

¹
From: ATF
Sent: Thursday, December 16, 2010 3:41 PM
To: ATF
Subject: RE: December Fast and Furious BP for SAC (2)

No changes, that is the briefing paper I previously sent up to SAC/ASAC. They added a couple of paragraphs to the end explaining the new timeline for ATF but I have no changes and/or corrections to this.

From: ATF
Sent: Thursday, December 16, 2010 1:31 PM
To: ATF
Subject: FW: December Fast and Furious BP for SAC (2)

Thanks

ATF - Senior IRS
Acting Intel Group Supervisor

ATF Direct
Mobile
Fax

From: Newell, William D.
Sent: Thursday, December 16, 2010 1:27 PM
To: Gillett, George T. Jr.; ATF
Subject: December Fast and Furious BP for SAC (2)

Please review and send back to me with "LE Sensitive – For Official Use Only" watermark in the appropriate places. Thanks

From: ² ATF
Sent: Friday, October 29, 2010 2:26 PM
To: ATF
Subject: RE: Today's operation

We don't have to...take it!

From: ATF
Sent: Friday, October 29, 2010 11:21 AM
To: ATF
Subject: RE: Today's operation

Thanks, I appreciate your support. I only sent her an email because I've been trying to get in contact with ATF but haven't heard back from him. ATF Will keep you informed through me or through ATF

ATF

From: ATF
Sent: Friday, October 29, 2010 11:16 AM
To: ATF
Subject: Today's operation

ATF

I am very happy with the group's efforts on this matter and I want you to know that I support you 100% in this matter.

ATF

ATF if she supports us great, but we have an obligation and I think we are 100% correct in our actions and I and ASAC Needles and SAC Newell will support your actions to the end. ATF said so or failed to take appropriate action...

I appreciate your efforts in this matter, please keep me informed!

ATF

From: ³ [redacted] **ATF**
Sent: Wednesday, December 15, 2010 6:49 PM
To: [redacted] **ATF**
Subject: no more rose colored glasses

If you have not heard a Border Patrol agent was shoot and killed here in Arizona.

[redacted] **ATF**

[redacted] **ATF**

Ugh...! Call as soon as you can, things will most likely get ugly!

[redacted] **ATF**
Group Supervisor
Phoenix Group VII

[redacted] **ATF**

From: **ATF**
Sent: Tuesday, January 11, 2011 1:38 PM
To: **ATF**
Subject: RE: Acting Dir Melson coming for F/F press conf

I was not aware...I will get with soon. I have a meeting at Division with Needles @ noon.

-----Original Message-----
From: **ATF**
Sent: Tuesday, January 11, 2011 11:23 AM
To: **ATF**
Subject: FW: Acting Dir Melson coming for F/F press conf

Just in case you are not aware Bill advised me that Mr Melson will be attending the upcoming FF press conference.

I attached the GRIT work product that was used in that press conference and would like to mirror it to some degree. Anything that we can start producing now as far as visuals, charts, stats... would be very helpful. **ATF** have the outline of proposed cases that you sent to Jim Needles which is helpful.

ATF and I will be working from that and will need to firm up numbers of guns seized north of the border, other states...(tied to other crimes?).
Number of gun recoveries in Mexico...significant crime scenes or incidents.
What were the majority of guns % - AK's, AR's, 5.7mm. This will help our proposed multiple sales requirement for long guns.

I welcome your feedback.

thanks

-----Original Message-----
From: Newell, William D.
Sent: Tuesday, January 11, 2011 7:31 AM
To: Needles, James R.; Gillett, George T. Jr. **ATF**
Subject: Acting Dir Melson coming for F/F press conf

Just advised he's coming for the 25th press conf.

NOTICE: This electronic transmission is confidential and intended only for the person(s) to whom it is addressed. If you have received this transmission in error, please notify the sender by return e-mail and destroy this message in its entirety (including all attachments).

⁵
From: ATF
Sent: Friday, January 28, 2011 5:48 PM
To: Needles, James R.
Subject: FW: draft memo
Attachments: Memo DKB ATF

Jim,

This document was drafted/typed by ATF to be submitted to Dennis Burke ATF came over to my office this morning and we worked on this together. Please review and let me know what you think.

Thanks,

ATF

From: ATF (USAAZ) ATF
Sent: Friday, January 28, 2011 2:58 PM
To: ATF
Subject: draft memo

<<Memo Dk ATF d>>

Here is the draft of the memo from this morning.

Thank you for all of your help.

