

---

**From:** Cunningham, Patrick (USAAZ)  
**To:** Axelrod, Matthew (ODAG) (SMO)  
**CC:** Burke, Dennis (USAAZ); Morrissey, Mike (USAAZ); Melson, Kenneth E. (ATF); Hoover, William J. (ATF); Sarnacki, Jeffrey P. (ATF); ATF Scheel, Ann (USAAZ); Hernandez, Rachel (USAAZ)  
**Sent:** 5/1/2011 10:59:46 PM  
**Subject:** Draft response to Senator Grassley  
**Attachments:** grassley ranking member response 5-2.docx

Matt:

Thanks for the opportunity to comment. We want to alter “straw purchasers” because that term means someone who is a known or provable law breaker, and thus can be arrested with probable cause. We should use “suspected straw purchasers”. We also want to solve the issue of the dangling language of “documents , including internal ATF emails, which you believe support your allegation” which seems to connote that we believe those documents in some way. We should simply disagree, and then state that we have referred those allegations and documents to the IG for a thorough investigation.

We propose these changes in **red** and in Track Changes in the Word document:

You have asked whether it remains our view that “ATF did not sanction or otherwise knowingly allow the sale of assault weapons to straw purchasers.” In fact, my letter, dated February 4, 2011 said: “At the outset, the allegation described in your January 27 letter – that ATF ‘sanctioned’ or otherwise knowingly allowed the sale of assault weapons to a straw purchaser who then transported them into Mexico – is false.” It remains our understanding that ATF’s Operation Fast and Furious did not knowingly permit **suspected** straw buyers to take guns into Mexico. You have provided to us documents, including internal ATF emails, which you believe support your allegation. **We disagree, but as** As you know, we have referred these documents and all correspondence and materials received from you related to Operation Fast and Furious to the Acting Inspector General, so that she may conduct a thorough review and resolve your allegations. While we await her findings, the Attorney General has made clear to prosecutors and agents working along the Southwest Border that the Department should never knowingly permit firearms to cross the border.

Thanks again. PJC

---

**From:** Axelrod, Matthew (ODAG) (SMO)  
**Sent:** Sunday, May 01, 2011 7:14 PM  
**To:** Burke, Dennis (USAAZ); Cunningham, Patrick (USAAZ); Morrissey, Mike (USAAZ)  
**Subject:** Fw: Draft response to Senator Grassley

Because of the time difference, I need to hear back from the USAO tonight so that we can get the letter out in the morning. Thanks, everyone.

Matt

---

**From:** Axelrod, Matthew (ODAG)  
**Sent:** Sunday, May 01, 2011 12:14 PM  
**To:** Burke, Dennis (USAAZ); Cunningham, Patrick (USAAZ); Morrissey, Mike (USAAZ); Melson, Kenneth E. (ATF); Hoover, William J. (ATF); Sarnacki, Jeffrey P. (ATF); ATF  
**Subject:** RE: Draft response to Senator Grassley

If I could hear back from both ATF and the USAO on this sometime today, that would be terrific. Thanks, guys.

Matt

---

**From:** Axelrod, Matthew (ODAG)

**Sent:** Friday, April 29, 2011 7:27 PM

**To:** Burke, Dennis (USAAZ); Cunningham, Patrick (USAAZ); Morrissey, Mike (USAAZ); Melson, Kenneth E. (ATF); Hoover, William J. (ATF); Sarnacki, Jeffrey P. (ATF); ATF

**Subject:** Draft response to Senator Grassley

Attached is a revised draft response to Senator Grassley, as well as his incoming letter. Please vet for complete accuracy and let me know whether you have any changes. In particular, I want to make sure that we are on 100% solid ground saying that "It remains our understanding that ATF's Operation Fast and Furious did not knowingly permit straw buyers to take guns into Mexico." We're planning to get the letter out Monday morning, so I need to hear from you before then. Thanks.

Matt

<< File: grassley ranking member response 5-2.docx >>

Matthew S. Axelrod

Associate Deputy Attorney General

Office of the Deputy Attorney General

U.S. Department of Justice

Desk (202) 305-0273

Cell (202) 532-3087