

From: Chait, Mark R.
Sent: Sunday, February 21, 2010 1:27:33 PM
To: Hoover, William J.
Subject: Fw: Seizure

This is the fast and furious case mentioned to you last night. This was a key takedown and now we have **ATF** to further this investigation.

Mark R. Chait
Acting Assistant Director
Field Operations

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

From: McMahon, William G.
To: Newell, William D.
Cc: Chait, Mark R.
Sent: Sat Feb 20 23:44:09 2010
Subject: Re: Seizure

Outstanding. Thank all involved. Great job this week and especially tonight.

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

From: Newell, William D.
To: McMahon, William G.
Sent: Sat Feb 20 22:55:58 2010
Subject: Fw: Seizure

FYI - 42 not 20.
Bill Newell
Special Agent in Charge
ATF Phoenix Field Division (AZ and NM)

ATF

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

From: Gillett, George T. Jr.
To: Newell, William D.
Cc: **ATF**
Sent: Sat Feb 20 22:33:44 2010
Subject: Seizure

Update -

ATF

The actual number of guns seized today is 42 NOT 20. Of the 42 seized, there are some AR type rifles that were not sold by any of our known dealers.

ATF

ATF

Sir first thing Monday morning.

George T. Gillett
ASAC - Phoenix Field Division

Privacy, ATF

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From: ATF
Sent: Tuesday, June 01, 2010 1:01:30 PM
To: ATF
CC: Chait, Mark R.; McMahon, William G.
Subject: RE: Response -- Negative / Request for Supplemental Documentation / ATF O 3310."Firearm Transfer" / ? - Supervisory Approval Requirement

Ray --

I think we should address this item with the immediate work ahead that we've discussed (and are meeting on today). I wasn't in the El Paso conversations, but I assume the student SAs were referring to allowing firearm transfers, between individuals or between FFLs and individuals, to occur without LE interference in furtherance of a trafficking type investigation. The question you raised before was what volume of firearms is acceptable to allow to "walk" before we intervene, 5, 10, 50? Also, my read of your comments does not imply that we are, with only field level approval, authorizing "prop" firearms to walk ... Good idea - let's discuss later today. Thanks

ATF
 Chief, Firearms Operations Division
 ATF HQ - Room 6.5.129
Privacy, ATF

a

From: ATF
Sent: Tuesday, June 01, 2010 11:45 AM
To: Chait, Mark R.; McMahon, William G.
Cc: ATF
Subject: FW: Response -- Negative / Request for Supplemental Documentation / ATF O 3310."Firearm Transfer" / ? - Supervisory Approval Requirement

This is what we've come up with regarding the transfers of firearms during the course of an investigation. This issue came up during the recent firearms trafficking seminar I attended in El Paso. Specifically, it appears that agents in the field are of the opinion that they can transfer or permit the transfer of firearms to further an investigation without HQ knowledge or approval. The language below would seem to support that position. Given that our Firearms Enforcement Order has not been updated for 21 years and much has changed during the intervening period I recommend that we develop policy to address this issue immediately, followed by an effort to update the Order.

ATF

From: ATF
Sent: Tuesday, April 27, 2010 6:03 PM
To: ATF

Subject: Response -- Negative / Request for Supplemental Documentation / ATF O 3310."Firearm Transfer" / ? - Supervisory Approval Requirement

From: ATF
Sent: Tuesday, April 27, 2010 11:49 AM
To: Molek, Theresa C.
Subject: RE: Request for Supplemental Documentation / ATF O 3310."Firearm Transfer" / ? - Supervisory Approval Requirement

Hi Theresa ... sorry for the delay. I've checked several resources, including our PD&E Shared Drive, which is an archive of old policy memos, broadcast messages, e-mails, and other miscellaneous documents and items and have not been able to find any supplemental policy regarding weapons transfer. It seems the information in ATF O 3310.4B is the only policy that exist.

Let me know if I can be of further assistance.

Program Analyst ATF
Policy Development and Evaluation Branch
Field Management Staff, Office of Field Operations

ATF
 Washington, DC 20226

ATF

I am who I am because of who we all are!