United States Attorney's Office
District of Arizona



Memorandum

To: Dennis K. Burke
From: ATF
Subject: DEA, ATF
Date: January 28, 2011

The two AK-47 type rifles associated with the U.S. Border Patrol shooting, specifically two ROMARM WASR-10 7.62x39 mm rifles, Serial Numbers [ATF] were purchased by [DEA, ATF]

ATF

ATF

[ATF] ATF was not notified of this purchase until Monday, January 19, 2010, when ATF received the ATF Form 4473 documenting [DEA, ATF] [ATF]

ATF

DEA

DEA

DEA

DEA

DEA

ATF

DEA

DEA

DEA

DEA

On November 25, 2009, ATF entered [DEA] in the ATF case management system as a suspect in the investigation. This event does not result in the creation of an ROI.

DEA

ATF

On December 17, 2009, this AUSA, ATF Group Supervisor [ATF] and ATF Special Agent [ATF] met with [ATF] [ATF] had been providing information to ATF on large firearms purchases, including large purchases of (only) long guns which do not trigger any multiple purchase reporting requirements. This information was being provided voluntarily and without compensation from ATF. [ATF]

ATF

[ATF] was advised by the agents and this AUSA that they could not tell him who he could or could not sell to and that they could not instruct him to make a sale in violation of the law or to refuse to

DP

ATF

ATF

ATF

ATF

ATF

ATF

ATF

DEA

ATF

ATF

DEA, ATF

DEA, ATF

ATF

ATF

ATF

ATF

DEA

ATF

DEA, ATF

DEA, ATF

ATF

DEA, ATF

ATF

DEA, ATF

DEA, ATF

DEA, ATF

DEA

ATF

DEA

DP

From: ATF
Sent: Sunday, August 15, 2010 5:17 PM
To: ATF
Subject: RE: 80 gun seizure

Have I offended you in some way? Because I am very offended by your e-mail.

Define walk...? Without Probable Cause and concurrence from the USAO it is highway robbery if we take someone's property. We have conducted hundreds of hours of surveillance ATF and the idea that our suspects purchase the guns and drive them directly to the border is not the case, not even close. We have seized firearms weeks and months after they were purchased and they had not yet gone south to Mexico. If a non-prohibited person purchases firearms, puts the firearms in his/her car and drives straight home what is our PC to stop and seize the firearms? Two weeks ago we stopped a suspect after he purchased a TNW 50 caliber belt-fed rifle for over \$10,000.00. We conducted a field interview and after calling the AUSA he said we did not have sufficient PC to take the firearm so our suspect drove home with said firearm in his car...any ideas on how we could not let that firearm "walk"...

Additionally, we have stopped "some" of these guys and seized hundreds (plural) of firearms in this case to date.

From: ATF
Sent: Sunday, August 15, 2010 1:52 PM
To: ATF
Subject: Re: 80 gun seizure

Are you all planning to stop some of these guys any time soon? That's a lot of guns that have been seized. Are you just letting these guns walk?

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From: ATF
To: ATF
Sent: Sun Aug 15 16:40:20 2010
Subject: RE: 80 gun seizure

Any luck we have not heard anything here locally? Obviously we are interested as 63 of the 80 firearms were part of open/active ATF Phoenix cases, especially the ATF

Thanks,

From: ATF
Sent: Monday, August 09, 2010 12:54 PM
To: ATF
Subject: RE: 80 gun seizure

Hello ATF

I will be talking to ICE soon. I will forward any updates I get from them.

ATF

From: ATF
Sent: Monday, August 09, 2010 2:24 PM

To: **ATF**
Subject: 80 gun seizure

Gentlemen,

Just checking to see if there are any updates or reports that can be forwarded to us here in Phoenix. I think I forwarded a spreadsheet but like 63 out of the 80 (14 were obliterated) are from open/ongoing Phoenix ATF cases thus any information is appreciated!

Thanks,

ATF

Group Supervisor
Phoenix Group VII

ATF

¹¹
From: ATF
Sent: Monday, September 20, 2010 12:53 PM
To: ATF
Subject: RE: 3rd one in three months

To the best of our knowledge three and we have all three in our ATF custody/vault.

From: ATF
Sent: Monday, September 20, 2010 9:35 AM
To: ATF
Subject: RE: 3rd one in three months

ATF how many of these were purchased in the fast and furious case?

From: ATF
Sent: Monday, September 20, 2010 11:07 AM
To: ATF
Subject: 3rd one in three months

Gentlemen,

For what is worth this is our third TNW .50 caliber semi-auto that we have seized this summer. Possible escalation in fire power or maybe it is just really cool to have...?

