
From: Axelrod, Matthew (ODAG)
To: Pings, Anne (USAEO)
Sent: 7/5/2011 5:13:38 PM
Subject: RE: QFRs re: Fast and Furious

Thanks, Anne. Your email arrived when Pat, Molly, and I (and others) were consumed with getting the document production running smoothly. I believe the USAO was aware that we still needed them to draft answers, although I'm not sure what conversations Dennis and Ron may have had on the subject.

From: Pings, Anne (USAEO)
Sent: Tuesday, July 05, 2011 10:57 AM
To: Axelrod, Matthew (ODAG)
Subject: Re: QFRs re: Fast and Furious

A while ago the USA spoke with Ron who told him that the document review project took precedence and the USA indicated that they were consumed on that project. I sent you an e-mail asking if you all could try to work with them on the responses while working on the other - I assumed that was happening since, as I understood it, you are the lead on F and F and EOUSA has been kept out of loop -

I just now learned from Doug this morning that did not happen -
So, we will try to turn something around quickly -

From: Axelrod, Matthew (ODAG) (JMD)
Sent: Tuesday, July 05, 2011 10:43 AM
To: Pings, Anne (USAEO)
Subject: RE: QFRs re: Fast and Furious

Anne,

I think what Monica needs to know is whether the USAO has completed their draft answers yet. That seems like a question for Dennis/Pat, not for Molly and me. Am I missing something?

Matt

From: Pings, Anne (USAEO)
Sent: Tuesday, July 05, 2011 9:48 AM
To: Gaston, Molly (SMO)
Cc: Axelrod, Matthew (ODAG); Levine, Doug (SMO); Burke, Dennis (USAAZ)
Subject: Re: QFRs re: Fast and Furious

Molly and Matt -

Doug has asked that someone please advise Monica Ramirez in ODAG as to the status of the QFRs responses regarding the USAO -

Thanks -
Anne

From: Pings, Anne (USAEO)
Sent: Thursday, June 16, 2011 04:45 PM
To: Gaston, Molly (SMO) (JMD)
Cc: Axelrod, Matthew (ODAG) (JMD); Levine, Doug (SMO) (JMD)
Subject: FW: QFRs re: Fast and Furious

Molly –

As discussed, Dennis and Pat have been working on the larger oversight requests and have not had an opportunity to turn to the AG QFRs but I understand from Doug that there is some pressure from OAG to get them done and out. I thought perhaps it might get done sooner if you and Matt might be able to work with Pat while he was here –

Thanks -

Anne

From: Pings, Anne (USAEO)
Sent: Wednesday, May 25, 2011 2:30 PM
To: Burke, Dennis (USAAZ); Tsethlikai, Serra (USAEO)
Subject: QFRs re: Fast and Furious

Dennis and Serra –

The Dept has to prepare responses to QFRs that came in following the AG's Senate oversight testimony. As you can imagine, Grassley has submitted numerous questions about Fast and Furious.

ATF and Leadership offices are drafting most of the responses but we have been tasked with drafting responses to several questions.

I have attached the entire QFR document and the "briefing paper" that he references. ODAG is preparing a larger response about the misquoting of the briefing paper.

We have been asked to draft something on Questions 39, 40, and 47. I have reprinted them below for Dennis for BB viewing – however, the numbering gets messed up when you copy from a Word document.

I would like to talk later today if possible about how to approach these and to figure out who will do the drafting, etc.

Are you available around 4:00 EST?

Thanks -

Anne

<<AG QFRs 5-4-11 SJC hearing.docx>> <<FF Briefing Paper.pdf>>

38. U.S. Attorney's Office Involvement

Questions:

A. When did U.S. Attorney Dennis Burke first become aware of Operation Fast and Furious and the strategy of “*allow[ing] the transfer of firearms to continue to take place in order to further then investigation*”?

Response:

B. What was his subsequent involvement in Operation Fast and Furious?

Response:

C. When did Assistant U.S. Attorney Emory Hurley first become aware of Operation Fast and Furious and the strategy of “*allow[ing] the transfer of firearms to continue to take place in order to further then*”

investigation”?

Response:

D. What was his subsequent involvement in Operation Fast and Furious?

Response:

E. As of May 10, 2011, is the U.S. Attorney’s Office for the District of Arizona listed as the point of contact for any Phoenix Police Department criminal case? If so, please describe each case and explain why a Phoenix AUSA is listed as the point of contact on each case.

Response:

F. I understand that the U.S. Attorney’s Office for the District of Arizona has been unwilling in recent history to prosecute firearm trafficking or straw purchase cases in which they did not have the possession of the firearm because of a belief that case law required it as “the *corpus* of the crime.” This policy was followed even in cases where there was a signed confession from the straw purchaser or trafficker. However, I also understand that other districts, including others in the 9th circuit, do not take that position. Is it the Justice Department’s understanding possession of the firearm is required to prosecute a straw purchaser or trafficker? If not, please explain why this policy is enforced in the District of Arizona.

Response:

G. How many cases have been declined for prosecution by U.S. Attorney’s Office in the District of Arizona on this basis? How many have been declined in each of the other districts on this basis?

Response:

39. Federal Firearms Licensees

On April 13, 2011, I provided DOJ emails in which Federal Firearms Licensees (FFLs) expressed concerns to ATF about the dangers of engaging in suspicious sales to further the ATF’s investigation. ATF arranged at least one meeting between at least one FFL and the U.S. Attorney’s Office for the District of Arizona to discuss these concerns.

Questions:

A. How many meetings did the U.S. Attorney’s Office for the District of Arizona have with FFLs to discuss similar concerns?

Response:

B. Please describe in detail the dates, participants, and communications during any such meetings.

Response:

40. Connection of Terry Guns to Operation Fast and Furious

In your testimony before the House Judiciary Committee last week, you said that if the guns that were found at the murder scene of Border Patrol Agent Brian Terry had indeed come from the ATF’s Operation Fast and Furious, a serious problem likely occurred. I identified for you in my February 9, 2011, letter the serial numbers of the two firearms recovered at Agent Terry’s murder scene, as well as the fact that both were purchased by Operation Fast and Furious suspect ATF on January 16, 2010.

Questions:

Given that the recently unsealed indictment of Manuel Osorio-Arellanes for his involvement in the murder of Border Patrol Agent Brian Terry confirms the serial numbers of two AK-47 variant rifles recovered at the murder scene, does the Department officially acknowledge that those two guns are connected to Operation Fast and Furious?

Response: