enclosures: As indicated

(b) (7)(E)

(b) (7)(E)

INTRODUCTION

(b) (7)(C), (b) (7)(E)

(b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(E)

(b) (7)(C), (b) (7)(E)

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(b) (7)(C), (b) (7)(E)

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(b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(E)



United States Attorney  
District of Arizona

Two Renaissance Square  
40 North Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408

Main: (602) 514-7500  
Main FAX: (602) 514-7693

June 2, 2010

The Honorable Mary H. Murguia  
United States District Judge  
District of Arizona  
401 West Washington Street  
Phoenix, Arizona 85003

Re:

**(b) (7)(E)**

Dear Judge Murgia:

**(b) (7)(C), (b) (7)(E)**



Letter to Honorable Mary H. Murguia  
June 2, 2010.  
Page 2

(b) (7)(C), (b) (7)(E)


It is requested that this letter be ordered sealed until the Court should order otherwise.

Sincerely yours,

DENNIS K. BURKE  
United States Attorney  
District of Arizona

(b) (7)(C)

Reviewed and Approved this 2<sup>nd</sup> day of June, 2010, by:

  
\_\_\_\_\_  
HONORABLE MARY H. MURGUIA  
United States District Court Judge

Enclosures: As indicated

(b) (7)(E)

(b) (7)(E)

INTRODUCTION

(b) (7)(C), (b) (7)(E)

(b) (7)(E)

**(b) (7)(E)**

**(b) (7)(E)**

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(C), (b) (7)(E)**

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(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)



(b) (7)(C), (b) (7)(E)

(b) (7)(E)



United States Attorney  
District of Arizona

*Two Renaissance Square  
40 North Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408*

*Main: (602) 514-7500  
Main FAX: (602) 514-7693*

June 16, 2010

The Honorable Mary H. Murguia  
United States District Judge  
District of Arizona  
401 West Washington Street  
Phoenix, Arizona 85003

Re:

**(b) (7)(E)**

Dear Judge Murguia:

**(b) (7)(C), (b) (7)(E)**

Letter to Honorable Mary H. Murguia  
June 8, 2010.  
Page 2

(b) (7)(C), (b) (7)(E)

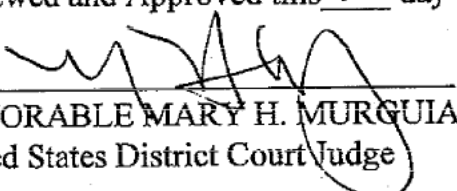
It is requested that this letter be ordered sealed until the Court should order otherwise.

Sincerely yours,

DENNIS K. BURKE  
United States Attorney  
District of Arizona

(b) (7)(C)

Reviewed and Approved this 17<sup>th</sup> day of June, 2010, by:

  
HONORABLE MARY H. MURGUIA  
United States District Court Judge

Enclosures: As indicated

(b) (7)(E)

(b) (7)(E)

**INTRODUCTION**

(b) (7)(C), (b) (7)(E)

(b) (7)(E)

(b) (7)(E)

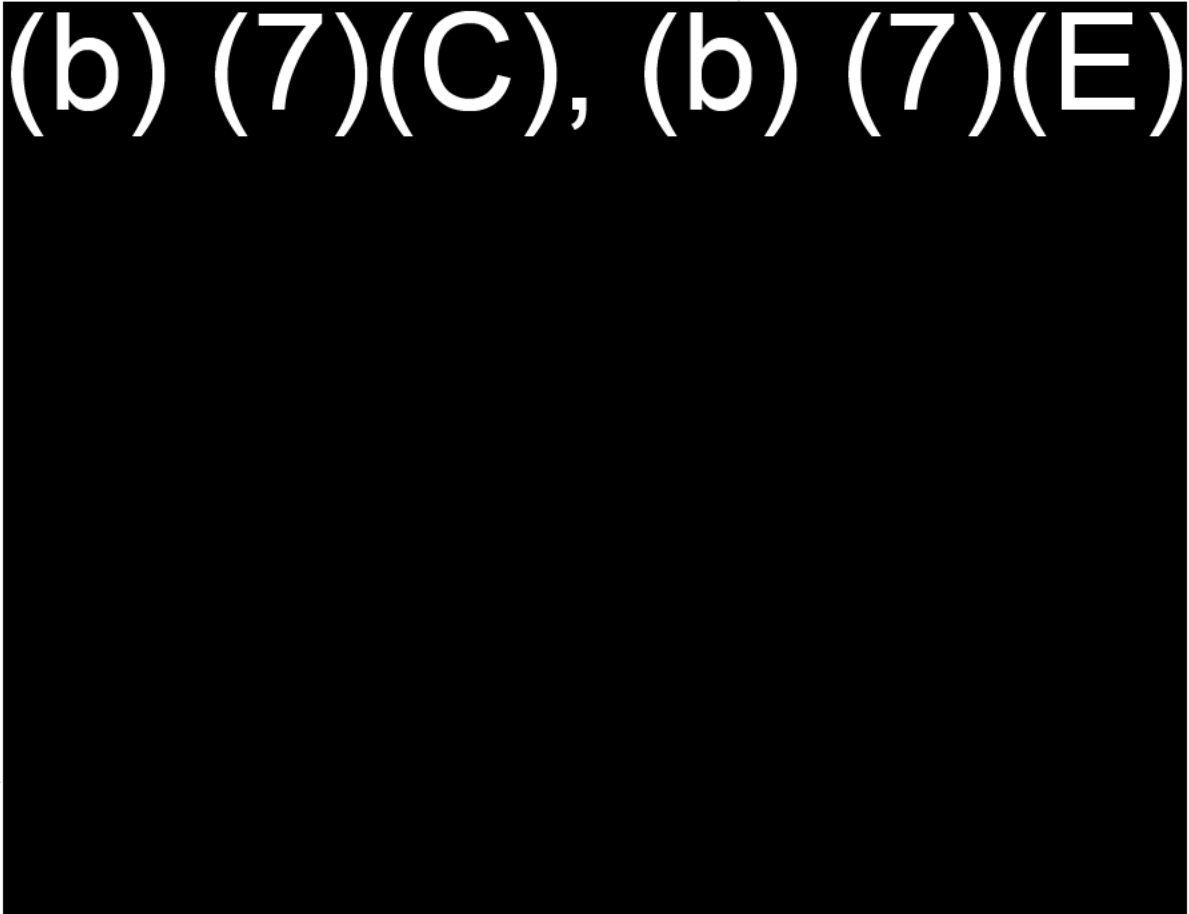
(b) (7)(E)

(b) (7)(C), (b) (7)(E)

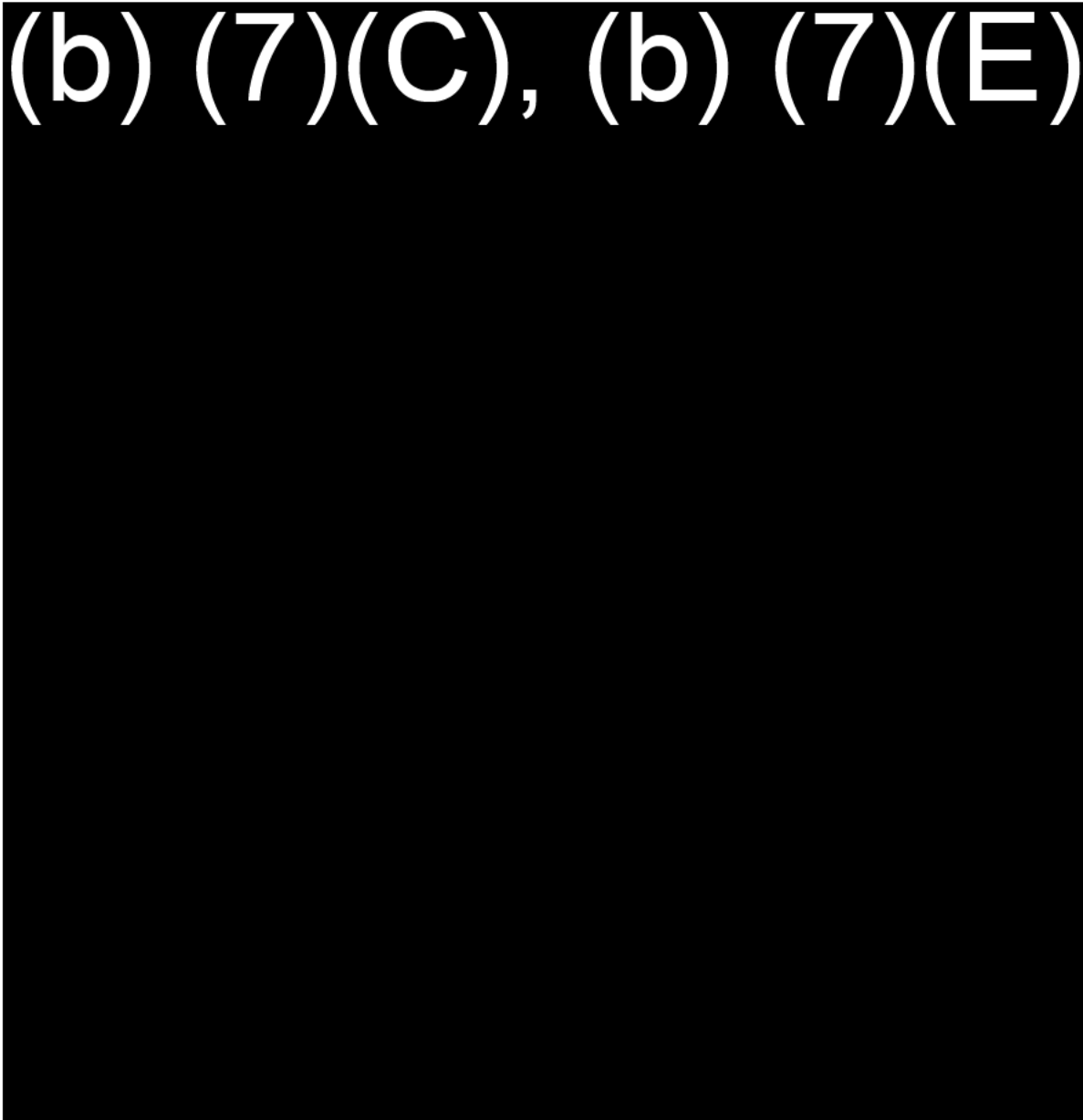
**(b) (7)(C), (b) (7)(E)**



**(b) (7)(C), (b) (7)(E)**



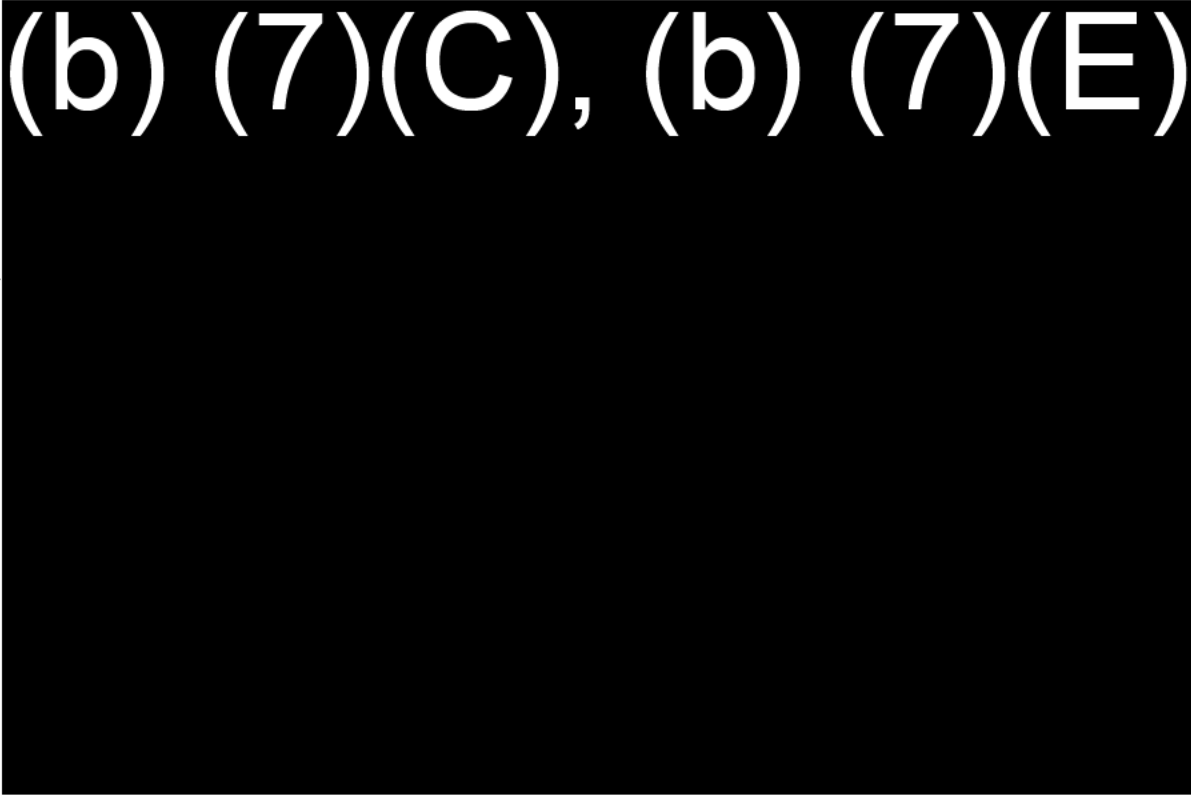
**(b) (7)(C), (b) (7)(E)**



**(b) (7)(C), (b) (7)(E)**



(b) (7)(C), (b) (7)(E)



(b) (7)(C), (b) (7)(E)





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(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(C), (b) (7)(E)**

(b) (7) (E)



United States Attorney  
District of Arizona

*Two Renaissance Square  
40 North Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408*

*Main: (602) 514-7500  
Main FAX: (602) 514-7693*

July 6, 2010

The Honorable Mary H. Murgia  
United States District Judge  
District of Arizona  
401 West Washington Street  
Phoenix, Arizona 85003

Re:

**(b) (7)(E)**

Dear Judge Murgia:

**(b) (7)(C), (b) (7)(E)**

Letter to Honorable Mary H. Murguia  
July 6, 2010.  
Page 2

(b) (7)(C), (b) (7)(E)

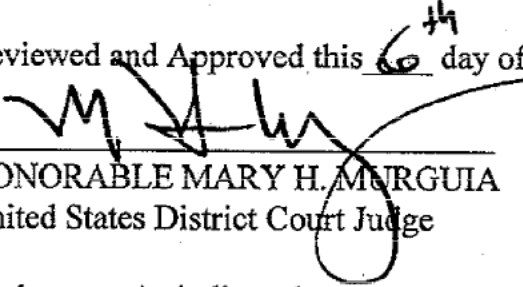
It is requested that this letter be ordered sealed until the Court should order otherwise.

Sincerely yours,

DENNIS K. BURKE  
United States Attorney  
District of Arizona

(b) (7)(C)

Reviewed and Approved this 6<sup>th</sup> day of July, 2010, by:

  
HONORABLE MARY H. MURGUIA  
United States District Court Judge

Enclosures: As indicated

(b) (7)(E)

(b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

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(b) (7)(C), (b) (7)(E)

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(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(E)





United States Attorney  
District of Arizona

Two Renaissance Square  
40 North Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408

Main: (602) 514-7500  
Main FAX: (602) 514-7693

July 16, 2010

The Honorable Mary H. Murguia  
United States District Judge  
District of Arizona  
401 West Washington Street  
Phoenix, Arizona 85003

Re:

**(b) (7)(E)**

Dear Judge Murgia:

**(b) (7)(C), (b) (7)(E)**

**(b) (7)(C), (b) (7)(E)**

Letter to Honorable Mary H. Murguia  
July 16, 2010.  
Page 2

(b) (7) (E)


It is requested that this letter be ordered sealed until the Court should order otherwise.

Sincerely yours,

DENNIS K. BURKE  
United States Attorney  
District of Arizona

(b) (7) (C)

Reviewed and Approved this 18<sup>th</sup> day of July, 2010, by:

  
\_\_\_\_\_  
HONORABLE MARY H. MURGUIA  
United States District Court Judge

Enclosures: As indicated

(b) (7)(E)

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(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(E)

**From:** (b) (7)(C)  
**Sent:** Friday, April 08, 2011 12:48 PM  
**To:** (b) (7)(C)  
**CC:** Rubenstein, Steve R.; (b) (7)(C)  
**Subject:** RE: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS  
**Attachments:** Chief Counsel\_Certification.pdf

(b) (7)(C)

When Steve goes to his Fast and Furious Drive, there are no field division or HQ Directorate folders, as described below. Also, the system is not letting him rename a new folder. Not sure if this is a permissions issue, but it does not appear that he has access at this time. My Fast and Furious drive has the same issues (but I have no documents to submit). I asked others in Counsel to check and they all have the same problem. If you have any suggestions, please let us know.

Thanks,

(b) (7)(C)

(b) (7)(C)

\*\*\*\*\*

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---

**From:** (b) (7)(C)  
**Sent:** Thursday, April 07, 2011 11:57 AM  
**To:** (b) (7)(C)  
**Subject:** RE: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

(b) (7)(C)

It would be helpful if Steve could place it in his folder. If that's a problem, you can e-mail it to me and I'll drop it in there.

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648-<sup>(b) (7)(C)</sup>  
C: (b) (7)(C)  
HQ Room 5 S 100



\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Thursday, April 07, 2011 11:41 AM  
**To:** (b) (7)(C)  
**Subject:** ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

(b) (7)(C)

I am Counsel's point of contact for the document searches. Once Steve signs the Verification, can I file it in Counsel's folder using my computer or does Steve need to be the one who actually files it, using his login, etc? Hope that makes some sense.

Thanks,

(b) (7)(C)

(b) (7)(C)

Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF)  
Office of Chief Counsel  
Litigation Division  
(202) 648-(b) (7)(C)ph  
(202) 648-9584 (fx)

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Wednesday, April 06, 2011 12:06 PM  
**To:** All Assistant Directors; All Deputy Assistant Directors; All Special Agents in Charge  
**Subject:** ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

On March 21, 2011, the Acting Inspector General (IG) for the Department of Justice advised Acting Director Melson that the IG's Oversight and Review Division recently initiated a review of certain ATF firearms trafficking investigations. In a March 21 memo, the Assistant IG for the Oversight and Review Division stated that the review would cover the matter known as Operation Fast and Furious, and other investigations with similar objectives, methods, and strategies. On March 25, 2011, Acting Director Melson received the attached request for documents and information relating to the IG review of certain firearms trafficking investigations.

On March 28, 2011, AD Stinnett sent each of you instructions on how to respond to the March 25, 2011 document request. She also sent each of you a document preservation request relative to Operation Fast and Furious.

On March 31, 2011 the House Committee on Oversight and Government Reform (HCOGR) issued a subpoena for documents related to Operation Fast and Furious and the FBI investigation into the death of Border Patrol Agent Brian Terry.

