
From: Schmalzer, Tracy (SMO)
To: Reich, Steven (ODAG); Axelrod, Matthew (ODAG)
Sent: 7/11/2011 11:21:24 PM
Subject: Wapo

Good piece

From: James V Grimaldi [mailto:grimaldij@washpost.com]
Sent: Monday, July 11, 2011 06:58 PM
To: Schmalzer, Tracy (SMO)
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here's the write through of the story. Let me know if you see anything.

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----- Forwarded by James V Grimaldi/news/TWP on 07/11/2011 06:56 PM -----

The Obama administration implemented its [most aggressive and controversial gun measure](http://www.washingtonpost.com/wp-dyn/content/article/2010/12/16/AR2010121606749.html) to date Monday when it ordered dealers in four Southwestern states to report multiple sales of semiautomatic rifles to the federal firearms bureau.

The rule, which had been adamantly opposed by the National Rifle Association and many members of Congress, takes effect immediately and is meant to stem gunrunning to violent Mexican drug gangs. It requires about 8,500 dealers operating in the border states of California, Arizona, New Mexico and Texas to alert authorities when a person buys within five days two or more semiautomatic rifles greater than .22-caliber with detachable magazines.

Deputy Attorney General James Cole said the rule will help the Bureau of Alcohol, Tobacco, Firearms and Explosives “detect and disrupt the illegal weapons trafficking networks responsible for diverting firearms from lawful commerce to criminals and criminal organizations.”

The administration has been loath to take on the gun lobby, and one anti-gun group, the Brady Campaign to Prevent Gun Violence, has given Obama a failing grade on gun violence. But pro-gun activists seized on the decision, made by the White House Office of Management and Budget, to accuse the administration of trying to take attention away from a bungled ATF anti-smuggling operation. http://www.washingtonpost.com/investigations/atf-director-testifies-on-bungled-gun-operation/2011/07/06/gIQAhy3d0H_story.html

http://www.washingtonpost.com/investigations/atf-director-testifies-on-bungled-gun-operation/2011/07/06/gIQAhy3d0H_story.html>Congress is investigating the ATF operation, code-named “Fast and Furious,” which aimed to take down cartels trading in drugs and guns. ATF leaders now admit that they made some mistakes in their strategy of letting obvious straw buyers continue to make purchases once they had been tagged as suspected gunrunners for Mexican cartels.

The Washington Post reported in February that two guns linked to the Fast and Furious investigation were <http://www.washingtonpost.com/wp-dyn/content/article/2011/02/01/AR2011020106366.html>>found at the scene of the killing of a Border Patrol agent.

Many current and former ATF agents said that if the new reporting rule had already been in place, it might have deterred the types of mistakes made in Fast and Furious. The ATF estimates that the rule will generate as many as 18,000 reports annually, which then are to be used as leads for agents on the lookout for straw purchasers — people who claim to be true buyers of weapons when they actually are purchasing them for others. Without the rule, the ATF must rely on those gun dealers who agree to cooperate — something they managed in Fast and Furious.

“This is exactly what ATF agents on the ground told Congress — that reporting multiple sales of military-grade assault weapons is a crucial tool to identify and disrupt Mexican drug cartels engaged in gun trafficking,” said Rep. Elijah E. Cummings of Maryland, the top Democrat on the House Oversight Committee.

But the congressman leading the investigation into the ATF operation disagreed. “In Operation Fast and Furious, gun dealers didn’t need this regulation as they voluntarily provided ATF agents with information about suspected straw purchasers,” said Rep. Darrell Issa (R-Calif.), chairman of the House Oversight Committee. “In return for this voluntary cooperation, the Justice Department betrayed them by offering false assurances that they would closely monitor sales of weapons that dealers otherwise did not want to make.”

Sen. Charles Grassley (R-Iowa) said the rule is a distraction from the errors of the ATF and simply imposes on dealers “burdensome reporting requirements.”

But administration officials noted that the new rule is similar to one in place for years: All gun dealers in the United States currently must report a buyer’s purchase of two or more handguns in a five-day period. The information that is collected under both rules is to be destroyed after two years if it doesn’t lead to a trafficking investigation, a Justice Department spokeswoman said.

More than http://www.washingtonpost.com/world/americas/mexican-cartels-now-using-tanks/2011/06/06/AGacrALH_story.html>35,000 people have been killed in Mexico since President Felipe Calderon took office in late 2006 and launched an effort to wipe out violent drug cartels. More than 70 percent of the weapons recovered in Mexico originated in the United States, according to a recent Senate report on ATF data. The rifles,

such as those styled on AK-47s and AR-15s, are favored by the cartels.

Arturo Sarukhan, the Mexican ambassador to the United States, welcomed the news. "There are no magic bullets in the fight against transnational organized crime, but this is certainly a step that should prevent straw purchasers and individuals from illegally purchasing weapons in the U.S.," he said in a statement.

Gun-rights activists have opposed the reporting requirement as a step toward creating a national registry, which they say violates the Second Amendment right to keep and bear arms. That resistance prompted the House in February [to vote overwhelmingly](http://www.washingtonpost.com/wp-dyn/content/article/2011/02/19/AR2011021904026.html?nav=emailpage), as part of a massive spending bill, to prevent the administration from implementing the rule. But the provision died in the Senate, and the White House fought successfully to keep the rider out of the final spending bill.

The gun lobby's allies in Congress often use spending bills to rein in ATF, and another amendment blocking the rule could come up in future legislation.

"If the ATF can ask for this, there is nothing they cannot ask for," said Larry Keane, vice president and general counsel for the National Shooting Sports Foundation, which lobbies for gun manufacturers and dealers. "They could require dealers to report every three days or every time they sell one of these guns."

But not all gun dealers interviewed by The Post agree. An attorney for Bill Carter, owner of the Carter's Country chain in Houston, one of the largest gun-sellers in Texas, said this year that Carter has no problem with the rule.

The ATF has been trying to impose the rule for more than a year. Last year, then-White House chief of staff Rahm Emanuel, a veteran of battles with the gun lobby during the Clinton administration, [shelved the proposed rule](http://www.washingtonpost.com/wp-dyn/content/article/2010/12/17/AR2010121706598.html?nav=emailpage) before the midterm elections, according to sources who are anonymous because they were discussing internal talks. In December, the White House relented, formally proposing the reporting requirement under federal rule-making procedures.
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