

Attached Documents

- 1) Justice Department's Feb. 4, 2011 letter to Senator Grassley: "ATF makes every effort to interdict weapons that have been purchased illegally and prevent their transportation to Mexico."
- 2) Dec. 3-4, 2009: Assistant Attorney General Lanny Breuer approves a Gang Unit prosecutor being assigned to ATF gun trafficking cases at the request of ATF Acting Director Kenneth Melson. (HOCR ATF 2730)
- 3) Mar. 1, 2010: That Gang Unit prosecutor, Joe Cooley, reports to ATF and begins on Operation Fast and Furious around the time his fellow Gang Unit prosecutor Laura Gwinn is reporting up the chain that guns were walked in Operation Wide Receiver. (HOCR ATF 2155-2156)
- 4) Mar. 5, 2010: Joe Cooley's handwritten notes. Cooley is briefed on Operation Fast and Furious as well as Operation Wide Receiver. (HOCR DOJ 2807-2809)
- 5) Mar. 12, 2010: Deputy Attorney General Gary Grindler's notes from briefing on Operation Fast and Furious. Grindler's notes include such details as the fact that by March 12, one straw buyer had bought 313 guns and another had bought 231; the amount of money each straw buyer had spent on gun purchases, most in the tens of thousands of dollars, along with a note from Grindler saying "all cash"; and a map of where in Mexico guns were being recovered. (HOCR DOJ 2817-2823)
- 6) Mar. 16, 2010: Deputy Assistant Attorney General Jason Weinstein asks the chief of the Gang Unit Kevin Carwile, to whom both Cooley and Gwinn report: "[D]id ATF allow the guns to walk, or did ATF learn about the volume of guns after the FFL began cooperating?" As Justice Department officials acknowledged yesterday in a widely-attended briefing with Congressional staff, Carwile's recollection that "they learned afterward" would prove to be false. (HOCR WR 3439)
- 7) Apr. 30, 2010: Weinstein tells Breuer "ATF let a bunch of guns walk in effort to get upstream conspirators but only got straws, and didn't recover many guns. Some were recovered in MX after being used in crimes." (HOCR WR 3485)



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D. C. 20530

February 4, 2011

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 letters, dated January 27, 2011 and January 31, 2011, to Acting Director Kenneth Melson of the Department's Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), regarding Project Gunrunner. We appreciate your strong support for the Department's law enforcement mission.

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. ATF makes every effort to interdict weapons that have been purchased illegally and prevent their transportation to 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. ATF remains committed to investigating and dismantling firearms trafficking organizations, and will continue to pursue those cases vigorously with all available investigative resources.

In this vein, the suggestion that Project Gunrunner focuses simply on straw purchasers is incorrect. The defendants named in the indictments referenced in your January 27 letter include leaders of a sophisticated gun trafficking organization. One of the goals of the investigation that led to those indictments is to dismantle the entire trafficking organization, not merely to arrest straw purchasers.

I also want to assure you that ATF has made no attempt to retaliate against any of its agents regarding this matter. We recognize the importance of protecting employees from retaliation relating to their disclosures of waste, fraud, and abuse. ATF employees receive annual training on their rights under the Whistleblower Protection Act, and those with knowledge of waste, fraud, or abuse are encouraged to communicate directly with the

The Honorable Charles E. Grassley
Page Two

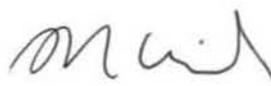
Department's Office of Inspector General. These protections do not negate the Department's legitimate interest in protecting confidential information about pending criminal investigations.

We also want to protect investigations and the law enforcement personnel who directly conduct them from inappropriate political influence. For this reason, we respectfully request that Committee staff not contact law enforcement personnel seeking information about pending criminal investigations, including the investigation into the death of Customs and Border Patrol Agent Brian Terry. Like you, we are deeply concerned by his murder, and we are actively investigating the matter. Please direct any inquiry into his killing to this office.

The Department 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. That briefing would not address 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 the independence and effectiveness of our law enforcement efforts as well as the privacy and due process interests of individuals who may or may not ever be charged with criminal offenses.

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,



Ronald Weich
Assistant Attorney General

cc: The Honorable Patrick J. Leahy
Chairman

From: Melson, Kenneth E.
Sent: Friday, December 04, 2009 12:26 PM
To: Back, Michelle A.
Subject: FW: Weapons seizures in Mexico

Would you set up a meeting with Mr. Breuer. Billy, Mark, and Sam should go too. Thanks.

