

From: **ATF**
Sent: Tuesday, May 18, 2010 2:20 PM
To: **ATF**
Subject: RE: Earlier Question.

Ouch. Good luck. Let me know if I can help.

ATF
Division Counsel
Washington Field Division
Bureau of Alcohol, Tobacco, Firearms and Explosives
1401 H Street, NW # 900
Washington, DC 20005
(202) 648-**ATF**
ATF

From: **ATF**
Sent: Tuesday, May 18, 2010 2:19 PM
To: **ATF**
Subject: Earlier Question.

ATF

Haven't forgotten to get back with you, have just been waiting for the debate to end. As it stands – my u/c plan is a Go. Well kind of; the answer is quit muddy actually. Officially I've been told that I can - but I can't. The order that allows letting guns to walk in order to further trafficking investigations, makes no such prohibitions against my u/c plan; however, it grants no such authorization either. It simple is mute on the idea.

ATF / Special Agent / ATF - Phoenix Group VII
3010 N 2nd ST, Suite #301
Phoenix, AZ 85012
T: **ATF** / Fax: (602) 605-6500 / C: **ATF**

"We few, we happy few, we band of brothers; For he to-day that sheds his blood with me shall be my brother; be he ne'er so vile, this day shall gentle his condition; and gentlemen in England now-a-bed shall think themselves accurs'd they were not here, and hold their manhoods cheap whiles any speaks that fought with us upon Saint Crispin's day." -- William Shakespeare, *Henry V*

**U.S. Department of Justice**

Bureau of Alcohol, Tobacco,
Firearms and Explosives

201 E Washington St., Suite 940, Phoenix, AZ

September 01, 2010

www.atf.gov

785115:DJV
3266

MEMORANDUM TO: Chief - ATF
Explosives and Technology Branch (ETB)

THRU: Special Agent in Charge
Phoenix Field Division

FROM: Resident Agent in Charge
Phoenix Group VII Field Office

SUBJECT: Request for Undercover Merchandise (Props)

In accordance with ATF O 3250.1A, this memorandum is submitted in support of a request for **ATF**
ATF in investigation: 785115-**ATF** This investigation is an ATF Phoenix Group VII / Phoenix
Strike-Force case; **ATF**

ATF Phoenix Group VII / Phoenix Strike-Force is continuing an investigation into **ATF**

ATF

ATF

This request is to obtain and use the following props from ATF Explosives Technology Branch (ETB):

1)
2)
3)
4)

ATF

If further information is required, please contact either RAC **ATF** or Special Agent **ATF**
at **ATF**

ATF

From: Newell, William D.
Sent: Tuesday, March 17, 2009 7:30 PM
To: Needles, James R.; Gillett, George T. Jr.
Subject: Fw: Draft Agenda
Attachments: Draft Agenda.doc

FYI - I want to meet with [ATF] next Wednesday when I return from DC to work on updating the info on this case.

Bill Newell
Special Agent in Charge
ATF Phoenix Field Division

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From: Newell, William D.
To: McMahon, William G.; [ATF]
Sent: Tue Mar 17 19:27:01 2009
Subject: Fw: Draft Agenda

The Embassy called me this afternoon and are asking me to make a presentation after all. The last time we discussed the agenda (a week ago) there were to be no presentations on case examples. Now it's "Yes, there will be" and on Thursday afternoon to the AGs, DHS Second, etc. I you agree I still plan on using the [ATF] case because it highlights a complex large-scale multi-agency international trafficking case. I was told today that supposedly Main Justice is concerned that this case will be used since the USAO did not prosecute the case and it might prove "embarrassing" to AG Holder, who will be in attendance. To be clear the USAO in Phoenix did have a minor role very early on in the case so they can claim some involvement. (They prosecuted an early straw purchaser because we stopped him short of the border with a load of guns. At the time we did not have the full picture of how many straws were involved as well as the info on the FFL's role. We wanted their help to "flip" the straws and see how far we could take it. That required a quick turn around on subpoenas, warrants, etc - something they are not good at. They also chose not to get more involved because of their long-standing policy on not prosecuting straw purchasers once the guns they purchased are in Mexico even though we have explained to them countless times that we need to address straw purchasing in order to work our way up a trafficking organization. It continues to be an issue with them and only after the much publicized success of the [ATF] case did they start to budge.) Also, this case showed how we are willing to work in partnership with the PGR as well as State and Local agencies in the US. Based on the early success of this case I was able to secure a PGR rep for our office in Phoenix - something I plan to highlight at the conference, and the PGR rep will be there at my side to echo that mutual desire to work together as we did in this case. That will look very good to the Mexicans in my opinion. This case also shows our expertise and ability to go after the illegal source and not just "interdict" guns.