While the IG document request and the HCOGR subpoena are generally directed at the same investigation, they are distinctly different in their scope. To minimize the impact of these two document requests, facilitate production of responsive documents, and ensure the confidentiality of responses, we will combine them into one request and secure them electronically. (Accordingly, to the extent that AD Stinnett's March 28, 2011 asked for you to produce hard copy documents to her office, you can disregard that portion of her guidance). **The due date for the electronic production of responsive documents and certification of search is close of business Monday, April 11, 2011.**

**Regardless of any prior production of responsive documents to any entity inside or outside of ATF, everyone is required to produce any responsive documents, e-mails, etc. at this time. All responsive documents anywhere in the organization must be produced. Further, all documents must be fully produced. There is no authority for ATF to withhold records, or redact portions of records because we believe they are sensitive or confidential or privileged. The IG has statutory authority to obtain any and all records related to this review.**

ACTION ITEM FOR EACH AD AND EMPLOYEES IN EACH DIRECTORATE

Please carefully review both the attached OIG request for documents and the attached HCOGR request and forward to each office within your area of responsibility. These documents should be forwarded to each employee in every office under your supervision. While it is likely that most of the requested records will be housed at the Phoenix Field Division or Bureau headquarters, it is nonetheless critical that each SAC and HQ Official ensure a thorough search is conducted at each field and headquarters division and any responsive record is forwarded as instructed. Please err on the side of caution and be over inclusive in producing documents or information.

Also attached is a revised verification certification that covers document production for the OIG and the HCOGR which needs to be signed and dated by each SAC and HQ Official. If your division does not have responsive materials, please note "no responsive records found" on the certification and provide a copy of the signed document as instructed below. A scanned copy of this document should be placed in the division folder as described below using the naming convention of "Division\_Certification" e.g. Phoenix\_Certification. Personnel in the Office of Field Operations should also e-mail a copy of their certification to Program Analyst (b) (7)(C)

**Do not produce** any of the following documents generally described as national policy documents (Headquarters has and will produce these documents):

The 2009 ONDCP National Southwest Border Counternarcotics Strategy  
The Draft 2011 ONDCP National Southwest Border Counternarcotics Strategy  
The Department of Justice Strategy for Combating the Mexican Cartels  
The Department of Justice Firearms Manual  
Any national ATF Orders, Briefs, Handbooks, or Guides  
The ATF National Firearms Trafficking Enforcement Implementation Plan dated June 2009 and its transmittal memo  
The ATF Cartel Strategy dated September 2010 and its transmittal memo

**However**, any additional guidance on any of the above topics issued at the directorate, division, field office, or branch level **must be produced**.

**Do not produce** any of the following documents generally described as NFORCE documents from the Fast and Furious case file (Headquarters has and will produce these documents):

Management Logs  
Reports of Investigation  
Significant Incident Reports  
Affidavits  
Anything currently contained in the Phoenix Field Division shared drive s:\Phoenix VII\7585115-10-0004

**However**, any other responsive documents, e-mail, or communications related to Operation Fast and Furious maintained at the directorate, division, field office, or branch level **must be produced**.

**All production of responsive materials is to be in electronic form only as outlined below. Do not submit paper copies to headquarters. Any responsive document or other communication that is not currently in electronic form is to be scanned.**

#### PROCESS FOR EACH EMPLOYEE TO SUBMIT RESPONSIVE DOCUMENTS ELECTRONICALLY

ATF will compile all responsive documents by having employees place electronic copies of the documents into a shared computer drive. Do not produce hard copies or e-mail copies of documents to HQ.

Each employee and task force officer in ATF has been given access to a nationwide shared computer drive titled "Fast and Furious Investigation." Access to this drive was automatically created when you logged in to your computer Monday, April 4, 2011.

If you have responsive documents to submit, follow the procedure below to deposit them into the shared drive in the appropriate location. If you have no responsive documents, complete your certification and return it in accordance with the instructions provided by your supervisor.

#### **How to Access the Fast and Furious Investigation shared drive.**

To access this drive, place your mouse pointer over the "Start" button in the lower left corner of your screen and right click, then select "Explore."  
Scroll down until you see a drive labeled "Fast and Furious Investigation." (If you do not see this drive and

your computer has not been rebooted recently, you will need to log out of the network and log back in so that the network may create your access to the shared drive.)

Left click on that drive.

Scroll to your field division or Headquarters Directorate

Left Click on that folder

### **How to Create a Document Folder**

Next create a new user folder to hold your responsive documents. To do this:

Go to the top menu and select "File"

Then select "New"

Then select "Folder"

Name the new folder with your login id (network user id)

Left click on the folder you just created to enter it

Copy any responsive documents into your folder in the shared drive.

About your folder:

Only you can access your folder. No one else in your office, division, or directorate can view your submission(s).

Similarly, you cannot access anyone else's folder.

You can deposit documents into the folder, but once deposited in the folder you cannot read, rename, modify, or delete them.

### **Saving scanned documents**

If you must scan a document to submit it, please save it using the following naming convention:

Your login ID\_description\_of\_the\_document\_date of the document

Where Your login ID is your **network login ID**, followed by an underscore and the description of the document, for example, "**\_division\_firearms\_trafficking\_guidance\_memo\_**" followed by the date of the original document **201104XX** expressed as a four digit year followed by two digit month and 2 digit day

An example of a properly named scanned file might look like this:

**Atfperson\_division\_firearms\_trafficking\_guidance\_memo\_20100920**

**Phoenix Field Division personnel need not produce e-mails to the shared folder, all Phoenix employees' e-mail will be collected automatically. Each Phoenix user will receive a network notification advising them that their e-mail folders are being copied from their pc in response to this information collection. All Phoenix employees are required to cooperate with this collection process.**

### **How to Save Small Quantities of Responsive E-Mails**

To save a singular responsive e-mail follow these steps:

Open the e-mail

Left Click on the "Office Button" Icon in the upper left hand corner

Select "Save As"

Browse to your folder on the shared drive.

**In the Save as type: dialogue box be sure to select Outlook Message Format (\*.msg)**

Save the file directly to your folder in the shared drive.

**How to Save Large quantities of responsive E-Mails**

Move all responsive e-mails to a single folder within Outlook – create a new folder if need be.

Once you have moved all responsive e-mails into the folder, highlight the folder on the folder list.

Left click “File” in the upper left hand corner of the Outlook window

In the dialogue box select “Import and Export”

In the next dialogue box select “Export to a File,” then click “Next”

In the next dialogue box select “Personal Folder File (.pst),” then click “Next”

In the next dialogue box select (highlight by clicking on it) the folder where you have stored the responsive e-mails, then click “Next”

In the next dialogue box in the “Save exported file as” box, browse to your folder on the shared drive and save the .pst file containing your e-mail folder naming it using the following naming convention:

Your **login ID\_email\_ff\_20110404**, then click “Finish”

Where Your login ID is your **network login ID**, followed by an underscore and the letters “\_email\_ff\_” followed by the date you exported the file **201104XX** expressed as a four digit year followed by two digit month and 2 digit day.

Questions regarding what information to produce should be reviewed with your supervisor. If you are unable to determine how to proceed, questions may be directed to AD Melanie Stinnett in OPRSO via e-mail or at 202-648-7500

Questions regarding how to migrate data to the shared drive should be directed to the Helpdesk at 877-875-3723.

Any other questions should be addressed to **(b) (7)(C)** in the Office of the Director via e-mail or at 202-648-**(b) (7)(C)**

**(b) (7)(C)**

Acting Chief of Staff  
Office of the Director  
O: 202-648-**(b) (7)(C)**  
C: **(b) (7)(C)**  
HQ Room 5 S 100

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Friday, April 08, 2011 9:57 AM  
**To:** (b) (7)(C)  
**Subject:** OIG and HCOGR Verification.docx  
**Attachments:** OIG and HCOGR Verification.docx

\*\*\*\*\*

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**Verification of Records Search – Field Division**

I, (b) (7)(C), as the Ombudsman, have caused a search of the \_\_\_ Office of the Ombudsman to be made for all documents and other information relating to ATF Operation Fast and Furious as outlined in the Request for Documents and Information Relating to an Office of the Inspector General Review of Certain Firearms Trafficking Investigations dated March 25, 2011 and the Subpoena issued by the House of Representatives Committee on Oversight and Government Reform dated March 31, 2011 and declare that all responsive materials have been loaded to the Fast and Furious shared drive as directed, and that to the best of my knowledge and belief, reflect all documents responsive to the OIG request and the House of Representatives Subpoena have been located and produced.

\_\_\_ April 8, 2011 \_\_\_

Date

Ombudsman

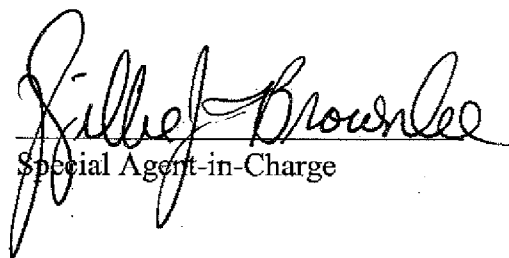


**Verification of Records Search – Field Division**

I, **Willie J. Brownlee**, as the Special Agent-in Charge, have caused a search of the **Washington Field Division** to be made for all documents and other information relating to ATF Operation Fast and Furious as outlined in the Request for Documents and Information Relating to an Office of the Inspector General Review of Certain Firearms Trafficking Investigations dated March 25, 2011 and the Subpoena issued by the House of Representatives Committee on Oversight and Government Reform dated March 31, 2011 and declare that all responsive materials have been loaded to the Fast and Furious shared drive as directed, and that to the best of my knowledge and belief, reflect all documents responsive to the OIG request and the House of Representatives Subpoena have been located and produced.

04/06/2011

Date

  
Special Agent-in-Charge

**From:** (b) (7)(C)  
**Sent:** Wednesday, April 06, 2011 3:23 PM  
**To:** (b) (7)(C)  
**Subject:** RE: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

(b) (7)(C)

I am having trouble renaming the folders...any suggestion

Thanks,

(b) (7)(C)

(b) (7)(C)

Division Operations Officer  
ATF - Los Angeles Field Division  
550 N. Brand Blvd., Suite 800  
Glendale, CA 91203  
(818) 265-(b) (7)(C) office  
(b) (7)(C) cell  
(818) 265-2501 fax

(b) (7)(C)

\*\*\*\*\*

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**From:** Torres, John A.  
**Sent:** Wednesday, April 06, 2011 9:36 AM  
**To:** (b) (7)(C)  
**Subject:** Fw: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

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---

From (b) (7)(C)

To: All Assistant Directors; All Deputy Assistant Directors; All Special Agents in Charge

Sent: Wed Apr 06 12:06:12 2011

Subject: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

On March 21, 2011, the Acting Inspector General (IG) for the Department of Justice advised Acting Director Melson that the IG's Oversight and Review Division recently initiated a review of certain ATF firearms trafficking investigations. In a March 21 memo, the Assistant IG for the Oversight and Review Division stated that the review would cover the matter known as Operation Fast and Furious, and other investigations with similar objectives, methods, and strategies. On March 25, 2011, Acting Director Melson received the attached request for documents and information relating to the IG review of certain firearms trafficking investigations.

On March 28, 2011, AD Stinnett sent each of you instructions on how to respond to the March 25, 2011 document request. She also sent each of you a document preservation request relative to Operation Fast and Furious.

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While the IG document request and the HCOGR subpoena are generally directed at the same investigation, they are distinctly different in their scope. To minimize the impact of these two document requests, facilitate production of responsive documents, and ensure the confidentiality of responses, we will combine them into one request and secure them electronically. (Accordingly, to the extent that AD Stinnett's March 28, 2011 asked for you to produce hard copy documents to her office, you can disregard that portion of her guidance). **The due date for the electronic production of responsive documents and certification of search is close of business Monday, April 11, 2011.**

**Regardless of any prior production of responsive documents to any entity inside or outside of ATF, everyone is required to produce any responsive documents, e-mails, etc. at this time. All responsive documents anywhere in the organization must be produced. Further, all documents must be fully produced. There is no authority for ATF to withhold records, or redact portions of records because we believe they are sensitive or confidential or privileged. The IG has statutory authority to obtain any and all records related to this review.**

ACTION ITEM FOR EACH AD AND EMPLOYEES IN EACH DIRECTORATE

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Also attached is a revised verification certification that covers document production for the OIG and the HCOGR which needs to be signed and dated by each SAC and HQ Official. If your division does not have

responsive materials, please note “no responsive records found” on the certification and provide a copy of the signed document as instructed below. A scanned copy of this document should be placed in the division folder as described below using the naming convention of “Division\_Certification” e.g. Phoenix\_Certification. Personnel in the Office of Field Operations should also e-mail a copy of their certification to Program Analyst (b) (7)(C)

**Do not produce** any of the following documents generally described as national policy documents (Headquarters has and will produce these documents):

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The Draft 2011 ONDCP National Southwest Border Counternarcotics Strategy  
The Department of Justice Strategy for Combating the Mexican Cartels  
The Department of Justice Firearms Manual  
Any national ATF Orders, Briefs, Handbooks, or Guides  
The ATF National Firearms Trafficking Enforcement Implementation Plan dated June 2009 and its transmittal memo  
The ATF Cartel Strategy dated September 2010 and its transmittal memo

**However**, any additional guidance on any of the above topics issued at the directorate, division, field office, or branch level must be produced.

**Do not produce** any of the following documents generally described as NFORCE documents from the Fast and Furious case file (Headquarters has and will produce these documents):

Management Logs  
Reports of Investigation  
Significant Incident Reports  
Affidavits  
Anything currently contained in the Phoenix Field Division shared drive s:\Phoenix VII\7585115-10-0004

**However**, any other responsive documents, e-mail, or communications related to Operation Fast and Furious maintained at the directorate, division, field office, or branch level must be produced.

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#### PROCESS FOR EACH EMPLOYEE TO SUBMIT RESPONSIVE DOCUMENTS ELECTRONICALLY

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if you have responsive documents to submit, follow the procedure below to deposit them into the shared drive in the appropriate location. If you have no responsive documents, complete your certification and return it in accordance with the instructions provided by your supervisor.

### **How to Access the Fast and Furious Investigation shared drive.**

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Scroll down until you see a drive labeled “Fast and Furious Investigation.” (If you do not see this drive and your computer has not been rebooted recently, you will need to log out of the network and log back in so that the network may create your access to the shared drive.)

Left click on that drive.

Scroll to your field division or Headquarters Directorate

Left Click on that folder

### **How to Create a Document Folder**

Next create a new user folder to hold your responsive documents. To do this:

Go to the top menu and select “File”

Then select “New”

Then select “Folder”

Name the new folder with your login id (network user id)

Left click on the folder you just created to enter it

Copy any responsive documents into your folder in the shared drive.

About your folder:

Only you can access your folder. No one else in your office, division, or directorate can view your submission(s).

Similarly, you cannot access anyone else’s folder.

You can deposit documents into the folder, but once deposited in the folder you cannot read, rename, modify, or delete them.

### **Saving scanned documents**

If you must scan a document to submit it, please save it using the following naming convention:

Your login ID\_description\_of\_the\_document\_date of the document

Where Your login ID is your **network login ID**, followed by an underscore and the description of the document, for example, “\_division\_firearms\_trafficking\_guidance\_memo\_” followed by the date of the original document **201104XX** expressed as a four digit year followed by two digit month and 2 digit day

An example of a properly named scanned file might look like this:

**Atfperson\_division\_firearms\_trafficking\_guidance\_memo\_20100920**

**Phoenix Field Division personnel need not produce e-mails to the shared folder, all Phoenix employees’ e-mail will be collected automatically. Each Phoenix user will receive a network notification advising them that their e-mail folders are being copied from their pc in response to this information collection. All Phoenix employees are required to cooperate with this collection process.**

### **How to Save Small Quantities of Responsive E-Mails**

To save a singular responsive e-mail follow these steps:

Open the e-mail

Left Click on the "Office Button" Icon in the upper left hand corner

Select "Save As"

Browse to your folder on the shared drive.

**In the Save as type: dialogue box be sure to select Outlook Message Format (\*.msg)**

Save the file directly to your folder in the shared drive.

### **How to Save Large quantities of responsive E-Mails**

Move all responsive e-mails to a single folder within Outlook – create a new folder if need be.

Once you have moved all responsive e-mails into the folder, highlight the folder on the folder list.

Left click "File" in the upper left hand corner of the Outlook window

In the dialogue box select "Import and Export"

In the next dialogue box select "Export to a File," then click "Next"

In the next dialogue box select "Personal Folder File (.pst)," then click "Next"

In the next dialogue box select (highlight by clicking on it) the folder where you have stored the responsive e-mails, then click "Next"

In the next dialogue box in the "Save exported file as" box, browse to your folder on the shared drive and save the .pst file containing your e-mail folder naming it using the following naming convention:

Your **login ID\_email\_ff\_20110404**, then click "Finish"

Where Your login ID is your **network login ID**, followed by an underscore and the letters "**\_email\_ff\_**" followed by the date you exported the file **201104XX** expressed as a four digit year followed by two digit month and 2 digit day.

Questions regarding what information to produce should be reviewed with your supervisor. If you are unable to determine how to proceed, questions may be directed to AD Melanie Stinnett in OPRSO via e-mail or at 202-648-7500

Questions regarding how to migrate data to the shared drive should be directed to the Helpdesk at 877-875-3723.

Any other questions should be addressed to **(b) (7)(C)** in the Office of the Director via e-mail or at 202-648-**(b) (7)(C)**

**(b) (7)(C)**

Acting Chief of Staff  
Office of the Director

O: 202-648-**(b) (7)(C)**

C:**(b) (7)(C)**

HQ Room 5 S 100

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Wednesday, April 06, 2011 2:42 PM  
**To:** (b) (7)(C)  
**Subject:** FW: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

Do I need to do anything further?

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Wednesday, April 06, 2011 2:31 PM  
**To:** (b) (7)(C)  
**Subject:** RE: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

Sir:

The Disclosure Division does not have any responsive records.

(b) (7)(C)  
Chief, Disclosure Division  
Office of the Director  
BHQ - Suite 1E400  
202 646 (b) (7)(C)

i

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**From:** (b) (7)(C)  
**Sent:** Wednesday, April 06, 2011 12:34 PM  
**To:** (b) (7)(C)  
**Subject:** FW: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

All:

Please review the message below and the attachments to this message. We as the Office of the Director must also respond. Please conduct the necessary inquiries of everyone under your supervision and respond to me by the due date so I may certify for the Office of the Director. Please ensure that we check for any complaints, FOIA's, calls, etc. If you have any questions, please see me.



**(b) (7)(C)**

Acting Chief of Staff  
Office of the Director  
O: 202-648-**(b) (7)(C)**  
C: **(b) (7)(C)**  
HQ Room 5 S 100

\*\*\*\*\*

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**From:** **(b) (7)(C)****Sent:** Wednesday, April 06, 2011 12:06 PM**To:** All Assistant Directors; All Deputy Assistant Directors; All Special Agents in Charge**Subject:** ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

On March 21, 2011, the Acting Inspector General (IG) for the Department of Justice advised Acting Director Melson that the IG's Oversight and Review Division recently initiated a review of certain ATF firearms trafficking investigations. In a March 21 memo, the Assistant IG for the Oversight and Review Division stated that the review would cover the matter known as Operation Fast and Furious, and other investigations with similar objectives, methods, and strategies. On March 25, 2011, Acting Director Melson received the attached request for documents and information relating to the IG review of certain firearms trafficking investigations.

On March 28, 2011, AD Stinnett sent each of you instructions on how to respond to the March 25, 2011 document request. She also sent each of you a document preservation request relative to Operation Fast and Furious.