From: Breuer, Lanny A. RC-1
Sent: Friday, December 04, 2009 10:18 AM
To: Melson, Kenneth E.
Cc: Siskel, Edward N. (ODAG) (SMO); Hoover, William J.; Weinstein, Jason; Rosen, Paul; Raman, Mythili; Fagell, Steven
Subject: RE: Weapons seizures in Mexico

Ken,

We think this is a terrific idea and a great way to approach the investigations of these seizures. Our Gang Unit will be assigning an attorney to help you coordinate this effort. Please let us know who will be the POC at ATF on this, and we'll have the Gang Unit folks reach out to that person. I would love to see you to discuss this further and other issues of common interest. I hope you are well.

Best,

Lanny

From: Melson, Kenneth E. RC-1
Sent: Thursday, December 03, 2009 5:46 PM
To: Breuer, Lanny A.
Cc: Siskel, Edward N. (ODAG) (SMO); Hoover, William J.
Subject: Weapons seizures in Mexico

Lanny: We have decided to take a little different approach with regard to seizures of multiple weapons in Mexico. Assuming the guns are traced, instead of working each trace almost independently of the other traces from the seizure, I want to coordinate and monitor the work on all of them collectively as if the seizure was one case. Using the traces as intelligence, and compiling the information from each trace investigation, we can connect the purchases, identify the traffickers and use more serious charges against them. The intelligence analysis and linking of trace data and investigation results will be done at HQ out of our intelligence directorate. I would like to see if you have any interest in assigning a criminal division attorney to work with that group to develop multi-division/district cases and perhaps go to the district with the best venue to indict the case. The level of activity will depend on the number of Mexican seizures, and whether they will trace the guns, or allow us to do it. We do seem to be making progress with our Mexican partners. We are currently working on a case with SSP which might lead us to the first joint arrest in Mexico of a person connect to US arms trafficking. We should meet again just to catch up on where we are in our gun trafficking issues and we could talk about the above idea as well. Let me know what you think. Thanks. Ken.

From: Cooley, Joseph [REDACTED]
Sent: Monday, March 01, 2010 1:07 PM
To: Gillett, George T. Jr.; Voth, David J.
CC: O'Keefe, Kevin C.; MacAllister, Hope A.; Hurley, Emory (USAAZ)
Subject: RE: Firearms Investigation

Yes, that was operation name that Kevin mentioned to me. I will be available for the Friday meeting at ATF HQ.

Joseph A. Cooley
Trial Attorney
Gang Unit
Department of Justice
950 Pennsylvania Ave. N.W., [REDACTED]
Washington, DC 20530
[REDACTED]

From: Gillett, George T. Jr. [REDACTED]
Sent: Monday, March 01, 2010 12:59 PM
To: Cooley, Joseph; Voth, David J.
Cc: O'Keefe, Kevin C.; MacAllister, Hope A.; Hurley, Emory (USAAZ)
Subject: RE: Firearms Investigation

Mr. Cooley --

The investigation you are referring to has been dubbed, "The Fast and Furious." This is an approved OCDETF investigation. I will have group supervisor David Voth coordinate with you to meet on this investigation. There is a briefing scheduled at 1:00 PM on Friday, May 5, at ATF Headquarters on this and other active, southwest border investigations. It may be most effective (if your schedule permits) to attend this briefing. However, I will have Mr. Voth contact you on your cell phone to coordinate a meeting with you before the briefing so you can be completely up to speed.

Please don't hesitate to contact me if you have further questions/concerns.

George T. Gillett
Assistant Special Agent in Charge
ATF - Phoenix Field Division
[REDACTED]

From: Cooley, Joseph [REDACTED]
Sent: Monday, March 01, 2010 10:43 AM
To: Gillett, George T. Jr.; Voth, David J.
Cc: O'Keefe, Kevin C.
Subject: Firearms Investigation

Gentlemen,

At the request of ATF Headquarters, Gang Unit has agreed to assist in the Firearms trafficking into Mexico investigations. Earlier this year, I was assigned to this task. I just finished up a trial last week and I am now available to provide any assistance needed. I understand that the case agent working out the Phoenix Office is Hope McAllister. I could not find her in the email directory. Please have her contact me at her earliest convenience.

