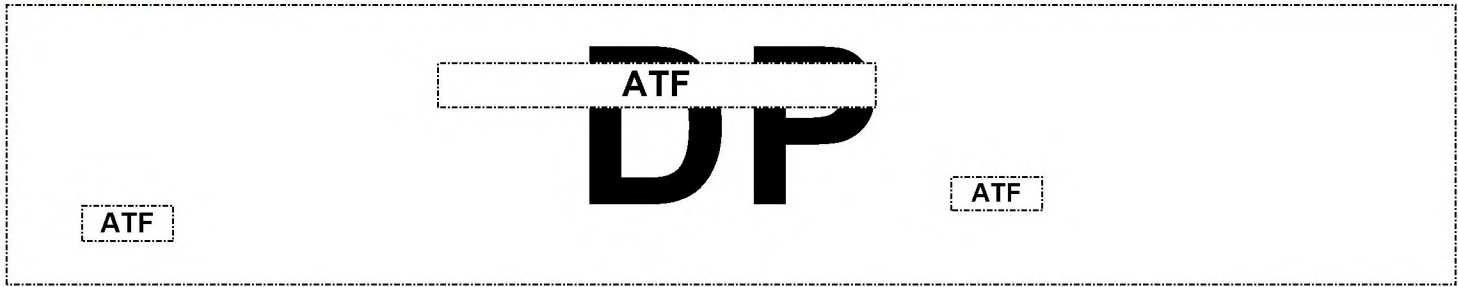


Issue Paper  
Response to Senator Grassley Re: Weapons Trafficking  
March 18, 2011

**ISSUE / BRIEFING TOPIC:**

- Response and background material for questions posed by Senator Grassley in a letter he sent to Customs and Border Protection.

**DESIRED OUTCOME:**



**BACKGROUND:**

- On March 16, 2011, Senator Grassley sent a letter to Commissioner Alan Bersin.
- Senator Grassley is investigating the facts surrounding the murder of Border Patrol Agent Brian Terry.
- As part of the investigation, Senator Grassley has focused on the activities of the Bureau of Alcohol, Tobacco and Firearms (BATF); specifically, Operations Gunrunner and Fast and Furious.
- During the course of the investigation he was provided information on the types of weapons recovered at the scene of Agent Terry's murder and is focusing on what role those weapons played as part of BATF's investigative operations.
- As part of his letter to CBP, Senator Grassley is asking about two individuals that might have been encountered by Border Patrol Agents.
- These two individuals are involved in the suspected illegal purchase of firearms with the intent to resell them to Mexican Cartels.

**BRIEF SYNOPSIS ON ENCOUNTER WITH** ATF

- On January 14, 2010, Deming Border Patrol Agents conducted a vehicle stop near the Columbus Port of Entry. The agents approached the vehicle and observed three assault rifles in plain view in the cargo area of the vehicle. The agents immediately secured the area and the occupants and called for additional agents. Agents discovered an additional five weapons that were not readily visible in the cargo area. Records checks on both occupants ATF

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having a Positive Criminal History. Weapons checks returned that all were legally owned and registered to **ATF**

- Deming Border Patrol Station Field Operations Supervisors contacted Immigration and Customs Enforcement (ICE) regarding the vehicle stop and discovery of the weapons. All information regarding the vehicle stop, weapon identification and Intelligence gathered was forwarded to the Immigration and Customs Enforcement (ICE) office.
- Due to the fact that both subjects had no outstanding wants/warrants and the firearms were lawfully owned, both the subjects and firearms were released without further incident.

**DETAILED SYNOPSIS:**

- On January 14, 2010 at approximately 2250 hours DNM agents assigned patrol duties near the Columbus, New Mexico Port of Entry received information from dispatch regarding to two suspicious vehicles in the area.
- While looking for the vehicles, agents observed a white Nissan Armada bearing New Mexico plates that was making evasive maneuvers in what appeared to be an attempt to elude agents.
- Given the suspicious behavior, agents requested records checks on vehicle plates **ATF** which returned to a 2004 Nissan Armada (white) registered to: **ATF** All checks returned negative.
- Agents conducted a vehicle stop and approached the driver for an immigration inspection.
- Upon approach, agents immediately noticed three assault rifles lying in the cargo area of the vehicle at which time the occupants **ATF** **ATF** were secured for further investigation.
- Agents immediately requested records checks on both individuals, which indicated negative wants and warrants.
- Firearms check for the following eight firearms returned negative and were registered to **ATF**

**ATF**

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