On March 31, 2011 the House Committee on Oversight and Government Reform (HCOGR) issued a subpoena for documents related to Operation Fast and Furious and the FBI investigation into the death of Border Patrol Agent Brian Terry.

While the IG document request and the HCOGR subpoena are generally directed at the same investigation, they are distinctly different in their scope. To minimize the impact of these two document requests, facilitate production of responsive documents, and ensure the confidentiality of responses, we will combine them into one request and secure them electronically. (Accordingly, to the extent that AD Stinnett's March 28, 2011 asked for you to produce hard copy documents to her office, you can disregard that portion of her guidance). **The due date for the electronic production of responsive documents and certification of search is close of business Monday, April 11, 2011.**

**Regardless of any prior production of responsive documents to any entity inside or outside of ATF, everyone is required to produce any responsive documents, e-mails, etc. at this time. All responsive documents anywhere in the organization must be produced. Further, all documents must be fully**

**produced. There is no authority for ATF to withhold records, or redact portions of records because we believe they are sensitive or confidential or privileged. The IG has statutory authority to obtain any and all records related to this review.**

ACTION ITEM FOR EACH AD AND EMPLOYEES IN EACH DIRECTORATE

Please carefully review both the attached OIG request for documents and the attached HCOGR request and forward to each office within your area of responsibility. These documents should be forwarded to each employee in every office under your supervision. While it is likely that most of the requested records will be housed at the Phoenix Field Division or Bureau headquarters, it is nonetheless critical that each SAC and HQ Official ensure a thorough search is conducted at each field and headquarters division and any responsive record is forwarded as instructed. Please err on the side of caution and be over inclusive in producing documents or information.

Also attached is a revised verification certification that covers document production for the OIG and the HCOGR which needs to be signed and dated by each SAC and HQ Official. If your division does not have responsive materials, please note "no responsive records found" on the certification and provide a copy of the signed document as instructed below. A scanned copy of this document should be placed in the division folder as described below using the naming convention of "Division\_Certification" e.g. Phoenix\_Certification. Personnel in the Office of Field Operations should also e-mail a copy of their certification to Program Analyst (b) (7)(C)

**Do not produce** any of the following documents generally described as national policy documents (Headquarters has and will produce these documents):

The 2009 ONDCP National Southwest Border Counternarcotics Strategy  
The Draft 2011 ONDCP National Southwest Border Counternarcotics Strategy  
The Department of Justice Strategy for Combating the Mexican Cartels  
The Department of Justice Firearms Manual  
Any national ATF Orders, Briefs, Handbooks, or Guides  
The ATF National Firearms Trafficking Enforcement Implementation Plan dated June 2009 and its transmittal memo  
The ATF Cartel Strategy dated September 2010 and its transmittal memo

**However**, any additional guidance on any of the above topics issued at the directorate, division, field office, or branch level **must be produced.**

**Do not produce** any of the following documents generally described as NFORCE documents from the Fast and Furious case file (Headquarters has and will produce these documents):

Management Logs  
Reports of Investigation  
Significant Incident Reports  
Affidavits  
Anything currently contained in the Phoenix Field Division shared drive s:\Phoenix VII\7585115-10-0004

**However**, any other responsive documents, e-mail, or communications related to Operation Fast and Furious maintained at the directorate, division, field office, or branch level **must be produced.**

**All production of responsive materials is to be in electronic form only as outlined below. Do not submit paper copies to headquarters. Any responsive document or other communication that is not currently in electronic form is to be scanned.**

#### PROCESS FOR EACH EMPLOYEE TO SUBMIT RESPONSIVE DOCUMENTS ELECTRONICALLY

ATF will compile all responsive documents by having employees place electronic copies of the documents into a shared computer drive. Do not produce hard copies or e-mail copies of documents to HQ.

Each employee and task force officer in ATF has been given access to a nationwide shared computer drive titled "Fast and Furious Investigation." Access to this drive was automatically created when you logged in to your computer Monday, April 4, 2011.

If you have responsive documents to submit, follow the procedure below to deposit them into the shared drive in the appropriate location. If you have no responsive documents, complete your certification and return it in accordance with the instructions provided by your supervisor.

#### **How to Access the Fast and Furious Investigation shared drive.**

To access this drive, place your mouse pointer over the "Start" button in the lower left corner of your screen and right click, then select "Explore."

Scroll down until you see a drive labeled "Fast and Furious Investigation." (If you do not see this drive and your computer has not been rebooted recently, you will need to log out of the network and log back in so that the network may create your access to the shared drive.)

Left click on that drive.

Scroll to your field division or Headquarters Directorate

Left Click on that folder

#### **How to Create a Document Folder**

Next create a new user folder to hold your responsive documents. To do this:

Go to the top menu and select "File"

Then select "New"

Then select "Folder"

Name the new folder with your login id (network user id)

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Copy any responsive documents into your folder in the shared drive.

About your folder:

Only you can access your folder. No one else in your office, division, or directorate can view your submission(s).

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#### **Saving scanned documents**

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Where Your login ID is your **network login ID**, followed by an underscore and the description of the document, for example, “\_division\_firearms\_trafficking\_guidance\_memo\_” followed by the date of the original document **201104XX** expressed as a four digit year followed by two digit month and 2 digit day

An example of a properly named scanned file might look like this:

**Atfperson\_division\_firearms\_trafficking\_guidance\_memo\_20100920**

**Phoenix Field Division personnel need not produce e-mails to the shared folder, all Phoenix employees' e-mail will be collected automatically. Each Phoenix user will receive a network notification advising them that their e-mail folders are being copied from their pc in response to this information collection. All Phoenix employees are required to cooperate with this collection process.**

### **How to Save Small Quantities of Responsive E-Mails**

To save a singular responsive e-mail follow these steps:

Open the e-mail

Left Click on the “Office Button” Icon in the upper left hand corner

Select “Save As”

Browse to your folder on the shared drive.

**In the Save as type: dialogue box be sure to select Outlook Message Format (\*.msg)**

Save the file directly to your folder in the shared drive.

### **How to Save Large quantities of responsive E-Mails**

Move all responsive e-mails to a single folder within Outlook – create a new folder if need be.

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In the dialogue box select “Import and Export”

In the next dialogue box select “Export to a File,” then click “Next”

In the next dialogue box select “Personal Folder File (.pst),” then click “Next”

In the next dialogue box select (highlight by clicking on it) the folder where you have stored the responsive e-mails, then click “Next”

In the next dialogue box in the “Save exported file as” box, browse to your folder on the shared drive and save the .pst file containing your e-mail folder naming it using the following naming convention:

Your **login ID\_email\_ff\_20110404**, then click “Finish”

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Questions regarding what information to produce should be reviewed with your supervisor. If you are unable to determine how to proceed, questions may be directed to AD Melanie Stinnett in OPRSO via e-mail or at 202-648-7500

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(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Wednesday, April 06, 2011 2:31 PM  
**To:** (b) (7)(C)  
**Subject:** RE: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

Sir:

The Disclosure Division does not have any responsive records.

(b) (7)(C)  
Chief, Disclosure Division  
Office of the Director  
BHQ - Suite 1E400  
202 648 (b) (7)(C)

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**Sent:** Wednesday, April 06, 2011 12:34 PM  
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All:

Please review the message below and the attachments to this message. We as the Office of the Director must also respond. Please conduct the necessary inquiries of everyone under your supervision and respond to me by the due date so I may certify for the Office of the Director. Please ensure that we check for any complaints, FOIA's, calls, etc. If you have any questions, please see me.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

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In the next dialogue box select "Export to a File," then click "Next"

In the next dialogue box select "Personal Folder File (.pst)," then click "Next"

In the next dialogue box select (highlight by clicking on it) the folder where you have stored the responsive e-mails, then click "Next"

In the next dialogue box in the "Save exported file as" box, browse to your folder on the shared drive and save the .pst file containing your e-mail folder naming it using the following naming convention:

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Questions regarding how to migrate data to the shared drive should be directed to the Helpdesk at 877-875-3723.

Any other questions should be addressed to (b) (7)(C) in the Office of the Director via e-mail or at 202-648-(b) (7)(C)

(b) (7)(C)

Employee 3  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

From: (b) (7)(C)

Sent: Wednesday, April 06, 2011 1:19 PM

To: (b) (7)(C)

Subject: Re: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

We should probably include (b) (7)(C) as well since she represents PRB

\*\*\*\*\*

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---

From: (b) (7)(C)

To: (b) (7)(C)

Cc: (b) (7)(C)

Sent: Wed Apr 06 12:34:38 2011

Subject: FW: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

(b) (7)(C)

Please get this started in (b) (7)(C) absence.

(b) (7)(C)

Acting Chief of Staff

Office of the Director

O: 202-648 (b) (7)(C)

C: (b) (7)(C)

HQ Room 5 S 100

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**Subject:** FW: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

All:

Please review the message below and the attachments to this message. We as the Office of the Director must also respond. Please conduct the necessary inquiries of everyone under your supervision and respond to me by the due date so I may certify for the Office of the Director. Please ensure that we check for any complaints, FOIA's, calls, etc. If you have any questions, please see me.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

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**From:** (b) (7)(C)  
**Sent:** Wednesday, April 06, 2011 12:06 PM  
**To:** All Assistant Directors; All Deputy Assistant Directors; All Special Agents in Charge  
**Subject:** ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

On March 21, 2011, the Acting Inspector General (IG) for the Department of Justice advised Acting Director Melson that the IG's Oversight and Review Division recently initiated a review of certain ATF firearms trafficking investigations. In a March 21 memo, the Assistant IG for the Oversight and Review Division stated that the review would cover the matter known as Operation Fast and Furious, and other investigations with similar objectives, methods, and strategies. On March 25, 2011, Acting Director Melson received the attached request for documents and information relating to the IG review of certain firearms trafficking investigations.

On March 28, 2011, AD Stinnett sent each of you instructions on how to respond to the March 25, 2011 document request. She also sent each of you a document preservation request relative to Operation Fast and Furious.

On March 31, 2011 the House Committee on Oversight and Government Reform (HCOGR) issued a subpoena for documents related to Operation Fast and Furious and the FBI investigation into the death of Border Patrol Agent Brian Terry.

While the IG document request and the HCOGR subpoena are generally directed at the same investigation, they are distinctly different in their scope. To minimize the impact of these two document requests, facilitate production of responsive documents, and ensure the confidentiality of responses, we will combine them into one request and secure them electronically. (Accordingly, to the extent that AD Stinnett's March 28, 2011 asked for you to produce hard copy documents to her office, you can disregard that portion of her guidance). **The due date for the electronic production of responsive documents and certification of search is close of business Monday, April 11, 2011.**

**Regardless of any prior production of responsive documents to any entity inside or outside of ATF, everyone is required to produce any responsive documents, e-mails, etc. at this time. All responsive**

**documents anywhere in the organization must be produced. Further, all documents must be fully produced. There is no authority for ATF to withhold records, or redact portions of records because we believe they are sensitive or confidential or privileged. The IG has statutory authority to obtain any and all records related to this review.**

ACTION ITEM FOR EACH AD AND EMPLOYEES IN EACH DIRECTORATE

Please carefully review both the attached OIG request for documents and the attached HCOGR request and forward to each office within your area of responsibility. These documents should be forwarded to each employee in every office under your supervision. While it is likely that most of the requested records will be housed at the Phoenix Field Division or Bureau headquarters, it is nonetheless critical that each SAC and HQ Official ensure a thorough search is conducted at each field and headquarters division and any responsive record is forwarded as instructed. Please err on the side of caution and be over inclusive in producing documents or information.

Also attached is a revised verification certification that covers document production for the OIG and the HCOGR which needs to be signed and dated by each SAC and HQ Official. If your division does not have responsive materials, please note "no responsive records found" on the certification and provide a copy of the signed document as instructed below. A scanned copy of this document should be placed in the division folder as described below using the naming convention of "Division\_Certification" e.g. Phoenix\_Certification. Personnel in the Office of Field Operations should also e-mail a copy of their certification to Program Analyst (b) (7)(C)

**Do not produce** any of the following documents generally described as national policy documents (Headquarters has and will produce these documents):

The 2009 ONDCP National Southwest Border Counternarcotics Strategy  
The Draft 2011 ONDCP National Southwest Border Counternarcotics Strategy  
The Department of Justice Strategy for Combating the Mexican Cartels  
The Department of Justice Firearms Manual  
Any national ATF Orders, Briefs, Handbooks, or Guides  
The ATF National Firearms Trafficking Enforcement Implementation Plan dated June 2009 and its transmittal memo  
The ATF Cartel Strategy dated September 2010 and its transmittal memo

**However**, any additional guidance on any of the above topics issued at the directorate, division, field office, or branch level **must be produced**.

**Do not produce** any of the following documents generally described as NFORCE documents from the Fast and Furious case file (Headquarters has and will produce these documents):

Management Logs  
Reports of Investigation  
Significant Incident Reports  
Affidavits  
Anything currently contained in the Phoenix Field Division shared drive s:\Phoenix VII\7585115-10-0004

**However**, any other responsive documents, e-mail, or communications related to Operation Fast and Furious maintained at the directorate, division, field office, or branch level **must be produced**.

**All production of responsive materials is to be in electronic form only as outlined below. Do not submit paper copies to headquarters. Any responsive document or other communication that is not currently in electronic form is to be scanned.**

#### PROCESS FOR EACH EMPLOYEE TO SUBMIT RESPONSIVE DOCUMENTS ELECTRONICALLY

ATF will compile all responsive documents by having employees place electronic copies of the documents into a shared computer drive. Do not produce hard copies or e-mail copies of documents to HQ.

Each employee and task force officer in ATF has been given access to a nationwide shared computer drive titled "Fast and Furious Investigation." Access to this drive was automatically created when you logged in to your computer Monday, April 4, 2011.

If you have responsive documents to submit, follow the procedure below to deposit them into the shared drive in the appropriate location. If you have no responsive documents, complete your certification and return it in accordance with the instructions provided by your supervisor.

#### **How to Access the Fast and Furious Investigation shared drive.**

To access this drive, place your mouse pointer over the "Start" button in the lower left corner of your screen and right click, then select "Explore."

Scroll down until you see a drive labeled "Fast and Furious Investigation." (If you do not see this drive and your computer has not been rebooted recently, you will need to log out of the network and log back in so that the network may create your access to the shared drive.)

Left click on that drive.

Scroll to your field division or Headquarters Directorate

Left Click on that folder

#### **How to Create a Document Folder**

Next create a new user folder to hold your responsive documents. To do this:

Go to the top menu and select "File"

Then select "New"

Then select "Folder"

Name the new folder with your login id (network user id)

Left click on the folder you just created to enter it

Copy any responsive documents into your folder in the shared drive.

About your folder:

Only you can access your folder. No one else in your office, division, or directorate can view your submission(s).

Similarly, you cannot access anyone else's folder.

You can deposit documents into the folder, but once deposited in the folder you cannot read, rename, modify, or delete them.

#### **Saving scanned documents**

If you must scan a document to submit it, please save it using the following naming convention:

Your login ID\_description\_of\_the\_document\_date of the document

Where Your login ID is your **network login ID**, followed by an underscore and the description of the document, for example, “\_division\_firearms\_trafficking\_guidance\_memo\_” followed by the date of the original document **201104XX** expressed as a four digit year followed by two digit month and 2 digit day

An example of a properly named scanned file might look like this:

**Atfperson\_division\_firearms\_trafficking\_guidance\_memo\_20100920**

**Phoenix Field Division personnel need not produce e-mails to the shared folder, all Phoenix employees' e-mail will be collected automatically. Each Phoenix user will receive a network notification advising them that their e-mail folders are being copied from their pc in response to this information collection. All Phoenix employees are required to cooperate with this collection process.**

### **How to Save Small Quantities of Responsive E-Mails**

To save a singular responsive e-mail follow these steps:

Open the e-mail

Left Click on the “Office Button” Icon in the upper left hand corner

Select “Save As”

Browse to your folder on the shared drive.

**In the Save as type: dialogue box be sure to select Outlook Message Format (\*.msg)**

Save the file directly to your folder in the shared drive.

### **How to Save Large quantities of responsive E-Mails**

Move all responsive e-mails to a single folder within Outlook – create a new folder if need be.

Once you have moved all responsive e-mails into the folder, highlight the folder on the folder list.

Left click “File” in the upper left hand corner of the Outlook window

In the dialogue box select “Import and Export”

In the next dialogue box select “Export to a File,” then click “Next”

In the next dialogue box select “Personal Folder File (.pst),” then click “Next”

In the next dialogue box select (highlight by clicking on it) the folder where you have stored the responsive e-mails, then click “Next”

In the next dialogue box in the “Save exported file as” box, browse to your folder on the shared drive and save the .pst file containing your e-mail folder naming it using the following naming convention:

Your **login ID\_email\_ff\_20110404**, then click “Finish”

Where Your login ID is your **network login ID**, followed by an underscore and the letters “\_email\_ff\_” followed by the date you exported the file **201104XX** expressed as a four digit year followed by two digit month and 2 digit day.

Questions regarding what information to produce should be reviewed with your supervisor. If you are unable to determine how to proceed, questions may be directed to AD Melanie Stinnett in OPRSO via e-mail or at 202-648-7500



Questions regarding how to migrate data to the shared drive should be directed to the Helpdesk at 877-875-3723.

Any other questions should be addressed to (b) (7)(C) in the Office of the Director via e-mail or at 202-648 (b) (7)(C)

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Wednesday, April 06, 2011 1:08 PM  
**To:** (b) (7)(C)  
**Subject:** RE: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

(b) (7)(C)

I am unable to print the third attachment. I have tried several times. Any suggestions?

Thank you,

(b) (7)(C)

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Wednesday, April 06, 2011 12:34 PM  
**To:** (b) (7)(C)  
**Subject:** FW: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

All:

Please review the message below and the attachments to this message. We as the Office of the Director must also respond. Please conduct the necessary inquiries of everyone under your supervision and respond to me by the due date so I may certify for the Office of the Director. Please ensure that we check for any complaints, FOIA's, calls, etc. If you have any questions, please see me.

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

\*\*\*\*\*

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**From:** (b) (7)(C)

**Sent:** Wednesday, April 06, 2011 12:06 PM

**To:** All Assistant Directors; All Deputy Assistant Directors; All Special Agents in Charge

**Subject:** ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

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ACTION ITEM FOR EACH AD AND EMPLOYEES IN EACH DIRECTORATE

Please carefully review both the attached OIG request for documents and the attached HCOGR request and forward to each office within your area of responsibility. These documents should be forwarded to each employee in every office under your supervision. While it is likely that most of the requested records will be housed at the Phoenix Field Division or Bureau headquarters, it is nonetheless critical that each SAC and HQ Official ensure a thorough search is conducted at each field and headquarters division and any responsive record is forwarded as instructed. Please err on the side of caution and be over inclusive in producing documents or information.

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#### PROCESS FOR EACH EMPLOYEE TO SUBMIT RESPONSIVE DOCUMENTS ELECTRONICALLY

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### **How to Access the Fast and Furious Investigation shared drive.**

To access this drive, place your mouse pointer over the “Start” button in the lower left corner of your screen and right click, then select “Explore.”

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Left click on that drive.