JAC

Joseph A. Cooley
Trial Attorney

Gang Unit
Department of Justice
950 Pennsylvania Ave. N.W., [REDACTED]
Washington, DC 20530



3/5/10

Briefing @ ATF

Ext + Tunica A2

→ 1026
1000 guns since 9/89

Stuart Stewart
#1 purchaser had El Paso
Dungen → 1000 more guns since
→ 241
\$649, —

11/20/09
→ women in MX
41 firearms seized

12/03/09 Nogales, A2

4 firearms
of ammo

12/09/09 Douglas, A2 - 7 Stuart Stewart

12/9/09

Mexicali, Baja Cal
12 tons of money (pair)
(warehouse)

41 guns seized

12/18/09

Tijuana, Baja

12/21/09 Phoenix, AZ

1/8/10

11/13/10 El Paso
seizure

person in study down connected
w/ kidnapping crew

Behind the
Acosta
Stewart trip
to El Paso

2/21/10 Lills, AZ

of Wide Receiver → Laura
Gwin

→ start house

two firearms

(Epic provided GPS)

2/25/10

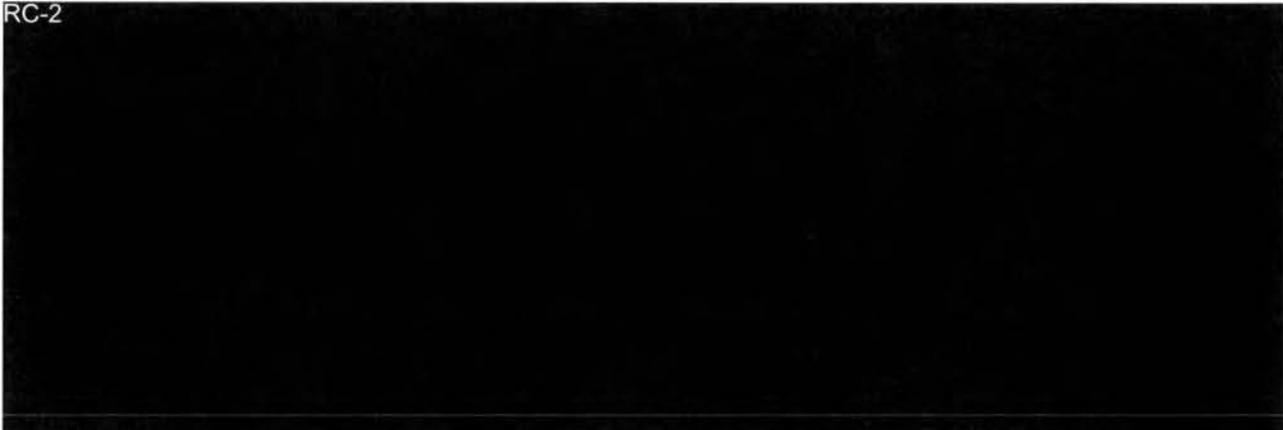
Pignone Bay

→ all AKs converted to
full auto

ATF Monthly Meeting
with the Acting Deputy Attorney General
Friday, March 12, 2010

AGENDA

RC-2



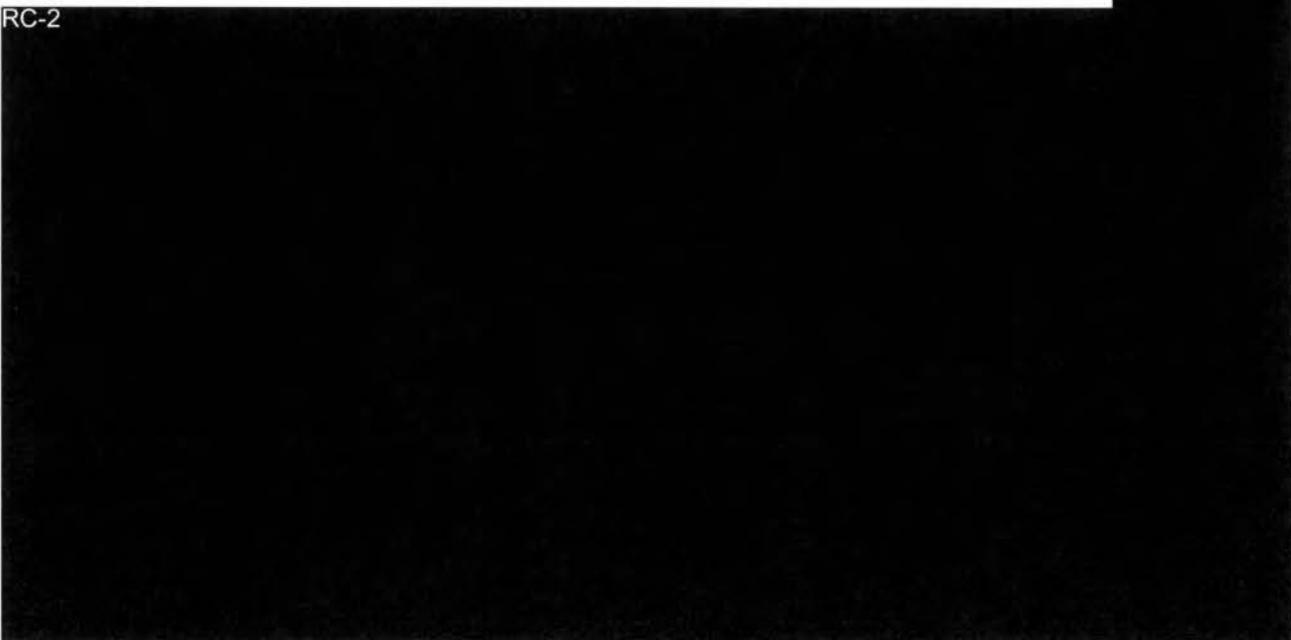
1.