From: ATF
Sent: Tuesday, April 20, 2010 4:14 PM
To: ATF
Cc: ATF
Subject: Request for Supplemental Documentation / ATF O 3310."Firearm Transfer" / ? - Supervisory Approval Requirement

REQUEST FOR SUPPLEMENTAL DOCUMENTATION RE ATF O 3310.48 "WEAPONS TRANSFER" AND SUPERVISORY APPROVAL REQUIREMENT

Per discussion this date, requesting supplemental documentation, if any, issued by HQ and/or Field Divisions reflecting the requirement of supervisory/SAC approval for "Weapons Transfers," which is not addressed in ATF O 3310.48.

Thank you for your time and assistance.

“WEAPONS TRANSFER”

ATF O 3310.48 Firearms Enforcement Program cites that a special agent “may choose to allow the transfer of firearms to take place in order to further an investigation and allow for the identification of additional coconspirators who would have continued to operate and illegally traffic firearms in the future, potentially producing more armed crime.”

Comment: Order reflects no procedural notation regarding supervisory approval; sole discretionary practice by investigative personnel

Reference: ATF O 3310.4B Firearms Enforcement Program, p. 113

Extract: 148. “Weapons Transfers”

- a. Considerations. During the course of illegal firearms trafficking investigations, special agents may become aware of, observe, or encounter situations where an individual(s) will take delivery of firearms, or transfer firearm(s) to others. In these instances, the special agent may exercise the following options:
 - (1) In cases where probable cause exists to believe a violation of law has occurred and the special agent determines there is a need to intervene in the weapons transfer (e.g., the recipient of the firearms is a known felon; it is known the firearms will be used in crime of violence), the special agent shall do so but should place concerns for public safety and the safety of the involved special agents as the primary determining factor in exercising this option.
 - (2) In other cases, immediate intervention may not be needed or desirable, and the **special agent may choose to allow the transfer of firearms to take place in order to further an investigation and allow for the identification of additional coconspirators who would have continued to operate and illegally traffic firearms in the future, potentially producing more armed crime.**

Document:

<< File: ATF O 3310.4B Firearms Enforcement Program.doc >>

From: ATF

Sent: Monday, July 19, 2010 12:00 PM

To: AGWeeklyReport

Boxler, Michael B.; BF

ATF

ATF

J.;
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en,

ATF

ATF/PGA/Liaison Division/Correspondence Unit

ATF

MEMORANDUM FOR THE ATTORNEY GENERAL

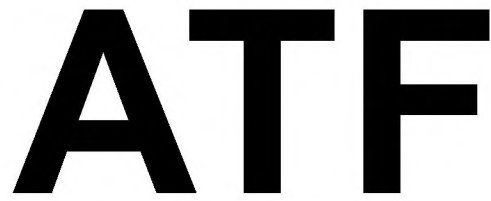
THROUGH THE DEPUTY ATTORNEY GENERAL

FROM: Kenneth E. Melson
Deputy Director, Bureau of Alcohol, Tobacco, Firearms
and Explosives

SUBJECT: Weekly Report for July 19-23, 2010

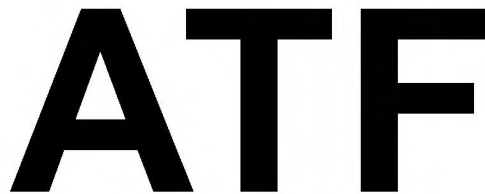
EXPECTED LEGISLATIVE OR POLICY DEVELOPMENTS:

ATF

The letters "ATF" in a large, bold, black, sans-serif font, centered within a dashed rectangular border.

- ***Bureau of Alcohol, Tobacco, Firearms and Explosives Recovers 73 Firearms in “Operation Fast and Furious” — Phoenix, Arizona:***

On July 14, 2010, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) reported on the recovery of 73 firearms and 250 AK-47 drum magazines from a business in Phoenix. ATF conducted an interview at the business after receiving a tip from the Phoenix Police Department regarding an ATF gun-trafficking investigation. ATF recovered 73 firearms, including 20 AK-47 type rifles, a Barrett .50 caliber rifle, an AR-15 rifle, 50 handguns, approximately 250 75-round drum magazines, and other magazines and assorted ammunition. Firearms traces indicate that many of the items were recently purchased by known straw purchasers. This recovery adds to the total of 169 firearms recovered in the previous 25 days as part of the Southwest Border firearms trafficking investigation.

