

From: Gillett, George T. Jr.
Sent: Thursday, December 17, 2009 1:39 PM
To: [REDACTED] ATF
Subject: RE:

Categories: IG, ISSA, F&F

Anticipatory mi amigo. Let me know when "the eagle is in the nest."

Below is an excerpt from ATF Order 3310.4B

Please see 148 (a)(1) and (2).

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), [REDACTED] ATF

ATF

- (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 [REDACTED] ATF

ATF

- b. Alternative Intervention Methods. In the event it is determined by the special agent that a weapons transfer should not take place, the special agent may consider alternative methods of intervention other than arrest and/or search warrants that will prevent the culmination of the weapons transfer but allow the investigation to continue undetected. These alternative methods are considered to be a course of action that must be approved by the RAC/GS or SAC as previously noted. These alternative interventions may include, but are not limited to:

- (1) A traffic stop [REDACTED] ATF

ATF

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- (2) If the firearms are being shipped out of the United States via a common carrier via checked luggage or freight, the firearms may be seized/or recovered by the special agents, in coordination with the U.S. Customs Service under border search authority, without detection by the traffickers.

ATF

- (3) If the firearms are being shipped via the U.S. mail, coordination with the U.S. postal inspectors will assist the special agents in recovery of the firearms without detection by the traffickers. ATF

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- (4) If the special agent chooses to arrest the individual(s) with the firearm(s), the possibility exists that a debriefing of this individual will yield other members of the organization. ATF

ATF

From: ATF
Sent: Thursday, December 17, 2009 11:37 AM
To: Gillett, George T. Jr.
Subject: RE:

Not yet...?

From: Gillett, George T. Jr.
Sent: Thursday, December 17, 2009 11:28 AM
To: Newell, William D.
Cc: ATF
Subject:

Bill-

OSII has not yet finished a link diagram on this investigation. Therefore, there is no "chart" in existence diagramming this investigation. ATF and crew are currently working on such a link-diagram chart, but it is not yet complete. ATF did have a power point that gave an overview of the case and that has been forwarded to GS ATF. However, that power point is about 1 week old, so the info is already a bit dated. GS ATF and ATF are speaking on a regular basis, so the lines of communication are now the equivalent of the proverbial fire hose. During one of their conversations ATF told ATF that ATF received a briefing on the investigation this week and mentioned the possibility of needing to shut the investigation down due to the large number of guns that have already been trafficked. Therefore, I spoke with ATF today and explained that even though the identified straw-purchasers bought approximately 175 guns last week alone, we have slowed down the FFL on future purchases and are

ATF

As for plans to proceed, I have asked ATF to begin preparing a white paper that outlines progress to date as well as a plans for proceeding with the investigation. I know that he wants to take the information from the DEA wire and spin it off on a wire involving these subjects. I have also asked ATF to prepare a list of resources that HQ can provide (personnel and equipment) to support this investigation. I will keep you posted as things arise.

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

New Email

From: Newell, William D.
Sent: Thursday, December 17, 2009 1:45 PM
To: Gillett, George T. Jr.
Cc: ATF
Subject: Re:

Categories: ISSA, IG, F&F

Well done, thank you. I will address ATF concerns with McMahon.
 Bill Newell
 Special Agent in Charge
 ATF Phoenix Field Division (AZ and NM)
 Cell: ATF

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From: Gillett, George T. Jr.
To: Newell, William D.
Cc: ATF
Sent: Thu Dec 17 13:27:49 2009
Subject:
 Bill-

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George T. Gillett

517

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