2.

3.

4. Phoenix Case - Update on a significant firearms trafficking case

RC-2



5.

6.

7.

ATF Monthly Meeting

3/12/10

RC-2



RC-2

3. Operation The Fast

Reviews
Drafts

Process

long vites - multiple
case issues

RC-2



seizures in Mexico
take to predicate
to case in US
link to cartel

COCAINE STRIKE FORCE

Primary - Phoenix WAO

(1)

**OPERATION THE FAST
AND THE FURIOUS**



**Total Firearms
Purchased as of
Feb 27, 2010
785115-10-0004**

Patino	Uriel	313
Steward	Sean	241
Moore	Joshua	116
Chambers	Jacob	68
Cells	Alfredo	55
Hercegovac	Dejan	30
RC-4		
Montelongo	Jacob	18
Avila Jr	Jamie	17
RC-4		
Polanco	Jose	3
RC-4		
Cells-Acosta	Manuel	1
RC-4		
	TOTAL	1026

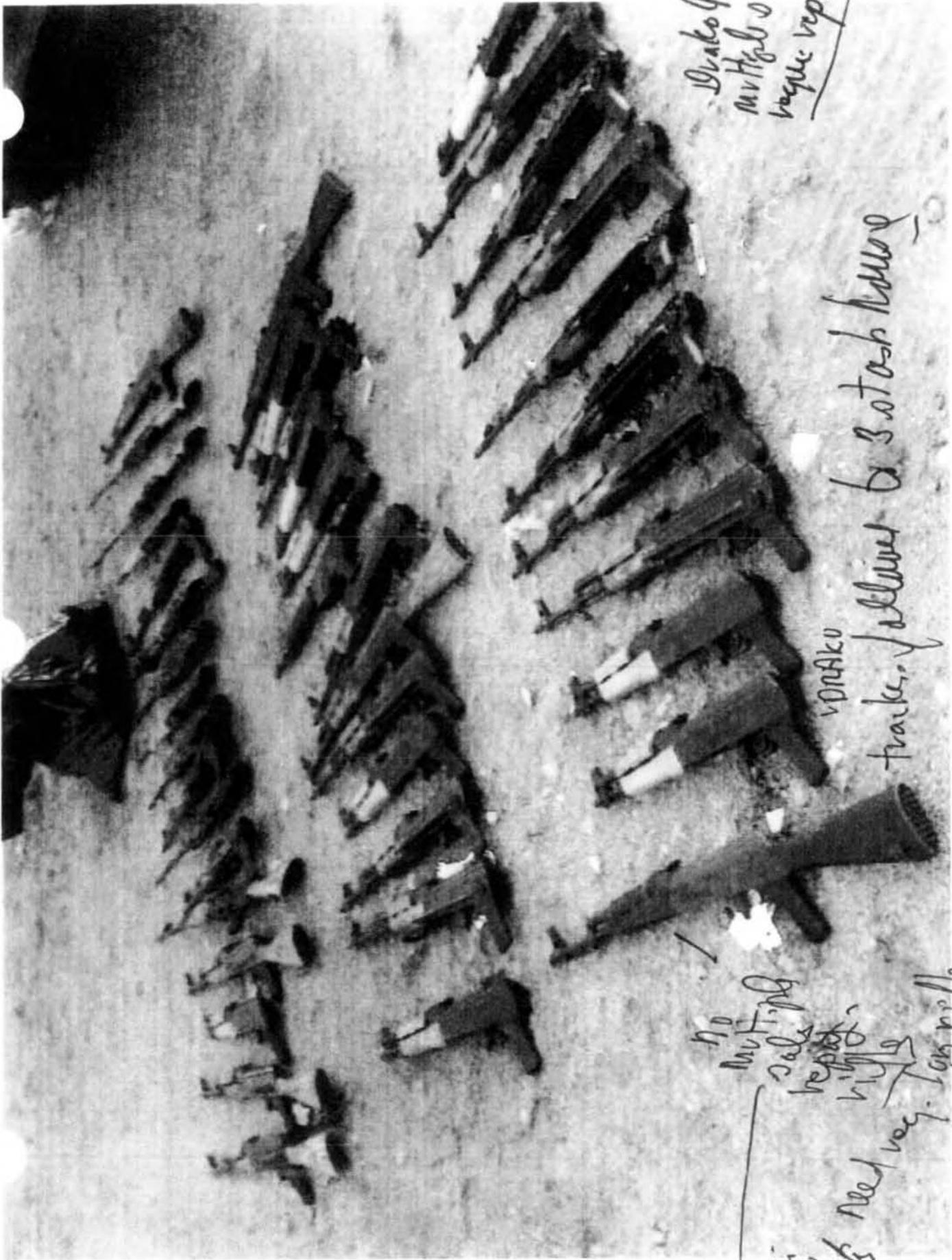
All cash -
 Western
 side

PURCHASE SUMMARY					
RC-4	NAME	PURCHASES	INVOICE TOTAL		NOTES
	Jaimie Avillar	11,684.00	13,002.64		
	Alfredo Cellis	36,959.75	38,823.33		
	Jacob Chambers	36,541.75	39,683.98		
	Delian Harcegovak	22,719.80	23,781.91		
	Jacob Montelongo	7,446.97	7,731.27		
	Joshua Moore	59,653.40	64,929.96		
	Uriel Peltino	204,110.59	213,756.87		
	Jesse Pollanco	1,299.00	1,851.82		
	Sean Steward	134,636.84	140,034.36		
TOTAL PURCHASES		\$ 815,394.08	\$ 849,745.32		

Total Cost of
 Firearms
 Purchased as of
 Feb 27, 2010
 785115-10-0004

AK 47

Drako (pistol)
MUTUAL only
vague reports



Drako
tracks, followed to Sotash house

248
MUTUAL
No
Spec
report
vague
need very
Tobacco
stiff

RC-1

From: Carwile, Kevin
Sent: Tuesday, March 16, 2010 11:09 AM
To: Weinstein, Jason
Subject: RE: talking points

My recollection is they learned afterward. The pros memo will be ready soon. Any thoughts/progress on the matter? RC-2

P. Kevin Carwile
Chief, Gang Unit
Criminal Division
U.S. Department of Justice

From: Weinstein, Jason
Sent: Tuesday, March 16, 2010 11:04 AM
To: Carwile, Kevin
Subject: RE: talking points

I'm looking forward to reading the pros memo on Wide Receiver but am curious -- did ATF allow the guns to walk, or did ATF learn about the volume of guns after the FFL began cooperating?

