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**From:** Grindler, Gary (OAG)  
**To:** **Attorney General**  
**Sent:** 5/3/2011 7:45:45 AM  
**Subject:** FW: Response to Senator Grassley's 4/13 letter - just sent in pdf format to Grassley & Leahy staff; hard copy to follow. FYI

I will print out a copy of this for you.

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**From:** Axelrod, Matthew (ODAG)  
**Sent:** Tuesday, May 03, 2011 7:45 AM  
**To:** Grindler, Gary (OAG)  
**Cc:** Richardson, Margaret (SMO); Wilkinson, Monty (OAG); Goldberg, Stuart (ODAG); Monaco, Lisa (ODAG); Weich, Ron (SMO)  
**Subject:** Re: Response to Senator Grassley's 4/13 letter - just sent in pdf format to Grassley & Leahy staff; hard copy to follow. FYI

I would try to avoid having him engage in the specifics. But if pressed, he could say that taking guns to MX is a separate crime. If a straw were to try to cross the border with a gun and ATF knew, they wouldn't let it happen (unless they were coordinating with MX authorities, which happened in a handful of non-Fast and Furious cases). It's a bright line. The question of whether ATF allowed sales to straws will take longer to investigate, since it's not always so clear that someone is a straw rather than a lawful gun buyer.

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**From:** Grindler, Gary (OAG)  
**Sent:** Tuesday, May 03, 2011 07:34 AM  
**To:** Axelrod, Matthew (ODAG)  
**Cc:** Richardson, Margaret (SMO); Wilkinson, Monty (OAG); Goldberg, Stuart (ODAG); Monaco, Lisa (ODAG); Weich, Ron (SMO)  
**Subject:** RE: Response to Senator Grassley's 4/13 letter - just sent in pdf format to Grassley & Leahy staff; hard copy to follow. FYI

How do we explain being somewhat definitive ("it remains our understanding") on the question whether ATF knowingly allowed straw purchasers to take guns to Mexico and defer to OIG on the other factual questions?

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**From:** Axelrod, Matthew (ODAG)  
**Sent:** Tuesday, May 03, 2011 7:32 AM  
**To:** Grindler, Gary (OAG)  
**Cc:** Richardson, Margaret (SMO); Wilkinson, Monty (OAG); Goldberg, Stuart (ODAG); Monaco, Lisa (ODAG); Weich, Ron (SMO)  
**Subject:** Re: Response to Senator Grassley's 4/13 letter - just sent in pdf format to Grassley & Leahy staff; hard copy to follow. FYI

On both 1 and 2, he should give a high level response, indicating that he takes the allegations seriously, he referred to the IG, and he has instructed prosecutors and agents on the border not to let guns walk.

The recent IG report specifically said that ATF needed to build cases against the entire trafficking organization and not just the straws. The straws are fungible -- you arrest them and the trafficking org replaces them easily. I'll try to find you a good quote.

Also, fyi, the IG report dealt only with strategy, not tactics. It didn't say how the building of the bigger case should occur. The strategy is the right one -- the question is whether the tactics employed here were wise.

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**From:** Grindler, Gary (OAG)  
**Sent:** Tuesday, May 03, 2011 07:17 AM  
**To:** Axelrod, Matthew (ODAG)  
**Cc:** Richardson, Margaret (SMO); Wilkinson, Monty (OAG); Goldberg, Stuart (ODAG); Monaco, Lisa (ODAG); Weich, Ron (SMO)

**Subject:** FW: Response to Senator Grassley's 4/13 letter - just sent in pdf format to Grassley & Leahy staff; hard copy to follow. FYI

Matt: How should the AG answer the following questions:

1. In Fast and Furious, did ATF knowingly allow the sale of assault weapons to straw purchasers?
2. Same question, but with respect to ATF law enforcement investigations not a part of the Fast & Furious operation?

Specifically, what did the recent IG report say about the need for ATF to conduct investigations beyond just straw purchasers? Is there a good quote from the report?

Gary

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**From:** Richardson, Margaret (SMO)  
**Sent:** Monday, May 02, 2011 3:37 PM  
**To:** Grindler, Gary (OAG)  
**Cc:** Wilkinson, Monty (OAG)  
**Subject:** FW: Response to Senator Grassley's 4/13 letter - just sent in pdf format to Grassley & Leahy staff; hard copy to follow. FYI  
**Importance:** High

I'll bring a hard copy for the AG's prep.

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**From:** Axelrod, Matthew (ODAG)  
**Sent:** Monday, May 02, 2011 3:37 PM  
**To:** Monaco, Lisa (ODAG); Goldberg, Stuart (ODAG); Wilkinson, Monty (OAG); Richardson, Margaret (SMO); Weiner, Robert (ODAG); Schmalzer, Tracy (SMO)  
**Subject:** FW: Response to Senator Grassley's 4/13 letter - just sent in pdf format to Grassley & Leahy staff; hard copy to follow. FYI  
**Importance:** High

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**From:** Burton, Faith (SMO)  
**Sent:** Monday, May 02, 2011 3:35 PM  
**To:** Axelrod, Matthew (ODAG); Colborn, Paul P (SMO)  
**Cc:** Admin. Assistant; Weich, Ron (SMO); Gaston, Molly (SMO)  
**Subject:** Response to Senator Grassley's 4/13 letter - just sent in pdf format to Grassley & Leahy staff; hard copy to follow. FYI  
**Importance:** High

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