The letters "ATF" in a large, bold, black, sans-serif font, centered within a dashed rectangular border.

Subject: Briefing for Asst Attorney General Lanny Breuer re SWB
and Project Gunrunner
Location: DOJ Room 2107

Start: 5/22/2011 6:57 AM
End: 5/22/2011 6:57 AM
Show Time As: Busy

Recurrence: (none)

Meeting Status: Accepted

Required Attendees: Chait, Mark R.; Rowley, ATF
Optional Attendees: McMahon, William G.
Resources: DOJ Room 2107

When: Monday, June 15, 2009 2:00 PM-2:45 PM (GMT-05:00) Eastern Time (US
& Canada).
Where: DOJ Room 2107

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From: Melson, Kenneth E.
 Sent: Wednesday, July 14, 2010 7:18:48 PM
 To: Chait, Mark R.; Hoover, William J.
 Subject: Re: SIR

This is great!

DP

DP

Ken

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

From: Chait, Mark R.
 To: Melson, Kenneth E.
 Cc: Hoover, William J.
 Sent: Wed Jul 14 16:14:55 2010
 Subject: Fw: SIR

This was the second case Grit took off last night.
 Mark R. Chait
 Assistant Director
 Field Operations

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

From: Significant Activity Report
 To: SAR/SIR Message Delivery
 Sent: Wed Jul 14 14:16:48 2010
 Subject: FW: SIR

From: ATF

Sent: Wednesday, July 14, 2010 2:16:45 PM

To: Needles, James R.; Newell, William D.;

ATF

Significant Activity Report

Subject: SIR

Auto forwarded by a Rule

DEPARTMENT OF JUSTICE - BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
 SIGNIFICANT INFORMATION REPORT

DATE: July 14, 2010
 FROM: Phoenix Field Division
 FIELD OFFICE: Phoenix VII Field Office

CASE INFORMATION

CASE NUMBER: 785115-10-0004

CASE TITLE:

SPECIAL AGENT:

TELEPHONE NUMBER:

ATF

SYNOPSIS OF INCIDENT/ACTIVITY:

Recovery of 73 firearms and 250 AK 47 drum magazines.

NARRATIVE OF INCIDENT/ACTIVITY:

ATF

This recovery adds to the total of 169 firearms recovered in the previous 25 days by Group VII agents and GRIT agents assigned to Group VII as part of Southwest Border Firearms Trafficking investigations.

Phoenix Gun Runner Impact Teams (GRIT)
Performance Report
May 24, 2010

GRIT Performance for Reporting Period May 1 - 20, 2010		
	Reporting Period	Since Inception
Number of Investigative Leads at the Start of GRIT (May 1, 2010)		
Number of New Investigative Leads		
Total Leads		
Number of Leads Investigated		
Number of New Actual Criminal Cases Opened		
Number of Existing Investigations Supported by GRIT		
Number of Defendants Recommended for Prosecution	0	0
Number of Referrals to U.S. LE Agencies	0	0
Number of Liaison Activities with the Gov. of Mexico		
Number of Firearms/Other Evidence Seized/Recovered by ATF or Other LE Agencies Acting on ATF Information		
Number of FFL Inspections Initiated		
Number of FFL Inspections Completed		
FFL Adverse Actions Recommended:		
Number of Warning Letters/Warning Conferences		
Number of Revocations (Recommended by Division and Concurred by HQ)		
Number of Licenses Surrendered in Lieu of Revocation		
Number of Criminal Enforcement Referrals Made by IOIs to ATF LE		

ATF

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ATF

Criminal Enforcement**Phoenix VII****785115-10-0004 OPERATION FAST & FURIOUS**

This OCDETF case is a large scale firearms trafficking case with the firearms being recovered either in the Republic of Mexico or on/near the U.S./Mexico border (El Paso, TX, Nogales, AZ, Douglas, AZ, etc.) To date, over 1,500 firearms have been purchased since October 2009 for over one million (\$1,000,000) cash in over-the-counter transactions at various Phoenix area FFLs.