From: Carwile, Kevin
Sent: Tuesday, March 16, 2010 10:47 AM
To: Weinstein, Jason
Subject: talking points

Here is a quick page of talking points. You did not describe the intended audience. The two operations are pre-indictment so the info on these matters would need to be kept internal. See attached.

P. Kevin Carwile
Chief, Gang Unit
Criminal Division
U.S. Department of Justice

RC-1

From: Weinstein, Jason
Sent: Friday, April 30, 2010 7:03 PM
To: Breuer, Lanny A.
Subject: Re: Operation Wide Receiver

As you'll recall from Jim's briefing, ATF let a bunch of guns walk in effort to get upstream conspirators but only got straws, and didn't recover many guns. Some were recovered in MX after being used in crimes. Billy, Jim, Laura, Alisa and I all think the best way to announce the case without highlighting the negative part of the story and risking embarrassing ATF is as part of Deliverance.

Jason M. Weinstein
Deputy Assistant Attorney General
Criminal Division
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
Office: RC-1
Cell: RC-1

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

From: Breuer, Lanny A.
To: Weinstein, Jason
Sent: Fri Apr 30 18:39:45 2010
Subject: Re: Operation Wide Receiver

Anything I should know about thos?

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

From: Weinstein, Jason
To: Breuer, Lanny A.; Raman, Mythili; Fagell, Steven
Sent: Wed Apr 28 18:59:27 2010
Subject: Operation Wide Receiver

Jim T and I met with Billy Hoover and with Laura and Alisa to talk about this gun trafficking case with the issues about the guns being allowed to walk for investigative purposes. Can fill you in tomorrow in more detail but we all think the best move is to indict both Wide Receiver I and Wide Receiver II under seal and then unseal as part of Project Deliverance, where focus will be on aggregate seizures and not on particulars of any one indictment.

Jason M. Weinstein
Deputy Assistant Attorney General
Criminal Division
U.S. Department of Justice
950 Pennsylvania Avenue, NW