

Senator Chuck Grassley
Questions for the Record for
Assistant Attorney General Lanny Breuer

2. Connection Between Operation Wide Receiver and Operation Fast and Furious

In your testimony of November 1, you stated: “I regret that in April of 2010 that I did not draw the connection between Wide Receiver and Fast and Furious.” However, it is clear that at that time, your own staff considered them related components of the same case.

On February 22, 2010, Gang Unit prosecutors Laura Gwinn and Joe Cooley, assigned respectively to Wide Receiver and Fast and Furious, emailed back and forth with each other about the connection between the two cases when some of the guns being trafficked in Fast and Furious were tracked to a stash house of one of the targets in Wide Receiver. HOCR WR 003422.

Because of those overlapping targets, Wide Receiver and Fast and Furious were considered associated cases. When the ATF Phoenix Field Division assembled a PowerPoint presentation on Fast and Furious in March 2010, one of the slides listing “Associated Cases” with Fast and Furious listed Operation Wide Receiver. This same PowerPoint was presented at ATF headquarters on March 5, 2010. HOCR ATF 002091. According to a March 11, 2010, memo from Gang Unit Chief Kevin Carwile, Gang Unit member Joe Cooley attended that briefing. HOCR DOJ 003311.

Concerns about those overlapping targets also led to delay in unsealing the indictments in Wide Receiver, as the U.S. Attorney’s Office in Arizona had concerns that when the Wide Receiver indictments were unsealed it would tip off targets in Fast and Furious. As the Department wrote in its October 31, 2011, letter to Senator Leahy: “The documents produced today reflect that the Gang Unit prosecutor was ready to indict the Wide Receiver cases and unseal them beginning in the spring of 2010, but that the Assistant U.S. Attorney in the U.S. Attorney’s Office in Arizona handling Fast and Furious believed that if the Wide Receiver indictments became public at that time they would negatively impact his case. The Assistant U.S. Attorney therefore requested that the indictments and/or the unsealing of the indictments in Wide Receiver be delayed. HOCR WR 003480, 003489. As a result of that request, Wide Receiver 1 was indicted under seal in May 2010, Wide Receiver 2 was indicted under seal in October 2010, and both cases were unsealed in November 2010. HOCR DOJ 003260, 63.”

In a July 1, 2010, memo to DAAG Weinstein, Principal DAAG and Criminal Division Chief of Staff Mythili Raman, and Criminal Division Deputy Chief of Staff Steven Fagell, the connection between Fast and Furious and Wide Receiver was referenced when Gang Unit Chief Kevin Carwile described “a gun trafficking case with apparent ties to the Tucson case already indicted by [the Gang Unit].” HOCR DOJ 003327.

Finally, an October 18, 2010, memo under **your name** that is addressed to the Attorney General and Acting Deputy Attorney General reads: “On October 27, the Organized Crime and Gang

Section (OCGS) plans to indict eight individuals under seal relating to the trafficking of hundreds of firearms into Mexico. The sealing will likely last until another investigation, Phoenix-based 'Operation Fast and Furious,' is ready for takedown." HOCR DOJ 003263.

Questions:

- (a) In light of all of these connections, how is it credible for you to claim that you "did not draw the connection between Wide Receiver and Fast and Furious"?
- (b) Since the Criminal Division believed in the spring of 2010 that both Wide Receiver and Fast and Furious involved overlapping targets, when you learned in April 2010 that guns were walked in Wide Receiver, did you ask whether they were also walked in Fast and Furious? If not, why not?

RC-1

From: Cooley, Joseph
Sent: Monday, February 22, 2010 7:17 PM
To: Gwinn, Laura
Subject: Re: Phoenix case

It likely is.
Joseph A. Cooley
Gang Unit, DOJ
Cell: RC-1

This message is being sent via my blackberry. Please excuse any typos.

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

From: Gwinn, Laura
To: Cooley, Joseph
Sent: Mon Feb 22 19:13:10 2010
Subject: Re: Phoenix case

Yes but just got info of cross-over and am wondering if it is the case you are assigned to. Phoenix just traced some guns to the house of one of my targets watched two girls leave then took them off at the border.
Sent from Blackberry
Laura Gwinn
US Dept of Justice Gang Unit
RC-1 (c)

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

From: Cooley, Joseph
To: Gwinn, Laura
Sent: Mon Feb 22 19:09:55 2010
Subject: Re: Phoenix case

Yes. My trial is winding down. I will jump on that when I'm done. Aren't you in trial?
Joseph A. Cooley
Gang Unit, DOJ
Cell: RC-1

This message is being sent via my blackberry. Please excuse any typos.

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

From: Gwinn, Laura
To: Cooley, Joseph
Sent: Mon Feb 22 18:53:34 2010
Subject: Phoenix case

Did you get assigned to ATF case in Phoenix? Were guns that were sold recently located in Tucson? If so we might have some cross over.
Sent from Blackberry
Laura Gwinn
US Dept of Justice Gang Unit
RC-1 (c)

From: Leadmon, Lorren D.