If Main Justice makes the decision that the [ATF] case is not to be used and we go along with that decision then someone needs to scramble and come up with "Plan B" because I can guarantee you the ICE presentation will be slick and full of smoke and mirrors - most likely with fictitious stats, our pics, etc.

Bill Newell
Special Agent in Charge
ATF Phoenix Field Division

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From: [ATF]
To: Newell, William D.
Sent: Tue Mar 17 14:38:28 2009
Subject: FW: Draft Agenda

FYI

ATF
Special Agent/Assistant Country Attache
Mexico City, Mexico
Office: **ATF**
Cell: **ATF**
Fax: **ATF**
Email: **ATF**

From: Bardorf, Tracey (USAAZ) [mailto:Tracey.Bardorf@usdoj.gov]

Sent: Tuesday, March 17, 2009 11:36 AM

To: **ATF**

ATF

Subject: Draft Agenda

Here is where we are when one incorporates all of the input received. Obviously, changes can still be made, but it seems every agency is begging to see the agenda before certain decisions are made.....here's my best effort.

<<Draft Agenda.doc>>

Kathleen: Can you please distribute to all the DOJ folks who need to see it?

Tracey A. Bardorf

Resident Legal Advisor/Asesora Legal, Mexico City

Embajada de los Estados Unidos

Paseo de la Reforma 305

Colonia Cuauhtemoc, Mexico DF 06500

Phone: 55 5080 2000 ext. 4016 (from US: 011 52 55 5080 2000 ext. 4016)

Cell: 044 55 32 96 13 82 (from US: 011 52 1 55 32 96 13 82)

ARMS TRAFFICKING PROSECUTION AND ENFORCEMENT STRATEGY SESSION

**Camino Real Sumiya
Cuernavaca, Mexico
April 1-2, 2009**

Draft Agenda

Tuesday, March 31, 2009

Travel from Mexico City to Cuernavaca.

6:00 pm – 8:00 pm	Registration
6:00 pm – 7:00 pm	Welcome, Opening Remarks
6:00 pm – 8:00 pm	Cocktail Reception Hosted by the Office of the Attorney General of Mexico

Wednesday, April 1, 2009

8:30 am – 9:30 am	Breakfast at Camino Real Sumiya
9:30 am – 10:30 am	Gun trafficking problem statement overview

Panel:

William Newell, ATF Special Agent in Charge,
Phoenix Field Division

ATF

Chief of the Special Investigative Unit for Terrorism
and Arms Trafficking, SIEDO-PGR

Louie A. Garcia
ICE Mexico City Attaché

José Sabines Guerrero
Governor of Chiapas

10:30 am - 11:15 am	<u>Mexican Experience</u> : Prosecuting a gun trafficking case in an inquisitive/traditional system (Success Story)
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Presenters: **ATF** Francisco
Javier Franco Duarte, Jose Ariel Morales Lopez, PGR
[titles]

11:15 am - 12:00 pm ATF Experience: Success Story

Presenters: TBD

12:00 pm – 12:15 pm Break

12:15 pm – 1:00 pm ICE Experience: Success Story

Presenters: Kris Line/Steve Cagen, ICE Attaché
Office Mexico City

1:00 pm – 2:30 pm Mexican Federal Arms Trafficking Law Overview and
Roadblocks to Successful Prosecutions

Presenters: **ATF** Francisco
Javier Franco Duarte, Jose Ariel Morales Lopez, PGR
[titles]

Elements of Crime
Evidence Protocols
Other related crimes and possible defenses
Roadblocks