Scroll to your field division or Headquarters Directorate

Left Click on that folder

### **How to Create a Document Folder**

Next create a new user folder to hold your responsive documents. To do this:

Go to the top menu and select “File”

Then select “New”

Then select “Folder”

Name the new folder with your login id (network user id)

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An example of a properly named scanned file might look like this:

**Atfperson\_division\_firearms\_trafficking\_guidance\_memo\_20100920**

**Phoenix Field Division personnel need not produce e-mails to the shared folder, all Phoenix employees’ e-mail will be collected automatically. Each Phoenix user will receive a network notification advising them that their e-mail folders are being copied from their pc in response to this information collection. All Phoenix employees are required to cooperate with this collection process.**

## How to Save Small Quantities of Responsive E-Mails

To save a singular responsive e-mail follow these steps:

Open the e-mail

Left Click on the "Office Button" Icon in the upper left hand corner

Select "Save As"

Browse to your folder on the shared drive.

**In the Save as type: dialogue box be sure to select Outlook Message Format (\*.msg)**

Save the file directly to your folder in the shared drive.

## How to Save Large quantities of responsive E-Mails

Move all responsive e-mails to a single folder within Outlook – create a new folder if need be.

Once you have moved all responsive e-mails into the folder, highlight the folder on the folder list.

Left click "File" in the upper left hand corner of the Outlook window

In the dialogue box select "Import and Export"

In the next dialogue box select "Export to a File," then click "Next"

In the next dialogue box select "Personal Folder File (.pst)," then click "Next"

In the next dialogue box select (highlight by clicking on it) the folder where you have stored the responsive e-mails, then click "Next"

In the next dialogue box in the "Save exported file as" box, browse to your folder on the shared drive and save the .pst file containing your e-mail folder naming it using the following naming convention:

Your login ID\_email\_ff\_20110404, then click "Finish"

Where Your login ID is your **network login ID**, followed by an underscore and the letters "**\_email\_ff\_**" followed by the date you exported the file **201104XX** expressed as a four digit year followed by two digit month and 2 digit day.

Questions regarding what information to produce should be reviewed with your supervisor. If you are unable to determine how to proceed, questions may be directed to AD Melanie Stinnett in OPRSO via e-mail or at 202-648-7500

Questions regarding how to migrate data to the shared drive should be directed to the Helpdesk at 877-875-3723.

Any other questions should be addressed to (b) (7)(C) in the Office of the Director via e-mail or at 202-648-(b) (7)(C)

(b) (7)(C)

Acting Chief of Staff

Office of the Director

O: 202-648-(b) (7)(C)

C:(b) (7)(C)

HQ Room 5 S 100



**From:** (b) (7)(C)  
**Sent:** Tuesday, April 05, 2011 6:29 PM  
**To:** Stinnett, Melanie S.; Hoover, William J.; (b) (7)(C)  
**CC:** (b) (7)(C)  
**Subject:** RE: POC for document preservation directive

OM's POC is (b) (7)(C)

(b) (7)(C)  
w-202-648 (b) (7)(C)  
d (b) (7)(C)

\*\*\*\*\*

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**From:** Stinnett, Melanie S.  
**Sent:** Tuesday, April 05, 2011 9:47 AM  
**To:** McDermond, James E.; Hoover, William J.; Potter, Mark W.; (b) (7)(C); Michalic, Vivian B.; Chait, Mark R.; Ford, Larry W.  
**Cc:** (b) (7)(C)  
**Subject:** POC for document preservation directive

Just a reminder -- Counsel (b) (7)(C) and I need to know who the POCs are for your directorates relative to the Document preservation request on Fast and Furious.

\*\*\*\*\*

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**From:** Stinnett, Melanie S.  
**Sent:** Monday, March 28, 2011 3:00 PM  
**To:** All Assistant Directors; Hoover, William J.; Potter, Mark W.; (b) (7)(C)  
**Cc:** Melson, Kenneth E.; (b) (7)(C)  
(b) (7)(C)  
**Subject:**



On March 21, 2011, the Acting Inspector General (IG) for the Department of Justice advised Acting Director Melson that the IG's Oversight and Review Division recently initiated a review of the ATF firearms trafficking investigation known as Operation Fast and Furious, and other investigations with similar objectives, methods and strategies. On March 25, 2011, Acting Director Melson received the attached request for documents and information relating to the IG review of certain firearms trafficking investigations.

I will be the IG's point of contact for this and future IG requests for documents and information relative to this IG review. I am asking that you forward the attached request for documents and information to each office in your directorate that might have relevant documents or information responsive to the IG request. Please err on the side of caution and be over inclusive in producing documents or information.

I ask that your offices adhere to the following guidelines in complying with this IG request:

1. Maintain copies of the documents and information that you produce;
2. Where appropriate, create a document to record the information that you are producing (for example, item 6 will require the creation of a document); and
3. Identify the employee(s) who conducted the search for documents or information.

Please assure that the documents and information are forwarded to me by COB April 8, 2011.

Finally, please note the corresponding preservation directive attached to this email which also requires the designation of a POC by COB April 1, 2011 .

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Tuesday, April 05, 2011 9:33 AM  
**To:** Stinnett, Melanie S.  
**Subject:** RE: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

That will work.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C (b) (7)(C)  
HQ Room 5 5 100

---

**From:** Stinnett, Melanie S.  
**Sent:** Tuesday, April 05, 2011 9:33 AM  
**To:** (b) (7)(C)  
**Subject:** RE: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

I am having a staff meeting at 10 and then meeting with (b) (7)(C) at 10:30 to discuss this week's SIRB meeting. If I don't get to this till 11:30 is that too late. I promise it will be number 1 on the 11:30 hit list.

\*\*\*\*\*

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---

**From:** (b) (7)(C)  
**Sent:** Tuesday, April 05, 2011 9:31 AM  
**To:** Stinnett, Melanie S.  
**Subject:** ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

Melanie:

Edit as you see fit.

In addition to the OIG inquiry into Operation Fast and Furious, ATF has now received a subpoena for documents from the House of Representatives Committee on Oversight and Government Reform. While the document requests are generally directed at the same investigation, they are distinctly different in their scope.

To minimize the impact of these two document requests, facilitate production of responsive documents,

and ensure the confidentiality of responses, we will combine them into one request and secure them electronically. The due date for the production of responsive documents and certification of search is close of business Friday, April 8, 2011

**Regardless of any prior production of responsive documents to any entity inside or outside of ATF, everyone is required to produce any responsive documents, e-mails, etc. at this time. As we are under subpoena, all responsive documents anywhere in the organization must be produced.**

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Any additional guidance on any of the above topics issued at the directorate, division, field office, or branch level should be produced.

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Reports of Investigation

Significant Incident Reports

Affidavits

Anything currently contained in the Phoenix Field Division shared drive s:\Phoenix VII\7585115-10-0004

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Left click on that drive.

Scroll to your field division or Headquarters Directorate

Left Click on that folder

#### **How to Create a Document Folder**

Next create a new user folder to hold your responsive documents. To do this:

Go to the top menu and select "File"

Then select "New"

Then select "Folder"

Name the new folder with your login id (network user id)

Left click on the folder you just created to enter it

Copy any responsive documents into your folder in the shared drive.

About your folder:

Only you can access your folder. No one else in your office, division or directorate can view your submission(s).

Similarly, you cannot access anyone else's folder.

You can deposit documents into the folder, but once deposited in the folder you cannot read, rename, modify, or delete them.

### **Saving scanned documents**

If you must scan a document to submit it, please save it using the following naming convention:

Your login ID\_description\_of\_the\_document\_date of the document

Where Your login ID is your network login ID, followed by an underscore and the description of the document, for example, “\_division\_firearms\_trafficking\_guidance\_memo\_” followed by the date of the original document 201104XX expressed as a four digit year followed by two digit month and 2 digit day

An example of a properly named scanned file might look like this:

Atfperson\_division\_firearms\_trafficking\_guidance\_memo\_20100920

### **How to Save Small Quantities of Responsive E-Mails**

To save a singular responsive e-mail follow these steps:

Open the e-mail

Left Click on the “Office Button” Icon in the upper left hand corner

Select “Save As”

Browse to your folder on the shared drive.

**In the Save as type: dialogue box be sure to select Outlook Message Format (\*.msg)**

Save the file directly to your folder in the shared drive.

### **How to Save Large quantities of responsive E-Mails**

Move all responsive e-mails to a single folder within Outlook – create a new folder if need be.

Once you have moved all responsive e-mails into the folder, highlight the folder on the folder list.

Left click “File” in the upper left hand corner of the Outlook window

In the dialogue box select “Import and Export”

In the next dialogue box select “Export to a File”, then click “Next”

In the next dialogue box select “Personal Folder File (.pst)”, then click “Next”

In the next dialogue box select (highlight by clicking on it) the folder where you have stored the responsive e-mails, then click “Next”

In the next dialogue box in the “Save exported file as” box, browse to your folder on the shared drive and save the .pst file containing your e-mail folder naming it using the following naming convention:

Your login ID\_email\_ff\_20110404, then click “Finish”

Where Your login ID is your network login ID, followed by an underscore and the letters “\_email\_ff\_” followed by the date you exported the file 201104XX expressed as a four digit year followed by two digit month and 2 digit day.

**(b) (7)(C)**

Employee 3  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

\*\*\*\*\*

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From: (b) (7)(C)

Sent: Tuesday, April 05, 2011 9:31 AM

To: Stinnett, Melanie S.

Subject: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

Attachments: OIG.FF document request 3-25-11.pdf; OIG and HCOGR Verification.docx; 20110331 SUBPOENA MELSON.pdf

Melanie:

Edit as you see fit.

In addition to the OIG inquiry into Operation Fast and Furious, ATF has now received a subpoena for documents from the House of Representatives Committee on Oversight and Government Reform. While the document requests are generally directed at the same investigation, they are distinctly different in their scope.

To minimize the impact of these two document requests, facilitate production of responsive documents, and ensure the confidentiality of responses, we will combine them into one request and secure them electronically. The due date for the production of responsive documents and certification of search is close of business Friday, April 8, 2011

**Regardless of any prior production of responsive documents to any entity inside or outside of ATF, everyone is required to produce any responsive documents, e-mails, etc. at this time. As we are under subpoena, all responsive documents anywhere in the organization must be produced.**

On March 21, 2011, the Acting Inspector General (IG) for the Department of Justice advised Acting Director Melson that the IG's Oversight and Review Division recently initiated a review of the ATF firearms trafficking investigation known as Operation Fast and Furious, and other investigations with similar objectives, methods and strategies. On March 25, 2011, Acting Director Melson received the attached request for documents and information relating to the IG review of certain firearms trafficking investigations.

On March 31, 2011 the House Committee on Oversight and Government Reform issued a subpoena for documents related to Operation Fast and Furious and the FBI investigation into the death of Border Patrol Agent Brian Terry.

Please carefully review both the attached OIG request for documents and the attached HCOGR subpoena and forward to each office within your area of responsibility. These documents should be forwarded to each employee in every office under your supervision that might have relevant documents or information responsive to the IG request and/or the subpoena. While it is likely that most of the requested records will be housed at the Phoenix Field Division or Bureau headquarters, it is nonetheless critical that each SAC and HQ Official ensure a thorough search is conducted at each field and headquarters division and any responsive record is forwarded as instructed. Please err on the side of caution and be over inclusive in producing documents or information.

Also attached is a revised verification certification that covers document production for the OIG and the HCOGR which needs to be signed and dated by each SAC and HQ Official. If your division does not have responsive materials, please note "no responsive records found" on the certification and provide a copy of



the signed document as instructed below. A scanned copy of this document should be placed in the division folder as described below using the naming convention of "Division\_Certification" e.g. Phoenix\_Certification. Personnel in the Office of Field Operations should also e-mail a copy of their certification to Program Analyst (b) (7)(C)

Do not produce any of the following documents generally described as national policy documents:

The 2009 ONDCP National Southwest Border Counternarcotics Strategy  
The Draft 2011 ONDCP National Southwest Border Counternarcotics Strategy  
The Department of Justice Strategy for Combating the Mexican Cartels  
The Department of Justice Firearms Manual  
Any national ATF Orders, Briefs, Handbooks, or Guides  
The ATF National Firearms Trafficking Enforcement Implementation Plan dated June 2009 and its transmittal memo  
The ATF Cartel Strategy dated September 2010 and its transmittal memo

Any additional guidance on any of the above topics issued at the directorate, division, field office, or branch level should be produced.

Do not produce any of the following documents generally described as NFORCE documents from the Fast and Furious case file:

Management Logs  
Reports of Investigation  
Significant Incident Reports  
Affidavits  
Anything currently contained in the Phoenix Field Division shared drive s:\Phoenix VII\7585115-10-0004

Any other responsive documents, e-mail, or communications on any of the above case or in any related case maintained at the directorate, division, field office, or branch level should be produced.

**All production of responsive materials is to be in electronic form only as outlined below. Do not submit paper copies to headquarters. Any responsive document or other communication that is not currently in electronic form is to be scanned.**

ATF will compile all responsive documents by having employees place electronic copies of the documents into a shared computer drive. Do not produce hard copies or e-mail copies of documents to HQ. Each employee and task force officer in ATF has been given access to a nationwide shared computer drive titled "Fast and Furious Investigation." Access to this drive was automatically created when you logged in to your computer Monday, April 4, 2011. If you have responsive documents to submit, follow the procedure below to deposit them into the shared drive in the appropriate location. If you have no responsive documents, complete your certification and return it in accordance with the instructions provided by your supervisor.

#### **How to Access the Fast and Furious Investigation shared drive.**

To access this drive, place your mouse pointer over the "Start" button in the lower left corner of your screen and right click, then select "Explore."  
Scroll down until you see a drive labeled "Fast and Furious Investigation." (If you do not see this drive and



your computer has not been rebooted recently, you will need to log out of the network and log back in so that the network may create your access to the shared drive.)

Left click on that drive.

Scroll to your field division or Headquarters Directorate

Left Click on that folder

### **How to Create a Document Folder**

Next create a new user folder to hold your responsive documents. To do this:

Go to the top menu and select "File"

Then select "New"

Then select "Folder"

Name the new folder with your login id (network user id)

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An example of a properly named scanned file might look like this:

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Select "Save As"

Browse to your folder on the shared drive.

**In the Save as type: dialogue box be sure to select Outlook Message Format (\*.msg)**

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Left click “File” in the upper left hand corner of the Outlook window

In the dialogue box select “Import and Export”

In the next dialogue box select “Export to a File”, then click “Next”

In the next dialogue box select “Personal Folder File (.pst)”, then click “Next”

In the next dialogue box select (highlight by clicking on it) the folder where you have stored the responsive e-mails, then click “Next”

In the next dialogue box in the “Save exported file as” box, browse to your folder on the shared drive and save the .pst file containing your e-mail folder naming it using the following naming convention:

Your login ID\_email\_ff\_20110404, then click “Finish”

Where Your login ID is your network login ID, followed by an underscore and the letters “\_email\_ff\_” followed by the date you exported the file 201104XX expressed as a four digit year followed by two digit month and 2 digit day.

**(b) (7)(C)**

Acting Chief of Staff  
Office of the Director

O: 202-648-**(b) (7)(C)**

C: **(b) (7)(C)**

HQ Room 5 S 100

From: (b) (7)(C)  
Sent: Tuesday, April 05, 2011 9:08 AM  
To: (b) (7)(C)  
Subject: RE: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

I or OPRSO will send.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C (b) (7)(C)  
HQ Room 5 5 100

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From: (b) (7)(C)  
Sent: Tuesday, April 05, 2011 8:55 AM  
To: (b) (7)(C)  
Subject: RE: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

I agree -- looks good to me. (b) (7)(C) are you sending our shall we?

\*\*\*\*\*

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From: (b) (7)(C)  
Sent: Tuesday, April 05, 2011 8:44 AM  
To: (b) (7)(C)  
Subject: RE: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

I would suggest email to (b) (7)(C) that way we have a running total without having to go look and search as to where we are at.

(b) (7)(C)  
Chief of Staff  
Field Management Staff  
Desk: 202-648 (b) (7)(C) Cellular: (b) (7)(C)



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**From:** (b) (7)(C)  
**Sent:** Tuesday, April 05, 2011 8:42 AM  
**To:** (b) (7)(C)  
**Subject:** RE: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

We can set a due date of next Monday 4/11 to give them a little more time if you think its necessary. We will be able to check folders and look for the certifications or we could also have them e-mailed in to (b) (7)(C)

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 5 100

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Tuesday, April 05, 2011 8:39 AM  
**To:** (b) (7)(C)  
**Subject:** RE: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

What is the due date we want to attach to this? Also, will we be able verify who has submitted the certification documents and who we need to pester to get them?

(b) (7)(C)

Chief of Staff

Field Management Staff

Desk: 202-648-(b) (7)(C) Cellular: (b) (7)(C)

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---

From: (b) (7)(C)

Sent: Tuesday, April 05, 2011 8:33 AM

To: (b) (7)(C)

Subject: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

(b) (7)(C)

Edit or add as you see fit.

In addition to the OIG inquiry into Operation Fast and Furious, ATF has now received a subpoena for documents from the House of Representatives Committee on Oversight and Government Reform. While the document requests are generally directed at the same investigation, they are distinctly different in their scope.

To minimize the impact of these two document requests, facilitate production of responsive documents, and ensure the confidentiality of responses, we will combine them into one request and secure them electronically.

**Regardless of any prior production of responsive documents to any entity inside or outside of ATF, everyone is required to produce any responsive documents, e-mails, etc. at this time. As we are under subpoena, all responsive documents anywhere in the organization must be produced.**

On March 21, 2011, the Acting Inspector General (IG) for the Department of Justice advised Acting Director Melson that the IG's Oversight and Review Division recently initiated a review of the ATF firearms trafficking investigation known as Operation Fast and Furious, and other investigations with similar objectives, methods and strategies. On March 25, 2011, Acting Director Melson received the attached request for documents and information relating to the IG review of certain firearms trafficking investigations.

On March 31, 2011 the House Committee on Oversight and Government Reform issued a subpoena for documents related to Operation Fast and Furious and the FBI investigation into the death of Border Patrol Agent Brian Terry.

Please carefully review both the attached OIG request for documents and the attached HCOGR subpoena and forward to each office within your area of responsibility. These documents should be forwarded to each employee in every office under your supervision that might have relevant documents or information responsive to the IG request and/or the subpoena. While it is likely that most of the requested records will be housed at the Phoenix Field Division or Bureau headquarters, it is nonetheless critical that each SAC and HQ Official ensure a thorough search is conducted at each field and headquarters division and any responsive record is forwarded as instructed. Please err on the side of caution and be over inclusive in producing documents or information.

Also attached is a revised verification certification that covers document production for the OIG and the HCOGR which needs to be signed and dated by each SAC and HQ Official. If your division does not have responsive materials, please note "no responsive records found" on the certification and provide a copy of the signed document as instructed below. A scanned copy of this document should be placed in the division folder as described below using the naming convention of "Division\_Certification" e.g. Phoenix\_Certification.

Do not produce any of the following documents generally described as national policy documents:

The 2009 ONDCP National Southwest Border Counternarcotics Strategy  
The Draft 2011 ONDCP National Southwest Border Counternarcotics Strategy  
The Department of Justice Strategy for Combating the Mexican Cartels  
The Department of Justice Firearms Manual  
Any national ATF Orders, Briefs, Handbooks, or Guides  
The ATF National Firearms Trafficking Enforcement Implementation Plan dated June 2009 and its transmittal memo  
The ATF Cartel Strategy dated September 2010 and its transmittal memo

Any additional guidance on any of the above topics issued at the directorate, division, field office, or branch level should be produced.