Sent: Friday, March 05, 2010 5:40 PM

To: Chait, Mark R.; McMahon, William G.; Martin, Steve K.; Newell, William D.; Champion, Robert R.; Torres, John A.; Webb, J. Dewey; Gillett, George T. Jr.; Needles, James R.; Golson Sr., Michael A.; Chisholm, Kenneth L.; Elder, Robert W.; Anglin, Karl G.; Shaefer, Christopher C.; Kumor, Daniel J.; Rowley, Raymond G.; Quinonez, Louis A.; Dwyer, Daniel J.; Cole-Bigelow, Delmaria; Bohan, Rich G.

CC: Martin, Steve K.; O'Keefe, Kevin C.; Bass, William F.; Feingold, Edward D.

Subject: FW: Presentation Slides and Case synopsis document

Attachments: Timeline for briefing 030410.docx; PHX presentation (final) draft presented on 030510.pdf

Attached is the timeline briefing handout and a PDF of the powerpoint presentation from today's briefing on Operation - The Fast and The Furious

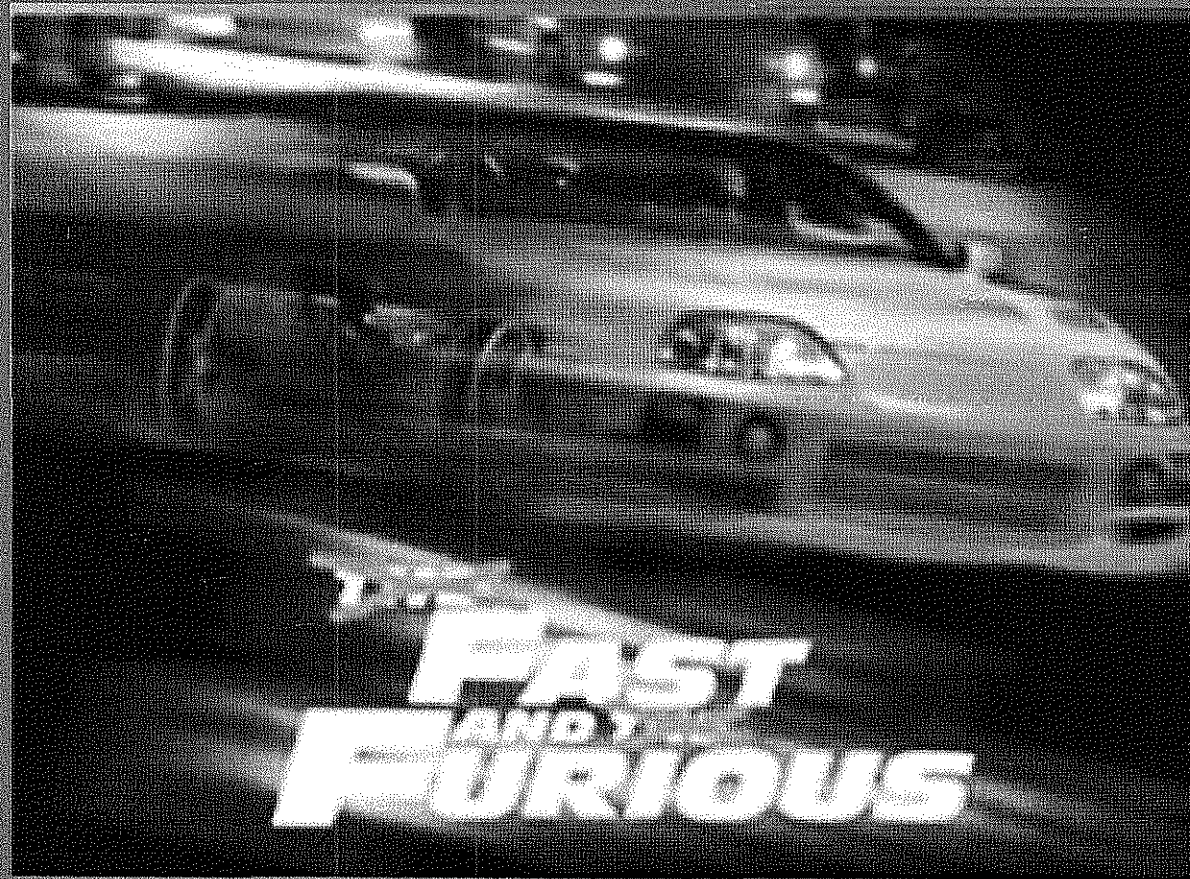
LORREN D. LEADMON

TEAM LEADER

Field Intelligence Support Team - Southwest Border
Bureau of Alcohol, Tobacco, Firearms and Explosives
Intelligence Operations Specialist



OPERATION THE FAST AND THE FURIOUS



Associated Cases



- Phoenix 785115-04-0004
(Chambers, Jacob)
- Tucson 785085-06-0051
(Operation Wide Receiver)
- Phoenix 785115-09-0003
(GUZMAN, Fernando-
STRIKEFORCE)
- El Paso 781035-10-0016-
(SANDOVAL, Alberto)