2:30 pm – 4:30 pm Lunch

4:30 pm – 6:30 pm US Federal Firearms Law Overview and Roadblocks

Panel:

AUSA John Tuchi, First Assistant, US
Attorney's Office, District of Arizona

William Newell, ATF Special Agent in
Charge – Phoenix Field Division

ATF ATF Program
Manager – Office of Strategic
Intelligence and Information

Kris Line, ICE Assistant Attaché, Mexico
City

Elements of Crime
Evidence Protocols
Roadblocks

6:30 pm – 7:30 pm Plenary Discussion and Formulation of Strategy for Moving Forward

8:00 pm – 10:00 pm Dinner at Camino Real Sumiya

Thursday, April 2, 2009

8:30 am – 9:30 am Breakfast at Camino Real Sumiya

9:30 am - 11:00 am Presentation of Way Forward Strategy

11:00 am – 12:00 pm Remarks by Invited Moderators

12:00 pm – 12:15 pm Break

12:15 – 1:15 pm Remarks by Invited Moderators, continued

1:15 pm – 2:00 pm Press Event for Invited Moderators

1:15 pm – 2:00 pm Informal Working Group time for Participants

2:00 pm – 4:00 pm Lunch at Camino Real Sumiya

4:00 pm – 4:30 pm Presentation by ATF of Project Gunrunner

William Newell, ATF Special Agent in Charge –
Phoenix Field Division

4:30 pm - 5:00 pm Presentation by Mexican Law enforcement re:
Mexican Initiatives

ATF Francisco Javier Franco
Duarte, Jose Ariel Morales Lopez, PGR [titles]

5:00 pm – 5:30 pm Presentation by ICE of Armas Cruzadas

Louis Garcia/Kris Line/Steve Cagen, ICE Attaché
Office, Mexico City

5:30 pm – 6:30 pm Future planning for strategies and possible follow-up meetings

6:30 pm -- 7:00 pm Closing Remarks

8:00 pm – 10:00 pm Dinner at Camino Real Sumiya

Friday, April 3, 2009

8:30 am – 9:30 am Breakfast at Camino Real Sumiya

Depart for Mexico City and Return Home

From: ATF

Sent: Wednesday, December 02, 2009 6:44 PM

To: ATF

Subject: FW:

Attachments: ATF pdf; Phoenix Naco Seizure Case.docx

Due By: Tuesday, January 02, 1601 1:00 PM

Here's the info on the NACO case. HQ has not received this as of today. I promised the case agent that I would wait for her chain of command to forward these documents to HQ. This is for our eyes only until HQ receives the package tomorrow or Friday

From: ATF

Sent: Wednesday, December 02, 2009 5:15 PM

To: ATF

Subject: RE:

As promised...please do not disseminate©

ATF

From: ATF

Sent: Wednesday, December 02, 2009 2:55 PM

To: ATF

Subject:

ATF

When u get a chance please give me a buzz ATF



ATF

ATF

Created by
Investigative Analyst
ATF
12/2/2009

**Phoenix Field Division
Phoenix Group VII (Gunrunner/Strike Force)
CHAMBERS Et. Al. Firearms Trafficking Case
IN# 785115-10-0004
12/01/2009**

1. On or about October 31, 2009, ATF Group VII Special Agents initiated an investigation into suspected firearms trafficking by:

-
-
-
-
-
-
-

ATF

2. On or about October 31, 2009, ATF Group VII Special Agents reviewed numerous ATF Form 4473, Firearm Transaction Records, from Federal Firearms Licensee (FFL) **ATF**

ATF

3. On November 5, 2009, ATF Special Agents conducted a query of Arizona Motor Vehicle Department (AZMVD) records. According to these records, both **ATF** and

ATF

Arizona Driver's Licenses listed the same residence

ATF

ATF

4. On November 5, 2009, ATF Special Agents queried Maricopa County Assessor's Office website. According to the web based search, **ATF** owned by **ATF**

5. On November 10, 2009, ATF Special Agents observed **ATF** **ATF** ATF Special Agents observed **ATF** place the firearms into a Honda Civic.