Do not produce any of the following documents generally described as NFORCE documents from the Fast and Furious case file:

Management Logs  
Reports of Investigation  
Significant Incident Reports  
Affidavits  
Anything currently contained in the Phoenix Field Division shared drive s:\Phoenix VII\7585115-10-0004

Any other responsive documents, e-mail, or communications on any of the above case or in any related case maintained at the directorate, division, field office, or branch level should be produced.

**All production of responsive materials is to be in electronic form only as outlined below. Do not submit paper copies to headquarters. Any responsive document or other communication that is not currently in electronic form is to be scanned.**

ATF will compile all responsive documents by having employees place electronic copies of the documents into a shared computer drive. Do not produce hard copies or e-mail copies of documents to HQ.

Each employee and task force officer in ATF has been given access to a nationwide shared computer drive titled "Fast and Furious Investigation."

Access to this drive was automatically created when you logged in to your computer Monday, April 4, 2011. If you have responsive documents to submit, follow the procedure below to deposit them into the shared drive in the appropriate location. If you have no responsive documents, complete your certification and return it in accordance with the instructions provided by your supervisor.

### **How to Access the Fast and Furious Investigation shared drive.**

To access this drive, place your mouse pointer over the "Start" button in the lower left corner of your screen and right click, then select "Explore."

Scroll down until you see a drive labeled "Fast and Furious Investigation." (If you do not see this drive and your computer has not been rebooted recently, you will need to log out of the network and log back in so that the network may create your access to the shared drive.)

Left click on that drive.

Scroll to your field division or Headquarters Directorate

Left Click on that folder

### **How to Create a Document Folder**

Next create a new user folder to hold your responsive documents. To do this:

Go to the top menu and select "File"

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An example of a properly named scanned file might look like this:

Atfperson\_division\_firearms\_trafficking\_guidance\_memo\_20100920

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Select “Save As”

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**In the Save as type: dialogue box be sure to select Outlook Message Format (\*.msg)**

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### How to Save Large quantities of responsive E-Mails

Move all responsive e-mails to a single folder within Outlook – create a new folder if need be.

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In the next dialogue box select “Personal Folder File (.pst)”, then click “Next”

In the next dialogue box select (highlight by clicking on it) the folder where you have stored the responsive e-mails, then click “Next”

In the next dialogue box in the “Save exported file as” box, browse to your folder on the shared drive and save the .pst file containing your e-mail folder naming it using the following naming convention:

Your login ID\_email\_ff\_20110404, then click “Finish”

Where Your login ID is your network login ID, followed by an underscore and the letters “\_email\_ff\_” followed by the date you exported the file 201104XX expressed as a four digit year followed by two digit month and 2 digit day.

**(b) (7)(C)**

Acting Chief of Staff  
Office of the Director

O: 202-648-**(b) (7)(C)**

C: **(b) (7)(C)**

HQ Room 5 S 100

\*\*\*\*\*



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From: (b) (7)(C)

Sent: Tuesday, April 05, 2011 8:42 AM

To: (b) (7)(C)

Subject: RE: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

We can set a due date of next Monday 4/11 to give them a little more time if you think its necessary. We will be able to check folders and look for the certifications or we could also have them e-mailed in to (b) (7)(C)

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Acting Chief of Staff

Office of the Director

O: 202-648 (b) (7)(C)

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HQ Room 5 S 100

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Desk: 202-648 (b) (7)(C) Cellular: (b) (7)(C)

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Any other responsive documents, e-mail, or communications on any of the above case or in any related case maintained at the directorate, division, field office, or branch level should be produced.

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ATF will compile all responsive documents by having employees place electronic copies of the documents into a shared computer drive. Do not produce hard copies or e-mail copies of documents to HQ. Each employee and task force officer in ATF has been given access to a nationwide shared computer drive titled "Fast and Furious Investigation." Access to this drive was automatically created when you logged in to your computer Monday, April 4, 2011. If you have responsive documents to submit, follow the procedure below to deposit them into the shared drive in the appropriate location. If you have no responsive documents, complete your certification and return it in accordance with the instructions provided by your supervisor.

#### **How to Access the Fast and Furious Investigation shared drive.**

To access this drive, place your mouse pointer over the "Start" button in the lower left corner of your screen and right click, then select "Explore."  
Scroll down until you see a drive labeled "Fast and Furious Investigation." (If you do not see this drive and your computer has not been rebooted recently, you will need to log out of the network and log back in so that the network may create your access to the shared drive.)  
Left click on that drive.  
Scroll to your field division or Headquarters Directorate  
Left Click on that folder

## How to Create a Document Folder

Next create a new user folder to hold your responsive documents. To do this:

Go to the top menu and select “File”

Then select “New”

Then select “Folder”

Name the new folder with your login id (network user id)

Left click on the folder you just created to enter it

Copy any responsive documents into your folder in the shared drive.

About your folder:

Only you can access your folder. No one else in your office, division or directorate can view your submission(s).

Similarly, you cannot access anyone else’s folder.

You can deposit documents into the folder, but once deposited in the folder you cannot read, rename, modify, or delete them.

## Saving scanned documents

If you must scan a document to submit it, please save it using the following naming convention:

Your login ID\_description\_of\_the\_document\_date of the document

Where Your login ID is your network login ID, followed by an underscore and the description of the document, for example, “\_division\_firearms\_trafficking\_guidance\_memo\_” followed by the date of the original document 201104XX expressed as a four digit year followed by two digit month and 2 digit day

An example of a properly named scanned file might look like this:

Attperson\_division\_firearms\_trafficking\_guidance\_memo\_20100920

## How to Save Small Quantities of Responsive E-Mails

To save a singular responsive e-mail follow these steps:

Open the e-mail

Left Click on the “Office Button” Icon in the upper left hand corner

Select “Save As”

Browse to your folder on the shared drive.

**In the Save as type: dialogue box be sure to select Outlook Message Format (\*.msg)**

Save the file directly to your folder in the shared drive.

## How to Save Large quantities of responsive E-Mails

Move all responsive e-mails to a single folder within Outlook – create a new folder if need be.

Once you have moved all responsive e-mails into the folder, highlight the folder on the folder list.

Left click “File” in the upper left hand corner of the Outlook window

In the dialogue box select “Import and Export”

In the next dialogue box select “Export to a File”, then click “Next”

In the next dialogue box select “Personal Folder File (.pst)”, then click “Next”

In the next dialogue box select (highlight by clicking on it) the folder where you have stored the responsive e-mails, then click "Next"

In the next dialogue box in the "Save exported file as" box, browse to your folder on the shared drive and save the .pst file containing your e-mail folder naming it using the following naming convention:

Your login ID\_\_email\_\_ff\_\_20110404, then click "Finish"

Where Your login ID is your network login ID, followed by an underscore and the letters "\_\_email\_\_ff\_\_" followed by the date you exported the file 201104XX expressed as a four digit year followed by two digit month and 2 digit day.

**(b) (7)(C)**

Acting Chief of Staff  
Office of the Director  
O: 202-648-**(b) (7)(C)**  
C: **(b) (7)(C)**  
HQ Room 5 S 100

\*\*\*\*\*

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From: (b) (7)(C)

Sent: Tuesday, April 05, 2011 8:32 AM

To: (b) (7)(C)

Subject: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

Attachments: OIG.FF document request 3-25-11.pdf; OIG and HCOGR Verification.docx; 20110331 SUBPOENA MELSON.pdf

(b) (7)(C)

Edit or add as you see fit.

In addition to the OIG inquiry into Operation Fast and Furious, ATF has now received a subpoena for documents from the House of Representatives Committee on Oversight and Government Reform. While the document requests are generally directed at the same investigation, they are distinctly different in their scope.

To minimize the impact of these two document requests, facilitate production of responsive documents, and ensure the confidentiality of responses, we will combine them into one request and secure them electronically.

**Regardless of any prior production of responsive documents to any entity inside or outside of ATF, everyone is required to produce any responsive documents, e-mails, etc. at this time. As we are under subpoena, all responsive documents anywhere in the organization must be produced.**

On March 21, 2011, the Acting Inspector General (IG) for the Department of Justice advised Acting Director Melson that the IG's Oversight and Review Division recently initiated a review of the ATF firearms trafficking investigation known as Operation Fast and Furious, and other investigations with similar objectives, methods and strategies. On March 25, 2011, Acting Director Melson received the attached request for documents and information relating to the IG review of certain firearms trafficking investigations.

On March 31, 2011 the House Committee on Oversight and Government Reform issued a subpoena for documents related to Operation Fast and Furious and the FBI investigation into the death of Border Patrol Agent Brian Terry.

Please carefully review both the attached OIG request for documents and the attached HCOGR subpoena and forward to each office within your area of responsibility. These documents should be forwarded to each employee in every office under your supervision that might have relevant documents or information responsive to the IG request and/or the subpoena. While it is likely that most of the requested records will be housed at the Phoenix Field Division or Bureau headquarters, it is nonetheless critical that each SAC and HQ Official ensure a thorough search is conducted at each field and headquarters division and any responsive record is forwarded as instructed. Please err on the side of caution and be over inclusive in producing documents or information.

Also attached is a revised verification certification that covers document production for the OIG and the HCOGR which needs to be signed and dated by each SAC and HQ Official. If your division does not have responsive materials, please note "no responsive records found" on the certification and provide a copy of the signed document as instructed below. A scanned copy of this document should be placed in the division folder as described below using the naming convention of "Division\_Certification" e.g.

Do not produce any of the following documents generally described as national policy documents:

The 2009 ONDCP National Southwest Border Counternarcotics Strategy  
The Draft 2011 ONDCP National Southwest Border Counternarcotics Strategy  
The Department of Justice Strategy for Combating the Mexican Cartels  
The Department of Justice Firearms Manual  
Any national ATF Orders, Briefs, Handbooks, or Guides  
The ATF National Firearms Trafficking Enforcement Implementation Plan dated June 2009 and its transmittal memo  
The ATF Cartel Strategy dated September 2010 and its transmittal memo

Any additional guidance on any of the above topics issued at the directorate, division, field office, or branch level should be produced.

Do not produce any of the following documents generally described as NFORCE documents from the Fast and Furious case file:

Management Logs  
Reports of Investigation  
Significant Incident Reports  
Affidavits  
Anything currently contained in the Phoenix Field Division shared drive s:\Phoenix VII\7585115-10-0004

Any other responsive documents, e-mail, or communications on any of the above case or in any related case maintained at the directorate, division, field office, or branch level should be produced.

**All production of responsive materials is to be in electronic form only as outlined below. Do not submit paper copies to headquarters. Any responsive document or other communication that is not currently in electronic form is to be scanned.**

ATF will compile all responsive documents by having employees place electronic copies of the documents into a shared computer drive. Do not produce hard copies or e-mail copies of documents to HQ. Each employee and task force officer in ATF has been given access to a nationwide shared computer drive titled "Fast and Furious Investigation." Access to this drive was automatically created when you logged in to your computer Monday, April 4, 2011. If you have responsive documents to submit, follow the procedure below to deposit them into the shared drive in the appropriate location. If you have no responsive documents, complete your certification and return it in accordance with the instructions provided by your supervisor.

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Left click on that drive.



Scroll to your field division or Headquarters Directorate  
Left Click on that folder

### How to Create a Document Folder

Next create a new user folder to hold your responsive documents. To do this:  
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Then select “New”  
Then select “Folder”  
Name the new folder with your login id (network user id)  
Left click on the folder you just created to enter it  
Copy any responsive documents into your folder in the shared drive.

About your folder:

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If you must scan a document to submit it, please save it using the following naming convention:

Your login ID\_description\_of\_the\_document\_date of the document

Where Your login ID is your network login ID, followed by an underscore and the description of the document, for example, “\_division\_firearms\_trafficking\_guidance\_memo\_” followed by the date of the original document 201104XX expressed as a four digit year followed by two digit month and 2 digit day

An example of a properly named scanned file might look like this:

Atfperson\_division\_firearms\_trafficking\_guidance\_memo\_20100920

### How to Save Small Quantities of Responsive E-Mails

To save a singular responsive e-mail follow these steps:

Open the e-mail

Left Click on the “Office Button” Icon in the upper left hand corner

Select “Save As”

Browse to your folder on the shared drive.

**In the Save as type: dialogue box be sure to select Outlook Message Format (\*.msg)**

Save the file directly to your folder in the shared drive.

### How to Save Large quantities of responsive E-Mails

Move all responsive e-mails to a single folder within Outlook – create a new folder if need be.

Once you have moved all responsive e-mails into the folder, highlight the folder on the folder list.

Left click “File” in the upper left hand corner of the Outlook window

In the dialogue box select "Import and Export"

In the next dialogue box select "Export to a File", then click "Next"

In the next dialogue box select "Personal Folder File (.pst)", then click "Next"

In the next dialogue box select (highlight by clicking on it) the folder where you have stored the responsive e-mails, then click "Next"

In the next dialogue box in the "Save exported file as" box, browse to your folder on the shared drive and save the .pst file containing your e-mail folder naming it using the following naming convention:

Your login ID\_email\_ff\_20110404, then click "Finish"

Where Your login ID is your network login ID, followed by an underscore and the letters "\_email\_ff\_" followed by the date you exported the file 201104XX expressed as a four digit year followed by two digit month and 2 digit day.

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

**From:** (b) (7)(C)  
**Sent:** Friday, March 25, 2011 5:54 PM  
**To:** (b) (7)(C)  
**Subject:** FW: ROI # 205 with DEA 6 as attached  
**Attachments:** ROI 205

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C (b) (7)(C)  
HQ Room 5 5 100

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**From:** Needles, James R.  
**Sent:** Monday, March 21, 2011 5:33 PM  
**To:** (b) (7)(C)  
**Subject:** FW: ROI # 205 with DEA 6 as attached

#6 Axelrod

\*\*\*\*\*

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---

**From:** (b) (7)(C)  
**Sent:** Monday, March 21, 2011 11:19 AM  
**To:** Needles, James R.  
**Subject:** ROI # 205 with DEA 6 as attached

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Wednesday, March 23, 2011 11:47 AM  
**To:** (b) (7)(C)  
**Subject:** RE: Sen. Grassley letter to USCBP

It may not exist.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

---

**From:** (b) (7)(C)  
**Sent:** Wednesday, March 23, 2011 11:46 AM  
**To:** (b) (7)(C)  
**Subject:** Re: Sen. Grassley letter to USCBP

Whoops. Don't know about that one. Sorry.

\*\*\*\*\*

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**From:** (b) (7)(C)  
**To:** (b) (7)(C)  
**Sent:** Wed Mar 23 11:37:54 2011  
**Subject:** RE: Sen. Grassley letter to USCBP

No. I am hearing rumor of one sent to ICE ????????

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Wednesday, March 23, 2011 11:37 AM  
**To:** (b) (7)(C)  
**Subject:** Sen. Grassley letter to USCBP

This one?

(b) (7)(C)  
DOJ- Bureau of Alcohol, Tobacco, Firearms & Explosives  
Chief - Office of Legislative Affairs  
(b) (7)(C) (mobile1)  
(b) (7)(C) (mobile2)  
202.648.(b) (7)(C) (office)  
202.648.9708 (fax)

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Wednesday, March 23, 2011 11:34 AM  
**To:** Melson, Kenneth E.  
**Subject:** FW: Sen. Grassley letter to USCBP  
**Attachments:** SKMBT\_C25311032117410.pdf

As we discussed – Sen. Grassley’s letter to CBP. We are researching the facts now. Should have full answers today.

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648 (b) (7)(C)  
C (b) (7)(C)  
HQ Room 5 5 100

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**From:** Needles, James R.  
**Sent:** Tuesday, March 22, 2011 3:34 PM  
**To:** (b) (7)(C) Hoover, William J.; McMahon, William G. (b) (7)(C) (b) (7)(C)  
**Subject:** Sen. Grassley letter to USCBP

Sen. Grassley letter dated March 16 to US Customs and Border Patrol.

\*\*\*\*\*

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From: (b) (7)(C)  
Sent: Wednesday, March 23, 2011 11:45 AM  
To: (b) (7)(C)  
Subject: Re: Sen. Grassley letter to USCBP

Whoops. Don't know about that one. Sorry.

\*\*\*\*\*

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---

From: (b) (7)(C)  
To: (b) (7)(C)  
Sent: Wed Mar 23 11:37:54 2011  
Subject: RE: Sen. Grassley letter to USCBP

No. I am hearing rumor of one sent to ICE ????????

(b) (7)(C)  
Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

\*\*\*\*\*

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---

From: (b) (7)(C)  
Sent: Wednesday, March 23, 2011 11:37 AM  
To: (b) (7)(C)  
Subject: Sen. Grassley letter to USCBP

This one?

(b) (7)(C)

*DOJ- Bureau of Alcohol, Tobacco, Firearms & Explosives*

*Chief - Office of Legislative Affairs*

(b) (7)(C) (mobile1)

(mobile2)

202.648 (b) (7)(C) (office)

202.648.9708 (fax)

\*\*\*\*\*

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**From:** (b) (7)(C)  
**Sent:** Wednesday, March 23, 2011 11:37 AM  
**To:** (b) (7)(C)  
**Subject:** Sen. Grassley letter to USCBP  
**Attachments:** SKMBT\_C25311032117410.pdf

This one?

(b) (7)(C)  
*DOJ- Bureau of Alcohol, Tobacco, Firearms & Explosives*  
*Chief - Office of Legislative Affairs*

(b) (7)(C) (mobile1)  
(b) (7)(C) (mobile2)  
202.648.(b) (7)(C) office)  
202.648.9708 (fax)

\*\*\*\*\*

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From: (b) (7)(C)  
Sent: Tuesday, March 22, 2011 8:26:12 AM  
To: (b) (7)(C)  
Subject: FW:

779

Attachments: 20110322083725867.pdf

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ATF8-001-001-00002979

From: (b) (7)(C)  
Sent: Tuesday, March 22, 2011 8:24:48 AM  
To: (b) (7)(C)  
Subject: FW:

786

Attachments: 20110322083500555.pdf

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ATF8-001-001-00002986

From: (b) (7)(C)  
Sent: Monday, March 21, 2011 6:17:41 PM  
To: (b) (7)(C); Hoover, William J.  
Subject: FW: OCDEF Proposal

794

Attachments: 20110321182136983.pdf

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-----Original Message-----

From: Ricoh@atf.gov [mailto:RicoH@atf.gov]  
Sent: Monday, March 21, 2011 7:22 PM  
To: Melson, Kenneth E.  
Subject:

This E-mail was sent from "RNP8COC40" (Aficio 2232C).

Scan Date: 21.03.2011 18:21:36 (-0500)

Queries to: Ricoh@atf.gov

\*\*\*\*\*

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**From:** Needles, James R.  
**Sent:** Monday, March 21, 2011 5:38 PM  
**To:** (b) (7)(C)  
**Subject:** FW: Feb 11, 2010 Tracking Order. This should be everything?  
**Attachments:** Feb 11, 2010 Tracking Order.pdf

#4 Axelrod

\*\*\*\*\*

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---

**From:** (b) (7)(C)  
**Sent:** Monday, March 21, 2011 12:52 PM  
**To:** Needles, James R.  
**Subject:** Feb 11, 2010 Tracking Order. This should be everything?

