

Senate Committee on the Judiciary

Hearing on “Holding Criminals Accountable: Extending Criminal Jurisdiction to Government Contractors and Employees Abroad”

Questions for the Record

From Senator Charles Grassley

Questions for Assistant Attorney General Breuer:

(4) Knowledge of Operation Fast and Furious

- When and how did you first become aware of Operation Fast and Furious, either by name or as a large weapons trafficking case in Phoenix?

DP

- When and how did you first become aware that the ATF implemented a strategy of allowing straw purchasers to continue to operate rather than interdicting weapons at the first opportunity?

DP

(5) Mexico City Meeting

According to ATF whistleblowers, in the summer of 2010 you spoke at a briefing in Mexico City about an investigation the ATF was conducting showed promise to generate some positive results. Those present at the meeting interpreted your statements to refer to Operation Fast and Furious, which was being run out of the Phoenix Field Office.

- Did you speak about a Phoenix ATF investigation at a briefing in Mexico City anytime in 2010?

DP

- Were you aware of any concerns by ATF personnel in Mexico about the numbers of guns being recovered in relation to a Phoenix ATF case? If so, please explain in detail.

DP

(6) Title III Affidavits

As you know, documents show that individuals in your office approved applications for Title III affidavits in Operation Fast and Furious. Due to the details of the investigation provided within them, those affidavits would likely have made it clear that the ATF was not arresting these straw buyers immediately, despite evidence that they were transferring firearms to criminals and traffickers.

- Do you believe that your office reads Title III affidavit applications carefully and in their entirety before approving them?
- If there were questionable investigative techniques evident in an affidavit application, do you believe your office would bring it to your attention before signing off under your name?
- Did you personally review the affidavits or receive any briefings on this case? If yes, were you concerned by any aspect of the case? If no, who did approve the affidavits related to Operation Fast and Furious?
- Have you since reviewed the affidavits? If not, why not? If so, do any of the facts raise concerns about the failure to interdict illegally purchased weapons at the first opportunity?

DP

DP

(7) Communication about ATF Cases

- Did you have any discussions with Ambassador Carlos Pascual about an ATF case out of Phoenix?

DP

- If so, when did those discussions take place? Please describe them in detail.
- Prior to the public controversy, did you have any discussions with anyone at ATF or DOJ about Operation Fast and Furious, any similar Phoenix cases, or the strategy of allowing straw purchasers to continue to operate?
 - If so, when did those discussions take place? Please describe them in detail.

DP