Anyway thought I would let you know for what it is worth.

ATF
Group Supervisor
Phoenix Group VII
ATF

From: ATF
Sent: Tuesday, October 19, 2010 3:18 PM
To: Newell, William D.
CC: ATF
Subject: Briefing paper - 3 pages with; Case Background, defendants, list of charges.
Attachments: Oct write up for SAC.docx

Mr. Newell,

Here it is, I hope it is what you are looking for. It is 3 pages with;

1. case background,
2. defendants submitted, and
3. proposed charges

Please advise if you need or want changes/additions.

Thanks,

ATF

Phoenix Field Division
Phoenix Group VII (SWB group)
Briefing Paper on ATF Investigation 785115-10-0004
Operation: Fast & Furious, OCDETF No. SW-AZ-0496

Case Background

The Phoenix Group VII Field Office is conducting this investigation; Operation Fast & Furious, in conjunction with the Immigration and Customs Enforcement (ICE), Drug Enforcement Agency (DEA), Internal Revenue Service (IRS) and the Phoenix Police Department (PPD). This operation, sponsored by ATF, was approved as an OCDETF case by the Southwest Region as SWAZP-0496.

Since October 2009, ATF, and other partners listed above, have been investigating a firearm trafficking organization that is being funded by a drug trafficking organization (DTO) that is involved in violent criminal activity in Mexico, Southern Arizona and many other regions of the United States. This organization is involved in trafficking firearms to Mexico, and smuggling cocaine and marijuana into Southern Arizona to be distributed throughout the United States. In support of this criminal activity the organization often uses violent/deadly enforcement tactics. These acts contribute to violations of Federal Laws to include Firearms, Narcotics, Money Laundering, and Conspiracy Laws.

Agents believe that the Phoenix-based firearm trafficking group is actively purchasing firearms through straw purchasers using bulk narcotics proceeds. From October 2009 to October 2010 agents have documented that this organization has spent approximately 1.25 million dollars in cash at various Phoenix area FFLs to acquire in excess of 1,900 firearms. The firearms are then being trafficked into Mexico using non-factory compartments in various vehicles through various Ports of Entry (POE's) in Arizona and Texas.

ATF

ATF and other investigative techniques to further the investigation. Through these investigative techniques, agents have been able to identify additional co-conspirators and disrupt the firearms trafficking organization by seizing numerous firearms and narcotics. To date, over three hundred (300) firearms and over fifty (50) pounds of marijuana have been recovered by ATF agents in addition to the numerous firearms and narcotic seizures in Mexico related to this investigation.

Agents are in the process of transitioning to the prosecutorial phase of the investigation. Agents

ATF

List of Defendants Referred to USAO for Prosecution:

ATF

Proposed Charges:

ATF

¹⁶
From: ATF
Sent: Tuesday, October 19, 2010 2:13 PM
To: ATF
Subject: Oct write up for ATF
Attachments: Oct write up for ATF.docx