(b) (7)(C)  
Group Supervisor  
Phoenix Group VII  
(b) (7)(C)

\*\*\*\*\*

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**From:** Needles, James R.

**Sent:** Monday, March 21, 2011 5:34 PM

**To:** (b) (7)(C)

**Subject:** FW: (b) (7)(E)

**Attachments:** (b) (7)(E)

#7 Axelrod

\*\*\*\*\*

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---

**From:** (b) (7)(C)

**Sent:** Monday, March 21, 2011 11:05 AM

**To:** Needles, James R.

**Subject:** (b) (7)(E)

(b) (7)(C)

Group Supervisor

Phoenix Group VII

(b) (7)(C)

\*\*\*\*\*

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**From:** Needles, James R.  
**Sent:** Monday, March 21, 2011 5:33 PM  
**To:** (b) (7)(C)  
**Subject:** FW: ROI # 205 with DEA 6 as attached  
**Attachments:** ROI 205

#6 Axelrod

\*\*\*\*\*

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---

**From:** (b) (7)(C)  
**Sent:** Monday, March 21, 2011 11:19 AM  
**To:** Needles, James R.  
**Subject:** ROI # 205 with DEA 6 as attached

\*\*\*\*\*

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**From:** Needles, James R.

**Sent:** Monday, March 21, 2011 5:32 PM

**To:** (b) (7)(C)

**Subject:** FW: June 15, 2010 Search Warrant for (b) (7)(E) by (b) (7)(C)

**Attachments:** SKMBT\_C25311032111090

#9 Axelrod

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---

**From:** (b) (7)(C)

**Sent:** Monday, March 21, 2011 11:21 AM

**To:** Needles, James R.

**Subject:** June 15, 2010 Search Warrant for (b) (7)(E) by (b) (7)(C)

\*\*\*\*\*

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**From:** Needles, James R.

**Sent:** Monday, March 21, 2011 5:31 PM

**To:** (b) (7)(C)

**Subject:** FW: 1st of many for ROI #109 attachments, probably in excess of 100 pages so we are breaking it up to e-mail it out

**Attachments:** SKMBT\_C25311032111250.pdf

#5 Axelrod

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**From:** (b) (7)(C)

**Sent:** Monday, March 21, 2011 11:33 AM

**To:** Needles, James R.

**Subject:** 1st of many for ROI #109 attachments, probably in excess of 100 pages so we are breaking it up to e-mail it out

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**From:** Needles, James R.  
**Sent:** Monday, March 21, 2011 5:31 PM  
**To:** (b) (7)(C)  
**Subject:** FW: more ROI # 109 attachments  
**Attachments:** SKMBT\_C25311032111270.pdf

#5 Axelrod

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**From:** (b) (7)(C)  
**Sent:** Monday, March 21, 2011 11:34 AM  
**To:** Needles, James R.  
**Subject:** more ROI # 109 attachments

\*\*\*\*\*

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**From:** Needles, James R.  
**Sent:** Monday, March 21, 2011 5:31 PM  
**To:** (b) (7)(C)  
**Subject:** FW: more ROI # 109 attachments  
**Attachments:** SKMBT\_C25311032111290.pdf

#5 Axelrod

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**From:** (b) (7)(C)  
**Sent:** Monday, March 21, 2011 11:34 AM  
**To:** Needles, James R.  
**Subject:** more ROI # 109 attachments

\*\*\*\*\*

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**From:** Needles, James R.  
**Sent:** Monday, March 21, 2011 5:30 PM  
**To:** (b) (7)(C)  
**Subject:** FW: more ROI # 109 attachments  
**Attachments:** SKMBT\_C25311032111300.pdf

#5 Axelrod

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**From:** (b) (7)(C)  
**Sent:** Monday, March 21, 2011 11:34 AM  
**To:** Needles, James R.  
**Subject:** more ROI # 109 attachments

\*\*\*\*\*

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**From:** Needles, James R.  
**Sent:** Monday, March 21, 2011 5:30 PM  
**To:** (b) (7)(C)  
**Subject:** FW: more ROI # 109 attachments  
**Attachments:** SKMBT\_C25311032111310.pdf

#5 Axelrod

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**From:** (b) (7)(C)  
**Sent:** Monday, March 21, 2011 11:35 AM  
**To:** Needles, James R.  
**Subject:** more ROI # 109 attachments

\*\*\*\*\*

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**From:** Needles, James R.  
**Sent:** Monday, March 21, 2011 5:30 PM  
**To:** (b) (7)(C)  
**Subject:** FW: more ROI # 109 attachments  
**Attachments:** SKMBT\_C25311032111320.pdf

#5 Axelrod

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**From:** (b) (7)(C)  
**Sent:** Monday, March 21, 2011 11:35 AM  
**To:** Needles, James R.  
**Subject:** more ROI # 109 attachments

\*\*\*\*\*

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**From:** Needles, James R.  
**Sent:** Monday, March 21, 2011 5:29 PM  
**To:** (b) (7)(C)  
**Subject:** FW: more ROI # 109  
**Attachments:** SKMBT\_C25311032111340.pdf

#5 Axelrod request

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**From:** (b) (7)(C)  
**Sent:** Monday, March 21, 2011 11:35 AM  
**To:** Needles, James R.  
**Subject:** more ROI # 109

\*\*\*\*\*

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Office of the Inspector General

March 21, 2011

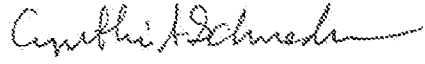
MEMORANDUM FOR LANNY A. BREUER  
ASSISTANT ATTORNEY GENERAL  
CRIMINAL DIVISION

KENNETH E. MELSON  
ACTING DIRECTOR  
BUREAU OF ALCOHOL, TOBACCO, FIREARMS  
AND EXPLOSIVES

DENNIS K. BURKE  
UNITED STATES ATTORNEY  
DISTRICT OF ARIZONA

H. MARSHALL JARRETT  
DIRECTOR  
EXECUTIVE OFFICE OF  
UNITED STATES ATTORNEYS

FROM:

CYNTHIA A. SCHNEDAR   
ACTING INSPECTOR GENERAL

SUBJECT:

Review of Certain Firearms Trafficking Investigations

The Office of the Inspector General (OIG) recently initiated a review of the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) firearms trafficking investigation known as Operation Fast and Furious, and other investigations with similar objectives, methods, and strategies. Our preliminary objectives are to examine the development and implementation of the investigations; the involvement of the Department (including the ATF, the Criminal Division, and U.S. Attorneys' Offices) and other law enforcement or government entities in the investigations; the guidelines and other internal controls in place and compliance with those controls during the investigations; and the investigative outcomes.



The team leader, Sean O'Neill, will contact your office to arrange a conference to discuss our review. Prior to this conference, the OIG will submit to the appropriate agencies a request for documents and information relevant to our review. If you have any questions, please contact me at (202) 514-3435 or Carol Ochoa, Assistant Inspector General for the OIG's Oversight and Review Division, at (202) 616-0645.

We appreciate your assistance and cooperation.

cc: Gary G. Grindler  
Chief of Staff and Counselor to the Attorney General

Stuart M. Goldberg  
Chief of Staff to the Deputy Attorney General

From: (b) (7)(C)

Sent: Monday, March 21, 2011 8:27 AM

To: (b) (7)(C)

Subject: We could do the call to Mexico at 9:00 a.m. and I can move Melanie to later that afternoon? Thanks

\*\*\*\*\*

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From: (b) (7)(C)  
Sent: Monday, March 21, 2011 7:55 AM  
To: (b) (7)(C)  
Subject: Conference Call w/Ambassador Pasquale

(b) (7)(C)

I noticed that you set this for tomorrow at 10:00 a.m. Melson has a meeting over at DOJ at 10:00 a.m.?

Thanks (b) (7)(C)

\*\*\*\*\*

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From: Hoover, William J.  
Sent: **Employee 3**, March 20, 2011 11:22:26 AM  
To: (b) (7)(C)  
Subject: Re: Pascual Resigned

1239

Thank you (b) (7)(C)

Billy

William J. Hoover  
Deputy Director  
Bureau of Alcohol, Tobacco, Firearms & Explosives  
O) 202-648-8710

\*\*\*\*\*

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----- Original Message -----

From: (b) (7)(C)  
To: Hoover, William J.; Melson, Kenneth E.  
Sent: Sun Mar 20 09:28:09 2011  
Subject: Pascual Resigned

I may be the last to know Pascual resigned yesterday. Article in today's clips.

(b) (7)(C)

Acting Chief of Staff  
ATF Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)

\*\*\*\*\*

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**From:** Hoover, William J.

**Sent:** Thursday, March 24, 2011 12:42 PM

**To:** Melson, Kenneth E.; (b) (7)(C) (b) (7)(C)

**Subject:** Fw: Case-Related Urgent

FYI!

Billy

William J. Hoover  
Deputy Director  
Bureau of Alcohol, Tobacco, Firearms & Explosives  
O) 202-648-8710

\*\*\*\*\*

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**From:** Axelrod, Matthew (ODAG)  
**To:** Hoover, William J.  
**Sent:** Thu Mar 24 12:15:08 2011  
**Subject:** FW: Case-Related Urgent

Billy,

Am I correct in assuming that the "prop guns" they're using are incapable of firing bullets? In other words, if for some reason something in the takedown goes haywire and the target actually is able to leave the scene with the guns, am I correct that the guns are inoperable? If not, can we remove the firing pins (or something similar) to make them inoperable?

Matt

---

**From:** USAEO-Urgent [mailto:USAEO.Urgent@usdoj.gov]  
**Sent:** Thursday, March 24, 2011 9:58 AM  
**To:** USAEO-USAR-EOUSA I; USAEO-USAR-SMO; USAEO-USAR-CRM  
**Subject:** Case-Related Urgent

**TO: THE ATTORNEY GENERAL  
THE DEPUTY ATTORNEY GENERAL**

**FROM: Kenneth Gonzales  
United States Attorney  
District of NEW MEXICO**

**DATE:** 3/25/2011

**CLASSIFICATION:** Unclassified/Limited Official Use

**CONTACT PERSON(S):** (b) (7)(C)  
Phone (cell): (b) (7)(C)  
Phone (work): 575-522-2338, Ex (b) (7)(C)  
Email: (b) (7)(C)  
Title: AUSA

**SYNOPSIS:** Case-Related Urgent: Arms Trafficking

**DISCUSSION:**

The United States Attorneys Office (USAO) for the District of New Mexico (NM) in conjunction with the Federal Bureau of Investigation (FBI) with the support of the Drug Enforcement Administration (DEA) and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) [hereinafter "Investigative Agencies"] are engaged in a developing case targeting the Sinaloa Cartel for arms trafficking. On Friday, March 25, 2011, the Investigating Agencies are planning an operation targeting Sinaloa Cartel member/associate, Irving Enriquez, for firearms-trafficking. The Investigative Agencies plan to use two (02) undercover agents (UC's), posing as firearms traffickers to delivering forty (40) ATF "prop guns" to Enriquez or his associates (the "Subjects") near Las Cruces, New Mexico. The "fee" for these weapons has already been paid, up front, in the amount of \$73,000 cash. Twenty (20) of the firearms will be machine-guns. A short time after the UC's deliver the guns, agents will recover the guns and arrest Enriquez or his as yet unidentified associates who actually pick up the firearms. Regardless of whether Enriquez picks up the firearms himself, or sends a subordinate driver, agents will arrest him on March 25, 2011. The "prop guns" will remain under the control of the agents who will be setting up operational protocols early Friday so that the take down can occur within minutes of the firearm transfer from the UC's to Enriquez, or his driver. The ATF prop guns will not be permitted to go into Mexico under any circumstances.

**Background**

On Friday, March 18, 2011, a UC posing as a firearms trafficker met face-to-face with Enriquez to discuss the unlawful black-market sale of firearms to Enriquez. The meeting took place in Santa Teresa, New Mexico. During that meeting, Enriquez ordered forty (40) firearms, including twenty (20) fully-automatic, AK-47 type machine-guns. The UC told Enriquez he would be able to deliver the entire order of firearms on Friday, March 25, 2011. The UC told Enriquez the transaction would take place at a truck stop located on Interstate 10, near Las Cruces, New Mexico. Enriquez agreed to these arrangements. The UC gave Enriquez the UC's cell-phone number so that Enriquez could contact the UC when he was ready to schedule the firearm exchange on March 25, 2011. Enriquez made it clear to the UC during this meeting that the firearms would be smuggled into Mexico. Enriquez reports to Jose Antonio Torres-Marrufo, who law enforcement suspects of leading the Sinaloa Cartel's "Hit-Teams" (assassins) in Ciudad Juarez, Chihuahua, Mexico. The Sinaloa Cartel is engaged in a 'turf war' with the Juarez Cartel.

On Friday, March 25, 2011, at approximately 11:00 a.m. MST, two UC's posing as firearms traffickers will deliver forty (40) ATF "prop guns" to the Subject (whether it be Enriquez himself or others). In total, the firearms consist of: 1) Twenty (20) fully automatic AK-47 rifles; 2) Ten (10) .308 sniper rifles, and; 3) Ten (10) 9mm semi-automatic handguns. The UC's will travel to the Love's Truck Stop near Las Cruces, New Mexico, in two vehicles. One UC will drop off an undercover FBI pick-up truck (the load vehicle) containing the ATF prop guns, and then enter the second UC's vehicle. Once the Subject(s) arrive, the UC's will provide

the Subject (Enriquez or his driver) the load vehicle's keys, and depart in the second UC's vehicle.

Once the Subject(s) depart the Love's parking lot, SWAT agents and marked police vehicles will stop and arrest the Subject(s). The load vehicle will be affixed with GPS tracking devices and a remote engine kill switch, to be handled by nearby agents. All of the ATF guns will be packaged in large wooden crates and placed in the load vehicle's bed without ammunition. An additional GPS tracker will be placed within one of the gun crates. The FBI Headquarters Air Wing, including a tactical helicopter (TH) and fixed-wing aircraft, will cover the operation. They have already traveled to New Mexico from Quantico, Virginia, for this operation. FBI SWAT assault elements will be loaded on the TH, and in three nearby fully equipped FBI Chevrolet Suburbans.

On Thursday, March 24, 2011, agents will place a GPS tracker on Enriquez's personal vehicle in order to assist surveillance agents should Enriquez decide to send a driver instead of picking up the firearms himself. Physical surveillance of Enriquez will begin early Friday morning. Agents will also monitor Enriquez's whereabouts by "pinging" his cellular telephone for location information. If Enriquez does not travel to the Love's Truck Stop himself to pickup the load vehicle, agents will arrest Enriquez as soon as possible, but obviously after the load vehicle is successfully taken down by FBI SWAT agents.

The USAO intends to initially charge ENRIQUEZ by criminal complaint with possession of a machine gun, in violation of 18 U.S.C. §§ 922(o), 924(a)(2). Additional charges will be considered as the prosecution proceeds. Although this investigation involved several agencies it notably did not include Homeland Security Investigation (HSI). The FBI Special Agent in Charge in Albuquerque has determined that HSI involvement and notification is not necessary.




Office of the Deputy Attorney General

The Deputy Attorney General

Washington, D.C. 20530

January 7, 2010

MEMORANDUM FOR HEADS OF DEPARTMENT COMPONENTS  
ALL UNITED STATES ATTORNEYSFROM: David W. Ogden   
Deputy Attorney GeneralSUBJECT: Strategy for Combating the Mexican Cartels

I am pleased to provide you with a copy of the Department of Justice Strategy for Combating the Mexican Cartels (the "Cartel Strategy"), which was approved by the Attorney General earlier this week.

The Cartel Strategy is a product of the Department's Southwest Border Strategy Group, which I chair, and which has been meeting for the last several months. The Strategy Group is vice-chaired by the Assistant Attorney General for the Criminal Division, and includes the heads of: ATF, BOP, DEA, EOUSA, FBI, OCDETF, USMS, as well as the Chair of the AGAC and the U.S. Attorneys from the five Southwest Border Districts. The Cartel Strategy resulted from an active dialogue among, and significant input from, the components represented on the Strategy Group.

The Cartel Strategy is premised on the notion that a large share of the violence, drug-trafficking, corruption, and other criminal activity occurring along the Southwest Border is perpetrated by a relatively small number of hierarchical criminal organizations. The Strategy Group believes that the most effective mechanism to attack those organizations is the use of intelligence-based, prosecutor-led multi-agency task forces, that simultaneously attack all levels of, and all criminal activities of, the operations of the organizations. The Cartel Strategy sets forth a blueprint for accomplishing this with the resources of the Department of Justice. By design, the Cartel Strategy is consistent with the National Drug Control Strategy and the National Southwest Border Counternarcotics Strategy, both of which guide the larger interagency efforts, and both of which DOJ played a significant role in drafting.

The Cartel Strategy is not a radical departure from efforts that are already underway in the Department. To the contrary, the Cartel Strategy articulates those basic principles that already inform the Department's most successful efforts against the cartels. It is anticipated that the Cartel Strategy will serve as a guidepost toward what types of activities the Department should



Memorandum for Component Heads and United States Attorneys  
Subject: Strategy for Combating Mexican Cartels

Page 2

pursue going forward. The Department will measure future initiatives in this area by reference to their ability to further the principles and objectives set forth in the Strategy. Furthermore, the document will help advise those outside the Department – our non-DOJ partners in federal law enforcement, our state and local partners, and policy-makers at all levels of government – how it is that the Department of Justice intends to confront this pervasive challenge.

It is important to note that, although the Cartel Strategy was developed under the auspices of the Southwest Border Strategy Group, the Strategy contemplates vigorous enforcement activity by law enforcement agents and prosecutors, not just at the Southwest Border, but in every jurisdiction. As you are all well aware, the criminal activities perpetrated by the Mexican cartels are not confined to the Southwest Border, but rather extend throughout our country, and internationally. Effective implementation of our strategy to attack all elements of the cartels comprehensively and simultaneously requires that we attack them vigorously in whatever locale they may be found.

I would like to express my deep appreciation for the active involvement of all the components of the Department in the effort against the Mexican drug cartels. As a result of your hard work, talent, and dedication, we have already struck many hard blows against them. I am confident that, going forward, and with the courageous assistance of our partners in Mexico, we will be on the proper path toward achieving even greater successes in disrupting and dismantling these dangerous criminal enterprises.

Attachment

## **DEPARTMENT OF JUSTICE STRATEGY FOR COMBATING THE MEXICAN CARTELS**

It is a priority of the Department of Justice to disrupt and dismantle the Mexican drug cartels, bring to justice their leadership, and stem the growing violence and associated criminal activity perpetrated by the cartels, both along the Southwest Border and throughout the Nation. In order to maximize the efficacy of its limited resources, which are spread through numerous components of the Department, it is necessary that the Department deploy those resources pursuant to a single, coherent strategic plan, under a single coordinating body, the Southwest Border Strategy Group.

An essential aspect of the DOJ plan must be ensuring a productive partnership with the government of Mexico, as well as with our state, local, and tribal law enforcement counterparts. Equally important, we must avoid wasteful overlap and duplication of efforts with the activities of our other federal partners, particularly the law enforcement agencies at the Department of Homeland Security.

The following document sets forth the policy considerations that will guide the Department in this process.