6. On November 16, 2009, ATF Special Agents received information from ATF S/A **ATF**

ATF

ATF

7. On November 18, 2009, ATF Special Agents [ATF] from a telephone number previously provided by [ATF] during a previous firearms transaction. The caller inquired as to [ATF] hours of operation and inventory of AK-47 style firearms. At approximately 0901 hours, [ATF] arrived at [ATF] and purchased [ATF]. During surveillance of [ATF] vehicle ATF agents observed [ATF] meet with subjects driving [ATF] previously identified Honda Civic.
8. ATF Special Agents have established relationships between [ATF]. In addition, not only are the dates of purchase in close proximity to one another, the firearms purchased by these seven individuals are all AK-47, 7.62 style rifles/pistols, the majority of which were purchased from the same FFLs.
9. During the past week ATF Special Agents have documented additional straw purchases by the above individuals **and** based on surveillance have identified [ATF] [ATF] as additional related straw purchasers.
10. In addition, ATF Special Agents conducted surveillance and identified a Phoenix, AZ
- # ATF
11. Last week ATF Special Agents received information indicating that (42) firearms were recovered by Mexican customs at the Naco, Sonora, Mexico Port of Entry. Among these firearms were several purchased by suspected straw purchasers [ATF]. Due to the circumstances surrounding the recovery, agents believe the remaining firearms were purchased by straw purchaser associated with the already identified organization. Additional straw purchasers of the recovered firearms include [ATF].
12. ATF received trace information for a firearm in which the subject in possession of the [ATF]. During the recovery, \$16, 000 was seized.

13. To date, agents have identified 341 firearms purchased by this organization, all from (5) Phoenix and Prescott, AZ Federal Firearms Licensees.
14. Total approximate cash value for all purchases totaling \$190,000.

INVESTIGATIVE STEPS TAKEN/INVESTIGATIVE PLAN

Investigative Steps Taken to Date (12/01/09)

- **ATF**
- Agents have conducted general background checks on all suspects, identified vehicles and residences
- **ATF**
- Surveillance conducted on several purchases identifying a stash residence and involved business.
- Received ATF Forms 4473 and 3310.4 for all known purchases.
- **ATF**
- Obtained ICE point of contact,

ATF

Investigative Plan

- Identify main target from additional surveillance, and analysis of phone toll records by ATF IRS

ATF
- Based on

ATF
- Additional financial investigation on all involved suspects
- **ATF**
- Identify any further Co-Conspirators
- Obtain further information regarding the

ATF

- Confirm residence listed on 4473's are current and accurate
- Agents will be requesting a detailed financial background from **ATF** on all the additional identified participants as well as a spreadsheet of total money paid for the purchase of firearms by each purchaser.

SAC NOTE: This case is evolving and expanding daily. We have all available resources working on this case, along with assistance from OSII and DEA. ICE has been invited to participate although we have made it clear we need to further establish the structure of the organization and establish illegal acts before proceeding to an overt phase. A strictly straw purchasing case in this Federal Judicial District is very hard to pursue but we are keeping the USAO fully informed of this case on a regular basis. The only firearms recovered to date are the 42 recovered in Naco, Sonora, Mexico. All other known suspect purchases are in the Suspect Guns Database.

From: Newell, William D.
Sent: Friday, January 28, 2011 5:32 PM
To: McMahon, William G.
Subject: FW: OCDETF Proposal
Attachments: The Fast and The Furious.doc; The Fast and The Furious narrative.doc

Original proposal. Was eventually assigned the following OCDETF #: SWAZP0496

Bill Newell
 Special Agent in Charge
 Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
 Phoenix Field Division (Arizona and New Mexico)
 Office - (602)776-5400

From: Gillett, George T. Jr.
Sent: Tuesday, January 26, 2010 11:26 AM
To: Newell, William D.
Subject: FW: OCDETF Proposal

Bill –

ATF OCDETF proposal was unanimously passed today at the USAO. This investigation is currently engaging ATF. ATF is working on the ATF. We'll coordinate with ATF Counsel and the USAO regarding review of the ATF.

