

**Congress of the United States**  
**Washington, DC 20515**

December 6, 2011

**VIA ELECTRONIC TRANSMISSION**

The Honorable Janet Napolitano  
Secretary  
U.S. Department of Homeland Security  
301 7th Street, NW  
Washington, D.C. 20528

Dear Madam Secretary:

In your testimony before the Senate Judiciary Committee on October 19, 2011, you told Senator Grassley that you had asked U.S. Immigration and Customs Enforcement (ICE) to look into its involvement with Operation Fast and Furious, an Organized Crime Drug Enforcement Task Force (OCDETF) case. You also referenced the fact that your Department had provided information the day before the Judiciary Committee hearing with respect to its involvement.

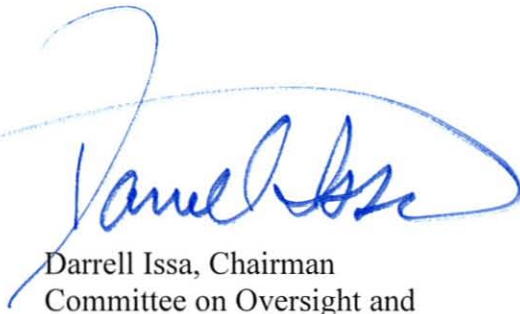
The information provided by your Department is very important to us. Specifically, your Department told us on two separate occasions that near the end of 2009, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) requested that ICE cease investigations into weapons cases in deference to a pending ATF investigation. Your Department also informed us that the ATF investigation in question was Operation Fast and Furious. Apparently this request culminated in a meeting among ICE, an ATF Assistant Special Agent in Charge (ASAC), and the Assistant U.S. Attorney (AUSA) responsible for prosecution of gun trafficking cases in Phoenix, Emory Hurley.

At that meeting, Mr. Hurley reportedly requested that ICE coordinate with ATF before taking any enforcement actions against targets that might be associated with Fast and Furious. Presumably, this was part of the reason that in early 2010, an ICE agent was added to ATF's Phoenix Group VII and became a co-case agent for Operation Fast and Furious. Nevertheless, this meeting and the events leading up to it raise a number of questions. Therefore, we request that you make arrangements to brief our respective staffs on these issues by no later than Tuesday, December 13, 2011. We also request a copy of the ICE case file on Operation Fast and Furious.

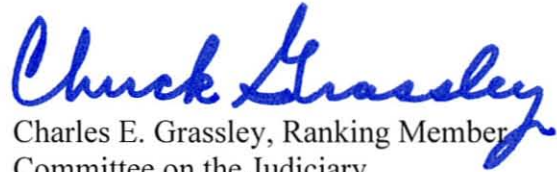
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Should you have any questions regarding the issues we have raised, please contact Tristan Leavitt in Ranking Member Grassley's office at (202) 224-5225 or Henry Kerner of Chairman Issa's Committee staff at (202) 225-5074. We look forward to your response.

Sincerely,



Darrell Issa, Chairman  
Committee on Oversight and  
Government Reform  
U.S. House of Representatives



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

cc: The Honorable Elijah E. Cummings, Ranking Minority Member  
U.S. House of Representatives, Committee on Oversight and Government Reform

The Honorable Patrick Leahy, Chairman  
U.S. Senate, Committee on the Judiciary