ATF**ATF**

Organization (DTO) obtaining these firearms for the best possible case and the most severe charges when it is time to indict this case.

Tucson I**ATF****Tucson II****ATF**

From: Newell, William D.
Sent: ¹⁴Friday, June 04, 2010 1:56:03 PM
To: McMahon, William G.; Chait, Mark R.
Subject: Next week - Thursday schedule

9:00am-10:00am -- meeting with Phoenix division executive team (SAC, ASACs and DIO) in division conference room.

10am-11:30am -- Town Hall in Phoenix Division Office. We are renting 120 chairs and going to do this on the 3rd floor which is empty space right now and which we are trying to acquire in order to move all of Industry Ops personnel.

11:30-1:00 -- Lunch

1:00-2:00 -- meeting with USA Dennis Burke in his office.

2:30-4:00 -- Visit OCDETF Strike Force space, brfing by DEA SAC and ATF
GS **ATF**
Bill Newell
Special Agent in Charge
ATF Phoenix Field Division (AZ and NM)

Privacy, ATF

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Subject: Discuss & Follow up on Mexico Meetings - Kenneth Melson, William Hoover, Lanny Breuer, Jason Weinstein

Location: Main Justice - Room 2107

Start: 11/9/2010 4:00 PM

End: 11/9/2010 4:30 PM

Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Required Attendees: Hoover, William J.; Melson, Kenneth E.; Breuer, Lanny A. (CRM); Weinstein, Jason (CRM); Chait, Mark R.

Optional Attendees: **Privacy, ATF**; Beard, Jane (CRM); Weinstein, Jason; Breuer, Lanny A.; Beard, Jane; Graham-Wyatt, Nina

Resources: Main Justice - Room 2107

When: Tuesday, November 09, 2010 4:00 PM-4:30 PM (GMT-05:00) Eastern Time (US & Canada).

Where: Main Justice - Room 2107

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

~~*~*~*~*~*~*~*~*

DOJ Criminal Division POC: Jane Beard **Privacy, ATF**

ATF POC: Betty @ **Privacy, ATF**

From: Potter, Mark W.
Sent: Monday, June 08, 2009 10:00:09 AM
To: Chait, Mark R.; Torres, Julie M
CC: Privacy, ATF
Subject: FW: note the AG's emphasis on the SWB for Intell, information sharing, and law enforcement technology. we're on the right track

Attachments: Picture (Metafile)



Remarks as Prepared for Delivery by Attorney General Holder at the Announcement of the National Southwest Border Counternarcotics Strategy

**Albuquerque, N.M.
 Friday, June 5, 2009**

Thank you, Judge Webster for that introduction and for all that you have done and continue to do for the American people.

It is good to return to the Southwest, especially with my friends and partners, Secretary Napolitano and Director Kerlikowske. Fighting the cartels and preventing cartel-associated violence from spreading in our border region is one of this Administration's most important tasks.

To the members of the Homeland Security Advisory Council, as well as the many state and local law enforcement agencies, we appreciate your efforts and hope we can help provide you with the support you need. It is you who are on the front lines, facing these issues every day and doing your best to protect our communities. We are grateful for your courage and hard work, and we are committed to ensuring your continued success.

The National Southwest Border Counternarcotics Strategy we are introducing today is a central component of our comprehensive national response to the threat along the Southwest border.

Drug trafficking cartels spread violence and lawlessness throughout our border region and reach into all of our nation's communities, large and small. By focusing on increased cooperation between the U.S. and Mexican governments as well as enhanced communication within U.S. law enforcement agencies, the National Southwest Border Counternarcotics Strategy we introduce today provides an effective way forward that will crack down on cartels and make our country safer.

The strategy complements the increases in border security resources recently announced by the Obama Administration; the Department of Homeland Security's operations plan for border related contingencies; our cooperation with Mexico through the Merida Initiative; and our national effort to reduce the demand for illegal drugs at home. This strategy is tough, it is smart and it is balanced.