U.S. Department of Justice

Criminal Division

Gang Unit

950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

March 11, 2010

MEMORANDUM

TO: Jason M. Weinstein, DAAG
Mythili Raman, Principal DAAG/Chief of Staff
Steven E. Fagell, Deputy Chief of Staff

FROM: P. Kevin Carwile, Chief, Gang Unit

SUBJECT: Gang Unit Update for March 11, 2010

I. Significant Accomplishments of the Past Week:

• RC-2



II. Urgent Litigation Matters or Major Initiatives Requiring Attention in the Next Week or Two, Including Significant Litigation Matters That Have Upcoming Court Deadlines in the Next Week or Two:

• RC-2



RC-2

•

III. Expected Major Legislative or Policy Developments in Next Week or Two:

RC-2

•

IV. Significant Developments or Deadlines in Interagency Process:

RC-2

•

V. Significant Speeches or Public Events:

RC-2

VI. Status of Other Major Matters/Initiatives/Issues:

- **Southwest Border Firearms Initiative:** On March 4, GU attended the SOD conference *Project Deliverance*, which included debriefings of multiple investigations into Mexican DTOs. On March 5, GU attended a debriefing of *Operation Fast and Furious*, an extensive firearms trafficking investigation based in Phoenix, Arizona; Dallas and Houston ATF field offices participated via teleconferencing. RC-3

RC-3

(J. Cooley)

RC-1

From: Gwinn, Laura
Sent: Friday, April 30, 2010 4:02 PM
To: Hurley, Emory (USAAZ)
Subject: RE: indictments

I will definitely talk to them about it! (i.e., will forward your e-mail for starters).

From: Hurley, Emory (USAAZ) [mailto:RC-1]
Sent: Friday, April 30, 2010 3:58 PM
To: Gwinn, Laura
Subject: RE: indictments

Laura,

I am afraid this really will cause us some problems. RC-3

RC-3

RC-3 We're very close to getting up on the central target and this is an organization moving guns in the thousands. Could you talk to your chain of command about holding off just a couple more months (maybe late July) on unsealing? What do you think? Any chance?

Emory

RC-1

From: Gwinn, Laura (CRM)
Sent: Friday, April 30, 2010 12:33 PM
To: Hurley, Emory (USAAZ)
Subject: indictments

I know we had discussed holding off on indicting Celaya, et al, in my case, but...(isn't it always that way?). We are planning on indicting the first part of my investigation on 5/12. If I do not indict Celaya at that time, I will be unable to indict until almost the end of June, due to scheduling issues involving my agent and me. So, the plan now, in consultation with my supervisors, is to go ahead and indict Celaya, et al on 5/12. These indictments will be sealed until early June (again, scheduling issues).

If this is going to cause real heartburn/problems, please let me know...we could always wait a little longer to unseal if necessary.

Laura Gwinn

950 Pennsylvania Ave. NW

Room RC-1

Washington, DC 20530

RC-1

(T)

(G)

(fax)



U.S. Department of Justice

Criminal Division

Gang Unit

950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

July 1, 2010

MEMORANDUM

TO: Jason M. Weinstein, DAAG
Mythili Raman, Principal DAAG/Chief of Staff
Steven E. Fagell, Deputy Chief of Staff

FROM: P. Kevin Carwile, Chief, Gang Unit

SUBJECT: Gang Unit Update for July 1, 2010

I. Significant Accomplishments of the Past Week:

- RC-2
-
-

II. Urgent Litigation Matters or Major Initiatives Requiring Attention in the Next Week or Two, Including Significant Litigation Matters That Have Upcoming Court Deadlines in the Next Week or Two:

- RC-2

III. Expected Major Legislative or Policy Developments in Next Week or Two:

- RC-2

IV. Significant Developments or Deadlines in Interagency Process:

RC-2

V. Significant Speeches or Public Events:

RC-2

VI. Status of Other Major Matters/Initiatives/Issues:

RC-2

- **Arizona Cross Border Project:** GU travels to Arizona next week to begin working on two cases designated by the USAO as good cross-border cases. One is a gun trafficking case with apparent ties to the Tucson case already indicted by GU,

and the other is a gun and drug trafficking case. (L. Gwinn)

U.S. Department of Justice

Criminal Division

Assistant Attorney General

Washington, D.C. 20530

MEMORANDUM

TO: The Attorney General
The Acting Deputy Attorney General

FROM: Lanny A. Breuer
Assistant Attorney General

DATE: Week of October 25, 2010

RE: Weekly Report

I. SIGNIFICANT UPCOMING EVENTS

A. Litigation

1. *Indictments/Investigations*

- *Tucson Gun Trafficking* (D. Ariz.): On October 27, the Organized Crime and Gang Section (OCGS) plans to indict eight individuals under seal relating to the trafficking of hundreds of firearms to Mexico. The sealing will likely last until another investigation, Phoenix-based "Operation Fast and Furious," is ready for takedown.

- RC-2



2. *Guilty Pleas*

- RC-2



-