

**From:** Sherwood, Robert (USAAZ) <Contractor>  
**To:** Schmalzer, Tracy (SMO)  
**Sent:** 2/22/2011 2:14:39 PM  
**Subject:** RE: CBS on Agent Terry death

Tracy -- Pat is working on some draft answers to the questions, which I'll send as soon as I see. The statement was drafted in conjunction with Border Patrol and FBI (we had a conference call that morning with Dennis, the prosecution and victim witness teams, and the CBP and FBI envoys to discuss messaging because we knew this would have a lot of interest).

DP

DP

DP

ery sorry about that.

Robbie

By the way, we did incorporate your edits to the statement, but Dennis did want to add back in one sentence of his at the end. Here's what we gave people.

DP

Robbie Sherwood  
Spokesman for Office of U.S. Attorney District of Arizona

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

**From:** Schmalzer, Tracy (SMO)  
**Sent:** Tuesday, February 22, 2011 11:02 AM  
**To:** Sherwood, Robert (USAAZ) <Contractor>; Cunningham, Patrick (USAAZ)  
**Cc:** Smith, Jessica A. (SMO)  
**Subject:** CBS on Agent Terry death

robbie - did you send this out after running by CBP and USMS? CBS is following up on this, see they're q's below.

Correspondent Sharyl Attkisson and I are focused on questions relating to the ATF's Project Gunrunner, similar to those raised by Senator Charles Grassley. With or without the interview, I also need answers to the following please:

1. Why weren't any of the 4 illegal immigrants picked up right after CBP agent Brian Terry's shooting charged in his death? Are they believed to be uninvolved in his death? Are there any suspects in his death? (What's the status of that investigation?)
2. Was Agent Terry killed with one of the two rifles recovered at the scene of his murder? If not, have they identified and/or seized the weapon he was shot with? What type is it/was it one in ATF's tracking system?
3. Is **ATF** released on his own recognizance? Why? He's charged with very serious crimes.
4. Are the others charged with him also released on their own recognizance?

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

From: Schmalzer, Tracy (SMO)

Sent: Tuesday, February 15, 2011 3:36 PM

To: Sherwood, Robert (USAAZ) <Contractor>; Cunningham, Patrick (USAAZ)

Cc: Smith, Jessica A.

Subject: RE: What's your cell?

**ATF**

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

From: Sherwood, Robert (USAAZ) <Contractor>

Sent: Tuesday, February 15, 2011 2:45 PM

To: Schmalzer, Tracy (SMO)

Subject: What's your cell?

Slightly different issue related to Grassley. Want to give you a call.