ATF

George T. Gillett
 Assistant Special Agent in Charge
 ATF - Phoenix Field Division
 Office: (602) 776-5400

LAW ENFORCEMENT SENSITIVE

OPERATION: THE FAST AND THE FURIOUS

A. BACKGROUND / FACTS ABOUT THE INVESTIGATION

ATF

LAW ENFORCEMENT SENSITIVE

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LAW ENFORCEMENT SENSITIVE

ATF

LAW ENFORCEMENT SENSITIVE

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LAW ENFORCEMENT SENSITIVE

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LAW ENFORCEMENT SENSITIVE

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LAW ENFORCEMENT SENSITIVE

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LAW ENFORCEMENT SENSITIVE

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Organized Crime Drug Enforcement Task Forces

Investigation Initiation Form

OCDETF Investigation No.

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ATF

**LAW
ENFORCEMENT
SENSITIVE**



The attached information must be protected and not released to unauthorized individuals.

Investigation Initiation Form
Organized Crime
Drug Enforcement Task Forces

LAW ENFORCEMENT SENSITIVE

Page 1

OCDETF Investigation No.

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(Assigned by AUSA Coordinator)

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LAW ENFORCEMENT SENSITIVE

Page 3

Investigation Initiation Form
Organized Crime
Drug Enforcement Task Forces

LAW ENFORCEMENT SENSITIVE

OCDETF Investigation No.

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(Assigned by AUSA Coordinator)

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Investigation Initiation Form
Organized Crime
Drug Enforcement Task Forces

LAW ENFORCEMENT SENSITIVE

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OCDETF Investigation No.

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ATF

LAW ENFORCEMENT SENSITIVE

From: [REDACTED] ATF
Sent: Monday, December 07, 2009 4:29 PM
To: Newell, William D.
Subject: Re: Meeting with Mexican DAG

Thanks Bill

We are putting together a training plan for 2010 that will focus on the Spanish eTrace rollout and the PGR and state labs

As you know we have been pushing with PGR and SSP the need to begin to focus on tracing the guns that never make it to Mexico City and subsequently never traced.

[REDACTED] ATF is putting together an updated strategic plan for the Director on Mexico which will cover operations and training

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From: Newell, William D.
To: [REDACTED] ATF
Cc: McMahon, William G.; Champion, Robert R.
Sent: Wed Dec 02 14:03:26 2009
Subject: Meeting with Mexican DAG

FYI – the Phoenix PGR rep ([REDACTED] ATF), Bill McMahon and I met with PGR DAG [REDACTED] ATF this morning in Phoenix. (A flight plan with copies of his docs is attached). We had an hour long meeting which in my opinion was very constructive and positive. He's here for the National AG's Conf, attended by State AG's and staff. He was part of a border security panel yesterday as well as a press event with Bill, Arizona AG Terry Goddard, etc. Since he oversees, among other things, the international affairs of PGR including all foreign offices, the PGR rep and I set up this meeting to brief him on what the PGR rep here has been doing to date and what the plans and goals are for the Phoenix PGR rep "experiment". We also briefed him on some of our joint efforts to date and discussed a couple of current cases including the recent Naco, Sonora seizure. [REDACTED] ATF and I explained the importance of having us quickly respond to seizures like this along the border in order to acquire and process the information quickly and correctly. [REDACTED] ATF explained to him the issue with the faulty trace data in the Naco seizure and how this initially hindered the investigation but that we are back on track now. We explained that this is part of an on-going and expanding ATF Phoenix case but that our plans are, as they have been the day [REDACTED] ATF arrived, to fully involve [REDACTED] ATF in the investigation and the interviews - once we go overt with the case and start arresting/contacting folks. He was very interested in this joint concept and asked numerous key questions of [REDACTED] ATF about how he is currently interacting/working with other ATF offices around the country and how he is sending information back and forth to Mexico PGR. [REDACTED] ATF and I explained the learning curve for all involved in this "experiment" and that with each passing day we get better and better at working together and that the trust factor is a key thing that takes time. He agreed and seemed very pleased with the efforts made to date. [REDACTED] ATF explained our vision of having a PGR rep in each SWB division office and the need to have someone coordinating all this from a national level because he is starting to get swamped. The DAG took several notes regarding this, as he did throughout the hour long meeting.

