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To: Grindler, Gary (OAG)
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Sent: 6/14/2011 11:27:07 PM
Subject: Fw: heads up on SWB strategy

From: Schmalzer, Tracy (SMO)
Sent: Tuesday, June 14, 2011 07:04 PM
To: Weich, Ron (SMO); Burton, Faith (SMO); Axelrod, Matthew (ODAG); Wilkinson, Monty (OAG); Richardson, Margaret (SMO); Miller, Matthew A (SMO)
Subject: heads up on SWB strategy

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this story has not posted – the reporter is asking for guidance on the language in the memo.

Justice Department urged strategy change before U.S. agents let guns walk across Mexican border

By John Solomon

For months, a mystery has engulfed the U.S. southern border and Mexico -- what suddenly caused federal agents to abandon years of policy and knowingly let suspected straw buyers for Mexican drug trafficking gangs walk off with semiautomatic weapons from American gun shops?

The tactics in the so-called Fast and Furious investigation have prompted two investigations in Congress, outrage among Mexican legislators and residents in crime-beleaguered communities on the border and even forced President Barack Obama to suggest something had gone wrong. To date, blame has rested mostly with the Bureau of Alcohol, Tobacco, Firearms and Explosives supervisors who approved the strategy in Arizona and Washington and had admitted they expect many of the guns they let go to straw buyers to be used in crimes on both sides of the border.

But on Wednesday, The Daily Beast has learned, congressional investigators will disclose that just weeks before ATF supervisors approved the controversial tactic of "letting guns walk," senior Justice Department officials sent a memo to prosecutors and agents on the front lines of the border wars urging that they go beyond their traditional tactics of interdicting guns being purchased by straw buyers and try to make cases against the drug gangs themselves.

"Given the national scope of this issue, merely seizing firearms through interdiction will not stop firearms trafficking to Mexico. We must identify, investigate and eliminate the sources of illegally trafficked firearms and the networks that transport them," the office of then Deputy Attorney General David Ogden wrote in an October 2009 memo marked law enforcement sensitive.

The memo urging a new approach to border violence was prepared in connection with a previously unknown high-level Justice Department meeting in which representatives of key law enforcement agencies on the front lines of the border wars were summoned to discuss a new approach, according to government officials familiar with the document.

Within days, the memo was being distributed inside the ATF office in Phoenix, where supervisors quickly launched Operation Fast and Furious, which ultimately allowed more than 1,700 weapons to pass into the hands of suspected straw buyers for Mexican drug gangs and out of the purview of ATF agents who would normally interdict such weapons to keep them from crossing the border. Ultimately more than 300 of the weapons ended up being recovered in subsequent criminal activity, including two that were found at the scene of a slain U.S. border patrol agent.

Government officials confirmed the memo's contents and the discussions about broadening the border strategy beyond interdiction but insisted the memo provided no specific guidance authorizing the specific tactics of letting the

guns walk. Attorney General Eric Holder has said he did not know about those tactics at the time and has asked the department's internal watchdog, the inspector general, to investigate what happened.

The memo, however, provides important new information and context to the events that have led to a growing controversy in Congress, where Republicans led by Sen. Charles Grassley of Iowa and House Oversight and Government Reform Chairman Darrell Issa have collected extensive evidence that ATF agents vehemently objected to letting the guns walk but were overruled by supervisors, who let hundreds of a weapons a month flow to straw buyers even as violence escalated inside Mexico.

On Wednesday, Grassley and Issa will release a joint report concluding that Justice officials in Washington were ultimately responsible for letting a well-intentioned gun trafficking strategy go awry.