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ATF

ATF

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ATF

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ATF

DEA

DEA

DEA

DEA

DEA

DEA

DEA

DEA

DEA

DEA

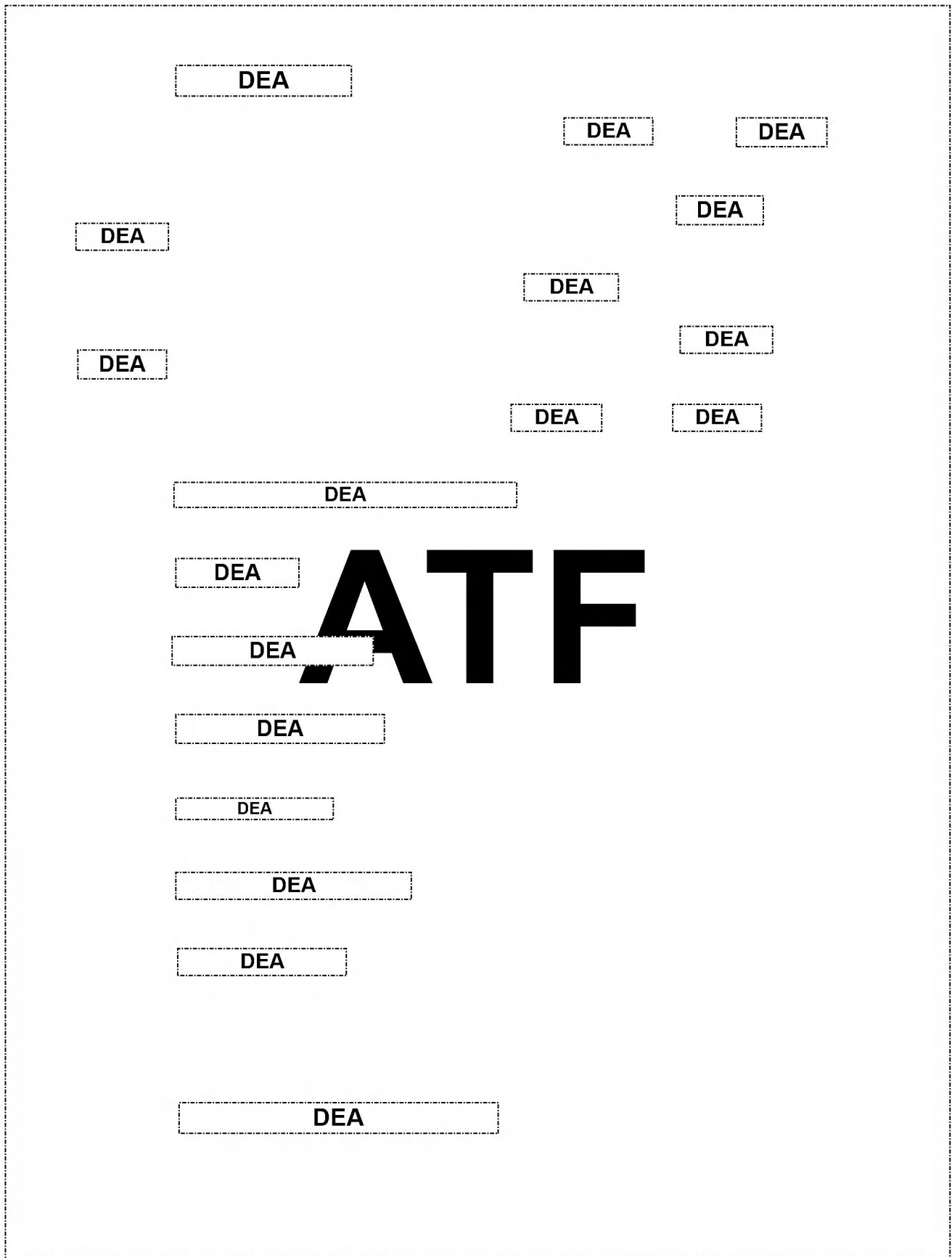
ATF

DEA

DEA

DEA

DEA



From: ²⁰ ATF
Sent: Tuesday, October 19, 2010 1:29 PM
To: ATF
Subject: for you
Attachments: Oct write up for ATF.docx

ATF

Here is a non-PowerPoint summary of our best OCDEF case we are working here in Phoenix. SAC Newell, DAD McMahon, Hoover, Chait etc are also aware of this case as I am tasked often for updates. I hope this will work for your purposes as well.

Thanks,

ATF

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ATF

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ATF

From: ²² ATF
Sent: Tuesday, October 19, 2010 9:43 AM
To: ATF
Subject: Fw: Fast and Furious case
Attachments: Operation FAST AND FURIOUS.DOCX

Please get with me 1st thing this morning so we get the SAC this info...thanks

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From: Newell, William D.
To: ATF
Sent: Tue Oct 19 09:36:00 2010
Subject: FW: Fast and Furious case

Since both Jim and George are out I need you to provide me with a more detailed breakdown of the info you sent two weeks ago. Also, send me an updated defendant chart. Call me later this morning to discuss.

Bill Newell
Special Agent in Charge
Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
Phoenix Field Division (Arizona and New Mexico)
Office - (602)776-5400

From: McMahon, William G.
Sent: Tuesday, October 19, 2010 6:19 AM
To: Newell, William D.
Subject: Fw: Fast and Furious case

Bill,
I know you sent me something the other day but could you update an overview with answers to Mark's questions below?

Thanks,

Bill

NOTICE: This electronic transmission is confidential and intended only for the person(s) to whom it is addressed. If you have received this transmission in error, please notify the sender by return e-mail and destroy this message in its entirety (including all attachments).