[REDACTED] ATF then explained the need for additional ATF training of the regional PGR offices as well as setting up a quicker response process for seizures along the border. He explained how we (ATF) in conjunction with a rep like [REDACTED] ATF or even another PGR person in the Mexican border offices should be responding to significant seizures like this one in order to get information quickly to assist PGR in the prosecution of individuals caught trafficking firearms. He was fully on board with this and asked several very good follow up questions of us about the current processes in place to do that. He asked me how soon we could do this training and what we

needed from them. I informed him I would send this information up the chain as well as advise the Mexico ATF Office – thus this e-mail.

One of the things [ATF] brought up was his “dual hat” role as not only a PGR rep but also a “Consul” assigned to the Mexican Consulate here in Phoenix. I was not aware until this morning but [ATF] has yet to receive full consul status due to some internal administrative issues between the PGR and SRE. My idea all along with having the PGR rep here was to have [ATF] serve dual roles, not only as a PGR rep but also a “certifying officer” of the Consulate with Consul General oversight, in order to be able to quickly process documents and information in compliance with Mexican law. [ATF] has been trying to get this done and was having issues between the PGR and SRE, something I was not aware of. However, the good news is that [ATF] told me after the meeting that the DAG informed him that this “glitch” will be resolved immediately. This is a critical issue because with this added authority [ATF] carries a big stick and can make things happen quickly and legally. For instance he was able to get us authority to inspect the guns seized in Naco even though they are now in custody of the SEDENA but he had to this via a circuitous route. Once he gets this added Consul Officer designation he will have the authority to do it himself from his office in Phoenix with a stroke of the pen.

We went over the recent trends we are seeing with firearms trafficking to Mexico including the Guatemala issue. He asked a question about Federal vs State laws in the U.S. regarding firearms so I explained the issue of how we conduct domestic firearms trafficking investigations – in many ways similar to how we conduct trafficking investigations of firearms headed to Mexico.

We also discussed the grenade issue, our efforts out of Phoenix over the past two years to address this, [ATF] [ATF] role and current assignment, and the recent ATF handbook – of which I provided him several copies. He was very interested in this issue, the handbook and wanted training and copies of these ATF handbooks handed out to his regional offices. He asked [ATF] several questions about this and took numerous notes.

I also laid out the IBIS/NIBIN plans and he also asked several follow up questions about IBIS – how it functions, linking info, etc. I explained our plans for a Mexican version of NIBIN as well as the international server. Again, very interested, wants more information, etc.

Finally, [ATF] and I also discussed the serial number obliteration issue and the need for training on that.

Bottom line is that we can expect a request for training from the PGR on these issues. He asked how long this training would take and I told him we could tailor the training to his needs, schedules, etc. I told him we could combine the topics into a general training and also provide more specific/technical training to those personnel who require it. Bottom line for me is that I strongly believe we should be proactive with this and not wait for the request but send him a “plan of action” of how we can conduct this training in the regional PGR offices over the next several months as well as on a continuing basis. I will fully support this whenever possible, especially in the states that border Arizona and New Mexico (Sonora/Chihuahua) because my personnel who learn too and gain valuable liaison experience and contacts in the process. I would especially want my Border Liaison Officer to participate. Just my two cents especially since it directly impacts our activities along the SWB.

Bill Newell
Special Agent in Charge
Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
Phoenix Field Division (Arizona and New Mexico)

From: ATF
Sent: Monday, November 30, 2009 12:39 PM
To: Newell, William D.
Subject: Hi Bill

Te quería avisar, que hoy a las 20:40 horas va a llegar el Subprocurador Jurídico y de Asuntos Internacionales (SJAI) el Licenciado Francisco Javier Molina Ruiz (Deputy Attorney General) es como mi jefe administrativo, de El depende que yo siga aquí, El viene a una conferencia binacional de Justicia aquí en Phoenix, pero puedo tratar de programar una cita para que hables con El, para comentarle nuestras ideas. el va a estar hasta el día 3 de diciembre. Voy a ir a recogerlo al aeropuerto hoy.

Saludos