### **The Strategy**

The Department will implement its Strategy for Combating the Mexican Cartels under the supervision of the newly-created Southwest Border Strategy Group. The Strategy is intended to be consistent with the Administration's overarching National Southwest Border Counternarcotics Strategy.

The Department's strategy will be executed through the proven mechanism of prosecutor-led, intelligence-driven multi-agency task forces, with the Organized Crime Drug Enforcement Task Forces (OCDETF) Program serving the primary coordinating function. Multiple OCDETF investigations should continue to be linked together at a national level in coordination with the Special Operations Division (SOD), resulting in nationwide takedowns coordinated by SOD, on the model of Project Reckoning, Operation Xcellerator, and Project Coronado.

The DOJ Strategy's key objectives are to:

- Increase the safety and security of U.S. citizens throughout the United States by enforcing violations of federal law that have a particular nexus to the threats posed by the Mexican Cartels, i.e. drug trafficking, money laundering and bulk cash smuggling, firearms trafficking, and corruption.
- Reduce the flow of narcotics and other contraband entering the United States.
- Reduce the flow of illegal weapons, ammunition, explosives, and currency exiting the United States and entering Mexico.

- Strengthen Mexico's operational capacities and enhance its law enforcement institutions.
- Increase bilateral cooperation between Mexico and the United States on fugitive capture and extradition activities.
- Increase intelligence and information sharing among law enforcement agencies in the United States and with Mexico to achieve focused targeting of the most significant criminal organizations.
- Improve case building through interagency coordination, leveraging the expertise and authority of each investigative and prosecutorial agency.
- Maximize the effectiveness of prosecution by locating, arresting, extraditing, and trying all levels, including most importantly the leadership, of these criminal organizations, and disrupting and dismantling the organizations' domestic transportation and distribution cells.
- Coordinate enhanced enforcement initiatives to address "downstream" impacts on judicial security, court and detention operations, prison management and fugitive apprehension.

### **Division of Responsibilities with DHS**

Addressing the Southwest Border threat has two basic elements: policing the actual border to interdict and deter the illegal crossing of undocumented persons or contraband goods, and confronting the large criminal organizations operating simultaneously on both sides of the border.

Given its statutory mission and the resources it can bring to bear at the border, DHS clearly bears primary responsibility for the policing function at the border. DOJ fully supports DHS in that endeavor by sharing relevant intelligence and by prosecuting the most egregious offenders DHS arrests in the course of its policing function. The Department of Justice prosecutes tens of thousands of these reactive law enforcement cases in federal court every year.

However, the root cause of the explosion of violence just south of our border is the conflicts within and among a limited number of sophisticated, transnational criminal organizations. These hierarchical, Mexico-based cartels are responsible for smuggling into the United States most of our nation's illegal drug supply. While the cartels' primary business is drug trafficking, they also sponsor a panoply of other crimes that support their illegal operations. These other crimes include extortion, torture, murder, corruption of public officials, sheltering of wanted fugitives, kidnapping and human smuggling, laundering of illicit criminal proceeds through the existing financial system

and through bulk cash smuggling, and the illegal acquisition, trafficking, and use of firearms and explosives.

It is in taking down these organized, multi-faceted criminal enterprises that DOJ plays the primary role and brings to bear its special expertise. DOJ's success in this endeavor assists, in turn, DHS in the performance of its policing and enforcement function, by disrupting the operations of the cartels, thereby decreasing the pressure on the border. For its part, DHS, and in particular ICE, provides invaluable assistance to the attack on these criminal organizations, by bringing to bear its unique expertise on cross-border transit of contraband.

Border policing and interdiction, and the resulting prosecutions, are key elements of the U.S. government's overall border security strategy. However, the investigation, apprehension, extradition, and prosecution of key cartel leaders and their associates, and the deprivation through forfeiture of their ill-gotten gains, is the most effective means by which we can move past merely addressing the symptoms of our problems along the Southwest Border and attack, instead, the underlying causes.

### **Deployment of Resources**

The Department's view – based on its decades of experience in investigating, prosecuting, and dismantling organized criminal groups, such as the Mafia, international terrorist groups, and domestic and transnational gangs – is that the best way to fight large scale criminal organizations is through prosecutor-led, intelligence-driven, multi-agency task forces that blend the strengths, resources, and expertise of the complete spectrum of federal, state, local, and international investigative and prosecutorial agencies. Through their participation in such task forces, the Department's prosecutors, together with its component law enforcement agencies – DEA, ATF, FBI, and USMS – give the Department the capacity to carry out the full range of activities necessary to succeed against these organizations.

The Department has embraced a model to achieve these comprehensive goals that is proactive, in which we develop priority targets through the extensive use of intelligence. This intelligence is obtained from law enforcement sources, as well as through the careful and disciplined use of classified information from intelligence community agencies to provide unclassified leads. Sharing information, we build cases, coordinating long-term, extensive investigations to identify all the tentacles of a particular organization. Through sustained coordination of these operations, we are able to execute a coordinated enforcement action, arresting as many high-level members of the organization as possible, disrupting and dismantling the domestic transportation and distribution cells of the organization, and seizing as many of the organization's assets as possible, whether those assets be in the form of bank accounts, real property, cash, drugs, or weapons. Finally, we prosecute the leaders of the cartels and their principal facilitators, locating, arresting, and extraditing them from abroad as necessary. In this effort, we coordinate closely with our Mexican counterparts to achieve the goal: destruction or weakening of the drug cartels to the point that they no longer pose a viable

threat to U.S. interests and can be dealt with by Mexican law enforcement in conjunction with a strengthened judicial system and an improved legal framework for fighting organized crime.

In most places, along the border and throughout the country, OCDETF provides an effective mechanism for law enforcement agencies from within DOJ, from elsewhere in the federal government (including DHS and Treasury), and state and local law enforcement, to combine with federal prosecutors to form a “virtual task force” for the purpose of investigating and prosecuting a particular high-value drug trafficking organization. In certain key locales, OCDETF has established actual, brick-and-mortar Co-Located Strike Forces, for the pursuit of the highest level traffickers of drugs, guns, and money. For instance, the San Diego Major Mexican Traffickers Task Force has been responsible for coordinating the U.S. government's successful efforts against the Arellano-Felix Organization. The Houston OCDETF Strike Force has directed our most damaging blows against the Gulf Cartel. And in the first several months of its existence, the Arizona OCDETF Strike Force has been responsible for the indictment of a leader and other members of a major Mexican cartel and the seizure of millions of dollars in cartel assets.

The Department will use the OCDETF Strike Force concept to target all the organized crime activities of the drug cartels – not just those crimes directly related to the drug trade. By further leveraging and coordinating the investigative expertise and jurisdiction of law enforcement agencies outside the drug enforcement area, the Department will task the Strike Forces to disrupt and dismantle every area of the cartels’ infrastructure and undermine their ability to operate successfully in any illegal activity.

On a local level, each Strike Force co-locates law enforcement resources that are supplemented by one or more on-site Assistant United States Attorneys. Retaining the current Strike Force structure, specifically the co-location and intensive and early prosecutorial involvement, ensures that the Department capitalizes upon the proven synergy of these Strike Forces to maximize the effectiveness of long-term investigations of these organizations. The synergy created by co-locating the diverse expertise of federal, state, local, and tribal law enforcement agencies with prosecutors from the U.S. Attorney's Office, has had demonstrable success against major criminal organizations operating throughout the country. It is for this reason that the Attorney General and Deputy Attorney General should have the flexibility to call upon and leverage the resources of the already successful multi-agency task forces around the country, including the OCDETF Strike Forces, HIDTA Task Forces, DEA task force groups, FBI Safe Streets Task Forces, and VCITs, drawing upon the expertise of all of the agencies that contribute to them.

In those locations where they currently exist, DOJ will make the OCDETF Co-Located Strike Forces the focal point for interagency efforts against the Mexican criminal organizations.<sup>1</sup> Elsewhere along the border, and throughout the nation, DOJ will seek to

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<sup>1</sup> OCDETF Co-Located Strike Forces are currently located in San Diego, Phoenix, El Paso, Houston (with satellites in Laredo and McAllen), Tampa, San Juan, Atlanta, New York, and Boston.

replicate, to the extent possible, the OCDETF Strike Force model, in particular the characteristics of interagency cooperation, information sharing, and strategic, intelligence-based targeting that have been embodied in these Strike Forces.

Supplementing the regional operations of the prosecutor-led, intelligence-driven multi-agency task forces with a comprehensive national policy and coordination body, the Southwest Border Strategy Group, run out of the Office of the Deputy Attorney General, will give the Department a unified and comprehensive vehicle through which the United States government can disrupt the influence of the cartels. This unified and coordinated approach to law enforcement is not only the best way to use the formidable resources of the United States government, but also the most effective way to decrease the influence of these violent criminal enterprises while enhancing the public safety.

While the prosecutor-led, intelligence-driven, multi-agency task force model is a key component of the Department's strategy, it will not be the only component. We must also recognize and support the important daily work performed by our investigators and prosecutors in stopping and seizing the massive amounts of narcotics, firearms, and bulk cash that flow across the border in both directions. These more reactive narcotics cases are important to the overall cartel strategy, because in the process we are seizing millions of pounds of drugs, thousands of firearms, and millions of dollars in bulk cash as they enter and exit the country. In addition, these commodity-focused cases yield significant intelligence that is then fed into the Special Operations Division (SOD), the OCDETF Fusion Center (OFC), and the El Paso Intelligence Center (EPIC) for use in supporting more proactive, intelligence-driven investigations that are designed to attack all of the cartels' diverse lines of illegal business. Therefore, the Department's Strategy for Combating the Mexican Cartels must include an assessment of the resource needs of all our components, and a plan for how they intend to achieve the stated goals of the Strategy in light of the specific cartel activity impacting their jurisdictions.

### **Intelligence**

Law enforcement agencies must have the ability to access, link, and interpret voluminous intelligence information from as wide a community as possible. We use this shared information to identify and target the most significant organizations, so that we can achieve the greatest impact with our finite resources. We also use shared information to develop coordinated, multi-jurisdictional investigations of those high-impact targets, making sure that investigations are mutually reinforcing, without duplicating or jeopardizing other investigations targeting overlapping organizations.

Several multi-agency endeavors are particularly important to the provision of tactical intelligence and operational support in targeting the largest and most dangerous Mexican cartels.

#### **The Attorney General's Consolidated Priority Organization Target (CPOT) List**

The CPOT list of international “Most Wanted” drug kingpins will be used to help focus our critical resources on the greatest threats from the Mexican cartels. Of the 59 worldwide organizations currently on the list, 25 of them are Mexico-based. DOJ will also work in partnership with the Secretary of the Treasury to impose sanctions against Mexican drug trafficking organizations pursuant to the President’s authority under the Foreign Narcotics Kingpin Designation Act.

#### The El Paso Intelligence Center (EPIC)

EPIC is a DEA-led multi-agency organization that provides case-specific tactical intelligence, focusing specifically on the Southwest Border. The ATF Firearms Intelligence Analysis Team is a specialized component of EPIC that serves as a central point of analysis and repository for all Southwest Border firearms-related intelligence. FBI recently created the Southwest Intelligence Group (SWIG), a clearinghouse of all FBI activities involving Mexico, and it is in the process of moving that clearinghouse to EPIC. EPIC houses the National Seizure System, which collects and maintains data on seizures of drugs, guns, and money by law enforcement agencies throughout the nation.

#### The Special Operations Division (SOD)

SOD is a DEA-led multi-agency coordination center that targets the communication devices the criminal organizations’ leaders use to communicate with each other. SOD actively supports multi-jurisdictional, multi-national, and multi-agency electronic surveillance investigations, coordinating overlapping investigations and ensuring that tactical and operational intelligence is shared between law enforcement agencies.

#### The OCDETF Fusion Center (OFC)

The OFC is a comprehensive, multi-agency data center containing drug and related financial data from DEA, ATF, FBI, ICE, CBP, IRS, USMS, EPIC, the U.S. Coast Guard, the Financial Crimes Enforcement Network, the State Department’s Bureau of Consular Affairs, and other key agencies. It conducts cross-agency and cross-jurisdictional integration and analyses to create comprehensive pictures of targeted organizations and to pass usable leads through SOD to participants in the field.

### Current Areas of Focus

Pursuant to the principles articulated above, DOJ is pursuing initiatives in the following areas:

#### 1. Ramping up Establishment and Use of Vetted Units in Mexico

An important aspect of case building in Mexico involves U.S. cooperation with specially vetted Mexican law enforcement units. DOJ law enforcement agents work in an advisory capacity to develop elite vetted units of Mexican federal police officers,

training them to conduct law enforcement operations that lead to the discovery and seizure of drugs, guns, explosives, money, and documentary evidence to support bilateral investigations and prosecutions. The Mexican units also arrest active members of the cartels, who may eventually become either cooperating witnesses, defendants, or both. These units are essential to our operations. In order to properly leverage and support these crucial operations, the Department must expand their number, to include more drug trafficking units, a firearms trafficking unit, a money-laundering/financial unit, and a fugitive apprehension unit.

## 2. Continued Focus on Attacking Cartel Finances

A particular point of emphasis in recent years has been the dismantlement of the financial infrastructure of the drug trafficking organizations. These efforts have been hampered by the fact that financial cases are complex and time-consuming, and the pool of experienced financial investigators is finite. Since the curtailment of IRS involvement in drug investigations in 2005, ATF, DEA, FBI, and USMS have hired additional financial investigators and forfeiture specialists. OCDETF has established the Financial Investigative Contractor (FIC) Program to bring additional experienced financial investigators to bear on the largest cartels, and has buttressed the analytical and document exploitation capabilities of its Co-Located Strike Forces in San Diego, Phoenix, El Paso, Houston, and Atlanta. DEA has implemented Financial Investigation Teams (FITs) in its field divisions to target the financial assets of drug traffickers. Analysts and attorneys in the U.S. Attorney's Offices and in the Department's Asset Forfeiture and Money Laundering Section have also stepped up their efforts to assist in prosecuting money laundering activities of all types. In addition, Southwest Region federal agencies are working with state and local law enforcement agencies on an OCDETF bulk currency initiative that targets the highest level drug cartels and their transportation routes in the Southwest. These efforts must be supported and expanded.

## 3. Attacking the Southbound Flow of Firearms

Addressing the flow of weapons into Mexico from the United States is also a primary focus of our efforts. ATF's intelligence has shown that the prevalence of firearms and explosives trafficking into Mexico has a direct nexus to the cartels' national domestic drug distribution network. Thus, given the national scope of this issue, merely seizing firearms through interdiction will not stop firearms trafficking to Mexico. We must identify, investigate, and eliminate the sources of illegally trafficked firearms and the networks that transport them. Since 2006, Project Gunrunner has been ATF's comprehensive strategy to combat firearms-related violence perpetrated by the drug cartels along the Southwest Border. Increasingly close collaboration between ATF and the efforts of the multi-agency drug task forces along the border, including, most particularly, the OCDETF co-located Strike Forces, ensures that scarce ATF resources are directed at the most important targets. Additionally, DOJ is sponsoring and hosting U.S./Mexico bilateral working groups focusing on joint efforts to combat arms trafficking, and is ensuring that U.S. Attorneys Offices around the country are coordinating on firearms trafficking cases.



#### 4. Increased Focus on Locating and Apprehending Fugitives

Similarly, investigating and indicting traffickers will not dismantle the cartels unless the targets are actually located, arrested, and brought to justice. Even when charged in U.S. courts, cartel fugitives will continue their illegal operations while taking refuge outside our borders, primarily in Mexico or Colombia. With virtually limitless resources at their command, they are able to deploy the most technically advanced equipment to avoid detection and further their criminal enterprises. Thus, an important component of the overall Strategy is the location, apprehension and extradition of fugitives with the priority being the top leadership of the cartels. The USMS is the U.S. government's primary agency for apprehending fugitives. Through its regional fugitive task forces, district-based violent offender task forces, and Technical Operations Group, the USMS works with state and local police agencies on both sides of the border to locate and arrest offenders who have committed drug crimes or drug-related crimes of violence in the United States and subsequently fled abroad, as well as those who have been charged in the United States but remain resident in other countries. These units, particularly when co-located within the OCDETF Strike Forces or similar multi-agency institutions, place a high priority on apprehending cartel-related fugitives, both domestically and internationally. It is critical that the Department maintain its commitment to support and expand these international fugitive apprehension efforts.

#### 5. Expanded Use of the Extradition Process

During the past three years, Mexico has extradited fugitives to the United States in unprecedented numbers. Many were significant cartel leaders, including leaders of the notorious Tijuana and Gulf Cartels. To build on these successes, and to handle more effectively the growing number of cases involving extraditions and securing foreign evidence from Mexico in cartel-level drug cases, the Department is establishing a new, dedicated Mexican OCDETF unit in the Criminal Division's Office of International Affairs (OIA). We anticipate that this unit will work proactively with, among others, the U.S. Attorney's Offices and the USMS, to prioritize fugitives and defendants in Mexico, ensuring that the time-consuming and resource-intensive extradition process is brought to bear against the most significant cartel leaders.

#### 6. Continued Pursuit of Corrupt Public Officials Who Facilitate the Drug Trade

NDIC's *2009 National Drug Threat Assessment* estimates that Mexican and Colombian cartels generate, remove, and launder between \$18 billion and \$39 billion in wholesale drug proceeds annually. With access to such vast sums of money, it is not surprising that the cartels are able to facilitate their illegal objectives through intimidation, extortion, and corruption of public officials and law enforcement officers on both sides of the border. The FBI's expertise in complex, sensitive public corruption investigations is a key component of the Department's overall anti-cartel Strategy. Using intelligence from the OFC, the SWIG, and FBI's own comprehensive intelligence networks, its agents work with experienced U.S. prosecutors, as well as their foreign counterparts, to root out public corruption that undermines our nation's defenses and the rule of law along the Southwest Border. It is imperative that the Department's Strategy

support these efforts to vigorously investigate and prosecute corruption, and to seek substantial prison terms for persons convicted of these crimes. Aggressive and effective prosecutions, followed by long sentences, send a clear message that these crimes will not be tolerated and that those engaging in them do so at their peril.

## 7. Merida

It is crucial to this Strategy that the Department continue its role under the Merida Initiative in working with our Mexican counterparts to enhance and strengthen Mexico's operational capacities to effectively combat the power of the cartels. This involves a broad range of capacity building and rule of law issues, including such topics as prosecutorial capacity building, evidence collection, fugitive apprehension, extradition, asset forfeiture, police professionalization, judicial security, witness protection, prison management, and corrections strategies. These efforts are crucial as a means of putting Mexico in the position to handle investigation and prosecution of these organizations as a domestic criminal matter.

This last pillar of the Strategy seeks to take full advantage of the substantial Department assets stationed in Mexico, including the Department's Rule of Law Attaches (Resident Legal Advisors, Intermittent Legal Advisors, Law Enforcement Advisors) and Prosecutorial Attaches, and each law enforcement component's resources stationed throughout Mexico. These vital positions will help facilitate the Department's Mexican Cartel Strategy by delivering crucial training to our law enforcement counterparts, lending investigative expertise and intelligence support to Mexican operations, helping bolster civil institution building in Mexico, training Mexican prosecutors on best practices and trial techniques, and assisting the Mexican judicial system in promoting the rule of law. Additionally, the Department will actively participate in Embassy initiatives such as the GC Armas Policy Committee.