The Department of Justice, along with the Department of Homeland Security, ONDCP and numerous other state and local agencies all bring valuable expertise needed to disrupt the drug

trafficking and related criminal activity that fuel the devastating violence in Mexico and diminishes the quality of life not only along the Southwest border but in many other areas of the United States. This fight must be a national priority.

Our success requires all related agencies to communicate and work together effectively. It also depends on our ability to continue working effectively with the Government of Mexico.

President Calderon has taken unprecedented steps to fight the cartels in his country. His administration is showing in its actions that they are committed to match and enhance our efforts. I am confident that this will ultimately yield sustained progress against drug cartel activities in both of our nations.

The National Southwest Border Counternarcotics Strategy outlines steps we can take in the fields of intelligence and information sharing, border security, investigations and prosecutions, and law enforcement technology to continue building on our success and partnership on both sides of the border.

Of particular importance to me and the Department of Justice are the components of this new strategy aimed at enhancing investigations and prosecutions of drug traffickers, arms traffickers and money launderers.

To win this fight, we must pursue the most significant and strategic cases against these cartels, their leaders and their operations. But just as important, we must enhance coordinated action among federal agencies and identify areas for improved coordination with our state and local partners and bilaterally with the Government of Mexico.

These efforts, in part, will build upon existing successful programs like the interagency Organized Crime Drug Enforcement Task Forces, the El Paso Intelligence Center and our bilateral work with Mexican law enforcement. Ultimately, they will allow us to more effectively generate intelligence about cartel activities, target cartel vulnerabilities, and thereby give us a greater ability to arrest and prosecute cartel leaders and to dismantle cartel operations. It was a successful strategy that was employed against organized crime in the past and will be effective again.

Just yesterday, in the Eastern District of Texas, prosecutors announced the arrest and indictment of 17 individuals on drug trafficking and money laundering charges. These arrests were the result of a coordinated 2-year investigation by federal, state and local law enforcement of a drug trafficking ring alleged to have been responsible for the distribution of more than 1,000 kilograms of cocaine, worth approximately 22 million dollars.

Experience shows that the most effective means to attack sophisticated criminal organizations such as the Mexican drug cartels is through the use of multi-agency task forces. Such task forces allow each participating agency to bring its specialized knowledge and expertise to bear against a common target.

Through the pursuit of this strategy, we anticipate additional successes similar to what was achieved in Operation Xcellerator, a 21-month multi-district and bilateral narcotics trafficking and money laundering investigation targeting the Sinaloa Cartel. This operation combined numerous individual investigations in the United States, Mexico and Canada with a common focus on the drug trafficking activities of one of the largest Mexican drug cartels. With extensive cooperation and coordination with our federal, state, and local law enforcement partners, it resulted in more than 750 arrests and the seizure of \$59 million in illegal drug proceeds, more than 12,000 kilos of cocaine, 1,200 pounds of methamphetamine, 1.3 million ecstasy pills and more than 160 weapons.

This new strategy will improve intelligence support to investigations and increase the number of agents, prosecutors and other criminal justice system personnel along the southwest border.

The strategy also acknowledges that drug-trafficking organizations deal in more than illegal narcotics. We will address the drug trafficking-related cash smuggling, money laundering and arms smuggling as well.

While this new strategy will not solve all of our problems related to drug trafficking along the Southwest border and throughout the United States over night, it lays out a practical and effective new approach that I am confident will yield measurable and significant results.

I look forward to working with our partners in the days and weeks ahead as we implement the strategy and bring to bear the full resources of the government against these organizations.

It is now my pleasure to introduce my friend, who I had the privilege to get to know as a fellow United States Attorney and who is now once again one of my most trusted colleagues, Secretary of Homeland Security Janet Napolitano.

From: [REDACTED] **atf**

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,

ATF

; Elder, Robert W.;

ATF

ATF

CC: Martin, Steve K.;

ATF

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

ATF

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

ATF

OPERATION THE FAST AND THE FURIOUS