From: (b) (7)(C)  
Sent: Saturday, March 05, 2011 11:32:31 AM  
To: Hoover, William J.  
Subject: RE: Sunday

3994

I'll take care of it.

(b) (7)(C)

Acting Chief of Staff  
Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)  
HQ Room 5 S 100

Original Message

From: Hoover, William J.  
Sent: Saturday, March 05, 2011 1:00 AM  
To: (b) (7)(C)  
Subject: Re: Sunday

I am fine with it. Do you want to call or do you want me to do it?

Billy

William J. Hoover  
Deputy Director  
Bureau of Alcohol, Tobacco, Firearms & Explosives  
O) 202-648-8710

\*\*\*\*\*

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----- Original Message -----

From: (b) (7)(C)  
To: Hoover, William J.  
Sent: Fri Mar 04 23:04:08 2011  
Subject: Sunday

Do we invite Michalic and/or Brad Smith to the briefings?

(b) (7)(C)

Acting Chief of Staff  
ATF Office of the Director  
O: 202-648-(b) (7)(C)  
C: (b) (7)(C)

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ATF8-001-001-00010718

From: (b) (7)(C)  
Sent: Friday, March 04, 2011 11:04:08 PM  
To: Hoover, William J.  
Subject: Sunday

3997

Do we invite Michalic and/or Brad Smith to the briefings?

(b) (7)(C)

Acting Chief of Staff  
ATF Office of the Director  
O: 202-648- (b) (7)(C)  
C: (b) (7)(C)

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ATF8-001-001-00010723

February 1, 2011 Draft

The Honorable Charles E. Grassley  
Ranking Minority Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Senator Grassley:

This responds to your letter, dated January 27, 2011, to Acting Director Kenneth Melson of the Department's Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), regarding Project Gunrunner. We request that you urge the individuals who made the serious allegations in your letter to communicate them directly to the Department's Office of the Inspector General.

We want to assure you that, contrary to the allegations reported in your letter, ATF has not "sanctioned" the sale of assault weapons to suspected straw purchasers, who then transported the weapons throughout the southwest border area and into Mexico. Indeed, an important goal of Project Gunrunner is to stop the flow of weapons from the United States to drug cartels in Mexico. Since its inception in 2006, Project Gunrunner investigations have seized in excess of 10,000 firearms and 1.1 million rounds of ammunition destined for Mexico. Hundreds of individuals have been convicted of criminal offenses arising from these investigations and many others are on-going. We would be pleased to provide a briefing to Committee staff about Project Gunrunner and ATF's efforts to work with its law enforcement partners to build cases that will disrupt and dismantle criminal organizations.

We are not in a position to provide a briefing about the on-going criminal investigation referenced in your letter. As you know, the Department has a long-standing policy against the disclosure of non-public information about pending criminal investigations, which protects our law enforcement efforts as well as the privacy interests of individuals who may never be charged with criminal offenses. We can advise you, however, that ATF makes every effort to interdict weapons that have been purchased illegally and prevent their transportation to Mexico. It is also important to note that not all purchases are known to be illegal at the time they occur. In addition, the fact that an individual purchased weapons as a straw on one occasion does not, standing alone, establish probable cause to conclude that he is acting as a straw in making other purchases. Accordingly, we caution strongly against making assumptions about particular actions that may have been taken during this, or any other, pending investigation.

We hope that this information is helpful and look forward to briefing committee staff about Project Gunrunner. Please do not hesitate to contact this office if we may provide additional assistance about this or any other matter.

Sincerely,

cc: The Honorable Patrick J. Leahy  
Chairman

From: (b) (7)(C)  
Sent: Employee 3, April 13, 2011 11:03:48 AM  
To: (b) (7)(C)

4139

Subject: Yes: Document Production and Preservation Project Gunrunner and Operation Fast and Furious

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ATF8-001-001-00012193

**Subject:** Director's Briefing on SWB Cases

**Location:** Director's Conference Room - 5 S 100

**Start:** 3/6/2011 2:00 PM

**End:** 3/6/2011 6:00 PM

**Show Time As:** Busy

**Recurrence:** (none)

**Meeting Status:** Organizer

**Required Attendees:** (b) (7)(C); Deputy Director William Hoover; Kenneth E. Melson; Mark Chait; James McDermond; (b) (7)(C); (b) (7)(C) Ford, Larry W.; Martin, Steve K.; Boxler, Michael B.; (b) (7)(C); (b) (7)(C) Michalic, Mark (ODAG) (SMO); Smith, Brad (ODAG) (SMO); Newell, William D.; Needles, James R.; (b) (7)(C)

**Optional Attendees:** Smith, Brad (ODAG) (SMO); Smith, Brad (ODAG) (SMO); Michalic, Mark (ODAG) (SMO)

**Resources:** Director's Conference Room

NOTE DATE AND TIME - THIS IS A SUNDAY BRIEFING. This will be a detailed briefing on the ATF cases related to the homicide of ICE Special Agent Zapata in response to Sen. Grassley's latest letter

2p - Brief Director - Texas Cases with SAs (b) (7)(C) and

(b) (7)(C)

4:45 - Brief Director - Phoenix case with SAC Newell, ASAC Needles, RAC

(b) (7)(C)



Title of Investigation: (b) (7)(A), (b) (7)(C)	Investigation Number: 785115-10-0004	Report Number: 486
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**SUMMARY OF EVENT:**

On May 13, 2010, ATF Group Supervisor (b) (7)(C) and AUSA (b) (7)(C) met with (b) (7)(C) (b) (7)(C) at which time among other topics, those present discussed the practice of the FFL with respect to gun sales.

**NARRATIVE:**

1. Post indictment I have been advised that (b) (7)(A) (b) (7)(A) This report memorializes a meeting held on May 13, 2010, at which time among other topics, those present discussed the practice of the FFL with respect to gun sales.
2. On May 13, 2010, ATF Group Supervisor (b) (7)(C) and AUSA (b) (7)(C) met with (b) (7)(C) (b) (7)(C) and employees of (b) (7)(C) and previously been (b) (7)(E) (b) (7)(E) (b) (7)(E) (b) (7)(E) (b) (7)(E)
3. (b) (7)(C) was advised by GS (b) (7)(C) and AUSA (b) (7)(C) that they could not tell him who he could or could not sell firearms to and that they could not instruct him to make a sale in violation of the law or to refuse to make a lawful sale. (b) (7)(C) was advised by GS (b) (7)(C) and AUSA (b) (7)(C) that as an FFL (b) (7)(C) has to comply with all of the statutes and regulations that govern the sale and transfer of firearms and cannot sell firearms unless the required paperwork and background check were completed.
4. (b) (7)(C) was told by GS (b) (7)(C) and AUSA (b) (7)(C) that the information he provided to ATF was very important and useful to ongoing ATF investigations. GS (b) (7)(C) and AUSA (b) (7)(C) also described additional information that (b) (7)(C) or his employees might receive from purchasers which would not necessarily be required by the provisions of Chapter 44 of Title 18 to be kept in his records, but which would prove useful to ATF. (b) (7)(E) (b) (7)(E)

Prepared by: (b) (7)(C)	Title: Group Supervisor, Phoenix VII Field Office	(b) (7)(C)	Date: 4-6-11
Authorized by: (b) (7)(C)	Title: Group Supervisor, Phoenix VII Field Office	(b) (7)(C)	Date: 4-6-11
Second level reviewer (optional): William D. Newell	Title: Special Agent in Charge, Phoenix Field Division		Date:

5. (b) (7)(C) further described (b) (7)(E) they maintain as part of their business to track both firearm and non-firearm (ammunition and firearm accessories) for each individual customer. It should be noted

(b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(C), (b) (7)(E)

(b) (7)(E)

6. At the conclusion of the meeting with GS (b) (7)(C) and AUSA (b) (7)(C) took them on a tour of the facility and range. (b) (7)(C)

(b) (7)(C)

At no time were any threats or promises made

to (b) (7)(C), (b) (7)(E)

(b) (7)(E)

ATTACHMENTS:

(b) (7)(D), (b) (7)(E)

(b) (7)(D), (b) (7)(E)

**PROJECT GUNRUNNER COMPLIANCE**

SENT VIA FAX TO 602-776-5459  
ATTN: ATF - Phoenix Field Division, Special Agent [redacted]

Per ATF - Project Gunrunner (Form # ATF P3317.6 05/08) this record is generated as a result of the following key indicators:

- Bought a large # of same model gun  
Model \_\_\_\_\_
- Paid in cash - amount \$ 9260.70  
denomination 20's, 100's, 50's
- Has come in multiple times for similar purchase
- Have little or no knowledge of the firearm they are purchasing
- Structured their purchase to avoid ATF reporting requirements
- Lacked the physical stature to handle the firearm being purchased
- Attempted to conceal their conversations with each other
- Avoided entering into conversation or being evasive
- Not haggle or question the price of firearm.  
Money is no object.

**Purchaser Information from 4473**

Purchaser Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 DL # \_\_\_\_\_ Phone # Provided \_\_\_\_\_  
 Firearm Make \_\_\_\_\_ Model \_\_\_\_\_ Ser # \_\_\_\_\_

Additional info if applicable buyer was accompanied by \_\_\_\_\_

This form prepared by \_\_\_\_\_ Date \_\_\_\_\_  
*Signature*

Print Name \_\_\_\_\_ Print Title \_\_\_\_\_

(b) (7)(D), (b) (7)(E) WHEN COMPLETED RETURN THIS FORM TO OPERATIONS MANAGER

**Submitted By**

This form submitted by \_\_\_\_\_ Date \_\_\_\_\_  
*Signature*

Print Name \_\_\_\_\_ Print Title \_\_\_\_\_

(b) (7)(D), (b) (7)(E)

**From:** Needles, James R.  
**Sent:** Wednesday, April 27, 2011 5:36 PM  
**To:** (b) (7)(C)  
**Subject:** (b) (7)(E)  
**Attachments:** SKMBT\_C25311042714230.pdf

F and F (b) (7)(E)

\*\*\*\*\*

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**From:** Crabb, John D.  
**Sent:** Wednesday, April 27, 2011 2:01 PM  
**To:** (b) (7)(C)  
**Subject:** clerical assistance

Will whomever you designate be able to start helping us this afternoon? Also, when would it be convenient to meet with you again?

Thanks,  
John

\*\*\*\*\*

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From: (b) (7)(C)

Sent: Wednesday, April 06, 2011 12:06 PM

To: All Assistant Directors; All Deputy Assistant Directors; All Special Agents in Charge

Subject: ADDITIONAL INSTRUCTIONS FOR DOCUMENT PRODUCTION RELATED TO OPERATION FAST AND FURIOUS

Attachments: OIG.FF document request 3-25-11.pdf; OIG and HCOGR Verification.docx; HCOGRDOCLIST.docx

On March 21, 2011, the Acting Inspector General (IG) for the Department of Justice advised Acting Director Melson that the IG's Oversight and Review Division recently initiated a review of certain ATF firearms trafficking investigations. In a March 21 memo, the Assistant IG for the Oversight and Review Division stated that the review would cover the matter known as Operation Fast and Furious, and other investigations with similar objectives, methods, and strategies. On March 25, 2011, Acting Director Melson received the attached request for documents and information relating to the IG review of certain firearms trafficking investigations.

On March 28, 2011, AD Stinnett sent each of you instructions on how to respond to the March 25, 2011 document request. She also sent each of you a document preservation request relative to Operation Fast and Furious.

On March 31, 2011 the House Committee on Oversight and Government Reform (HCOGR) issued a subpoena for documents related to Operation Fast and Furious and the FBI investigation into the death of Border Patrol Agent Brian Terry.

While the IG document request and the HCOGR subpoena are generally directed at the same investigation, they are distinctly different in their scope. To minimize the impact of these two document requests, facilitate production of responsive documents, and ensure the confidentiality of responses, we will combine them into one request and secure them electronically. (Accordingly, to the extent that AD Stinnett's March 28, 2011 asked for you to produce hard copy documents to her office, you can disregard that portion of her guidance). **The due date for the electronic production of responsive documents and certification of search is close of business Monday, April 11, 2011.**

**Regardless of any prior production of responsive documents to any entity inside or outside of ATF, everyone is required to produce any responsive documents, e-mails, etc. at this time. All responsive documents anywhere in the organization must be produced. Further, all documents must be fully produced. There is no authority for ATF to withhold records, or redact portions of records because we believe they are sensitive or confidential or privileged. The IG has statutory authority to obtain any and all records related to this review.**

ACTION ITEM FOR EACH AD AND EMPLOYEES IN EACH DIRECTORATE

Please carefully review both the attached OIG request for documents and the attached HCOGR request and forward to each office within your area of responsibility. These documents should be forwarded to each employee in every office under your supervision. While it is likely that most of the requested records will be housed at the Phoenix Field Division or Bureau headquarters, it is nonetheless critical that each SAC and HQ Official ensure a thorough search is conducted at each field and headquarters division and any responsive record is forwarded as instructed. Please err on the side of caution and be over inclusive in producing documents or information.

Also attached is a revised verification certification that covers document production for the OIG and the HCOGR which needs to be signed and dated by each SAC and HQ Official. If your division does not have responsive materials, please note "no responsive records found" on the certification and provide a copy of the signed document as instructed below. A scanned copy of this document should be placed in the division folder as described below using the naming convention of "Division\_Certification" e.g. Phoenix\_Certification. Personnel in the Office of Field Operations should also e-mail a copy of their certification to Program Analyst (b) (7)(C)

**Do not produce** any of the following documents generally described as national policy documents (Headquarters has and will produce these documents):

The 2009 ONDCP National Southwest Border Counternarcotics Strategy  
The Draft 2011 ONDCP National Southwest Border Counternarcotics Strategy  
The Department of Justice Strategy for Combating the Mexican Cartels  
The Department of Justice Firearms Manual  
Any national ATF Orders, Briefs, Handbooks, or Guides  
The ATF National Firearms Trafficking Enforcement Implementation Plan dated June 2009 and its transmittal memo  
The ATF Cartel Strategy dated September 2010 and its transmittal memo

**However**, any additional guidance on any of the above topics issued at the directorate, division, field office, or branch level must be produced.

**Do not produce** any of the following documents generally described as NFORCE documents from the Fast and Furious case file (Headquarters has and will produce these documents):

Management Logs  
Reports of Investigation  
Significant Incident Reports  
Affidavits  
Anything currently contained in the Phoenix Field Division shared drive s:\Phoenix VII\7585115-10-0004

**However**, any other responsive documents, e-mail, or communications related to Operation Fast and Furious maintained at the directorate, division, field office, or branch level must be produced.

**All production of responsive materials is to be in electronic form only as outlined below. Do not submit paper copies to headquarters. Any responsive document or other communication that is not currently in electronic form is to be scanned.**

#### PROCESS FOR EACH EMPLOYEE TO SUBMIT RESPONSIVE DOCUMENTS ELECTRONICALLY

ATF will compile all responsive documents by having employees place electronic copies of the documents into a shared computer drive. Do not produce hard copies or e-mail copies of documents to HQ.

Each employee and task force officer in ATF has been given access to a nationwide shared computer drive titled "Fast and Furious investigation." Access to this drive was automatically created when you logged in to your computer Monday, April 4, 2011.

If you have responsive documents to submit, follow the procedure below to deposit them into the shared drive in the appropriate location. If you have no responsive documents, complete your certification and return it in accordance with the instructions provided by your supervisor.

### **How to Access the Fast and Furious Investigation shared drive.**

To access this drive, place your mouse pointer over the “Start” button in the lower left corner of your screen and right click, then select “Explore.”

Scroll down until you see a drive labeled “Fast and Furious Investigation.” (If you do not see this drive and your computer has not been rebooted recently, you will need to log out of the network and log back in so that the network may create your access to the shared drive.)

Left click on that drive.

Scroll to your field division or Headquarters Directorate

Left Click on that folder

### **How to Create a Document Folder**

Next create a new user folder to hold your responsive documents. To do this:

Go to the top menu and select “File”

Then select “New”

Then select “Folder”

Name the new folder with your login id (network user id)

Left click on the folder you just created to enter it

Copy any responsive documents into your folder in the shared drive.

About your folder:

Only you can access your folder. No one else in your office, division, or directorate can view your submission(s).

Similarly, you cannot access anyone else’s folder.

You can deposit documents into the folder, but once deposited in the folder you cannot read, rename, modify, or delete them.

### **Saving scanned documents**

If you must scan a document to submit it, please save it using the following naming convention:

Your login ID\_description\_of\_the\_document\_date of the document

Where Your login ID is your **network login ID**, followed by an underscore and the description of the document, for example, “\_division\_firearms\_trafficking\_guidance\_memo\_” followed by the date of the original document **201104XX** expressed as a four digit year followed by two digit month and 2 digit day

An example of a properly named scanned file might look like this:

**Atfperson\_division\_firearms\_trafficking\_guidance\_memo\_20100920**

**Phoenix Field Division personnel need not produce e-mails to the shared folder, all Phoenix employees’ e-mail will be collected automatically. Each Phoenix user will receive a network notification advising them that their e-mail folders are being copied from their pc in response to this information collection. All Phoenix employees are required to cooperate with this collection process.**



## How to Save Small Quantities of Responsive E-Mails

To save a singular responsive e-mail follow these steps:

Open the e-mail

Left Click on the "Office Button" Icon in the upper left hand corner

Select "Save As"

Browse to your folder on the shared drive.

**In the Save as type: dialogue box be sure to select Outlook Message Format (\*.msg)**

Save the file directly to your folder in the shared drive.

## How to Save Large quantities of responsive E-Mails

Move all responsive e-mails to a single folder within Outlook – create a new folder if need be.

Once you have moved all responsive e-mails into the folder, highlight the folder on the folder list.

Left click "File" in the upper left hand corner of the Outlook window

In the dialogue box select "Import and Export"

In the next dialogue box select "Export to a File," then click "Next"

In the next dialogue box select "Personal Folder File (.pst)," then click "Next"

In the next dialogue box select (highlight by clicking on it) the folder where you have stored the responsive e-mails, then click "Next"

In the next dialogue box in the "Save exported file as" box, browse to your folder on the shared drive and save the .pst file containing your e-mail folder naming it using the following naming convention:

Your login ID\_email\_ff\_20110404, then click "Finish"

Where Your login ID is your **network login ID**, followed by an underscore and the letters "**\_email\_ff\_**" followed by the date you exported the file **201104XX** expressed as a four digit year followed by two digit month and 2 digit day.

Questions regarding what information to produce should be reviewed with your supervisor. If you are unable to determine how to proceed, questions may be directed to AD Melanie Stinnett in OPRSO via e-mail or at 202-648-7500

Questions regarding how to migrate data to the shared drive should be directed to the Helpdesk at 877-875-3723.

Any other questions should be addressed to (b) (7)(C) in the Office of the Director via e-mail or at 202-648-(b) (7)(C)

(b) (7)(C)

Acting Chief of Staff  
Office of the Director

O: 202-648-(b) (7)(C)

C: (b) (7)(C)  
HQ Room 5 S 100

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**NOTICE:** This e-mail message and any attached files are intended solely for the use of the addressee(s) named above in connection with official business. This communication may contain Sensitive But Unclassified information that may be statutorily or otherwise prohibited from being released without appropriate approval. Any review, use, or dissemination of this e-mail message and any attached file(s) in any form outside of the Bureau of Alcohol, Tobacco, Firearms & Explosives or the Department of Justice without express authorization is strictly prohibited.