From: Chait, Mark R.
To: McMahon, William G.
Sent: Tue Oct 19 08:52:14 2010
Subject: Fast and Furious case

Bill – can we get an update on this indictment and potential arrests (when and how many defendants etc.). The DD would like to put a place holder on his schedule to be in Phoenix for

some media etc. at the right time. Thanks

Mark R. Chait
Assistant Director
Field Operations
202-648-8410

Operation FAST AND FURIOUS - Phoenix Group VII

ATF Defendants (to be determined)

Proposed Indictment Date: December 7, 2010

Proposed Charges:

ATF

²⁵
From: ATF
Sent: Friday, October 29, 2010 11:10 AM
To: ATF
Subject: Briefing paper per SACs request
Attachments: Oct write up for SAC.docx

From: ATF
Sent: Friday, January 07, 2011 4:05 PM
To: ATF
Subject: RE: FN 57 PICTURES

I just realized that this seizure besides the FN 57 pistols mentioned below had numerous AK-47 variants purchased (and entered into Suspect Gun database) on ATF case 785115-10-0004, Operation Fast and Furious. If you want the purchaser information let me know. I know it is a lot to ask because of the volume but if there are pictures of these AK-47 variant firearms can we get them as well? I hope I am not a bother as I know you guys are busy down there. We are just trying to give the AUSA all the information we can. If it helps the case is scheduled to be indicted on Jan 19th, 2011 so the chaos should be coming to an end for the both of us!

Thanks,

ATF

From: ATF
Sent: Thursday, January 06, 2011 4:37 PM
To: ATF
Subject: FW: FN 57 PICTURES

ATF

Here are the photos for the FN 57 seized in Puerto Peñasco, Sonora. We are still working on getting the report. They were not the most cooperative.

ATF
Supervisory Special Agent/Assistant Attaché
Tijuana Field Office

ATF

From: ATF
Sent: Friday, January 07, 2011 11:35 AM
To: ATF
Subject: RE:

ATF Case # 78S115-10-0094

From: ATF
Sent: Tuesday, November 30, 2010 2:28 PM
To: Hernandez, Armando
Subject: RE:

ATF

From: ATF
Sent: Tuesday, November 30, 2010 2:02 PM
To: ATF
Subject: RE:

We will translate the report and send you a copy of the ROI. Also, I'll scan the reports and e-mail them.

ATF
Resident Agent in Charge
Tijuana Field Office

ATF

From: ATF
Sent: Tuesday, November 30, 2010 12:37 PM
To: ATF
Subject: RE:

Can we get a copy of the reports from the seizure and the photos?

ATF

From: ATF
Sent: Tuesday, November 30, 2010 1:30 PM
To: ATF
Cc: ATF
Subject: RE:

We did. We also have full reports of the seizure. Let me know what you need from us.

ATF
Resident Agent in Charge
Tijuana Field Office

619-600-5672 (U.S. Desk Line)

ATF

From: ATF
Sent: Tuesday, November 30, 2010 12:28 PM
To: ATF
Cc: ATF
Subject: RE:

ATF is off sick today but I looked it up and yes the first 7 firearms below (the 7.62 caliber rifles) come back to Fast and Furious, 78S115-10-0094. Was anyone able to view these firearms?

Thanks.

ATF

From: ATF
Sent: Tuesday, November 30, 2010 1:13 PM
To: ATF
Cc: ATF
Subject: FW:

This is the trace numbers for the guns just seized in Mexicali over the weekend. I think they may hit on one of

ATF

ATF you have a chance can you let us know if it comes back to any of your cases.

ATF
Resident Agent in Charge
Tijuana Field Office

ATF

From: ATF
Sent: Tuesday, November 30, 2010 12:05 PM
To: ATF
Subject:



From: ATF
Sent: Friday, January 14, 2011 12:56 PM
To: ATF
Subject: RE: another request...?

Sorry my fault; 785115-10-0004, Fast and Furious

From: ATF
Sent: Friday, January 14, 2011 10:54 AM
To: ATF
Subject: RE: another request...?

What case number is this seizure tied to again?

Thanks,

ATF
Supervisory Special Agent/Assistant Attaché
Tijuana Field Office

ATF

From: ATF
Sent: Friday, January 14, 2011 8:39 AM
To: ATF
Subject: another request...?

ATF

Sorry to keep bugging you guys down there.

ATF

ATF

The

report reads in part, "...ATF Tijuana Foreign Service National Investigator (FSNI) drove to the Baja California Forensic Services laboratory where he was permitted to inspect and photograph the rifles..." Can we get a copy of the photos, and did any US LEO go with the FSNI?

Thanks again for all of your help! Are you ever traveling to Phoenix so we can meet and grab a beer? We have OCDEF travel money for this case, perhaps you need to come meet with the AUSA or something in 2011?

Thanks again,

ATF

³⁰
From: ATF
Sent: Friday, January 14, 2011 11:08 AM
To: ATF
Subject: briefing paper for round-up with correct "firearms in ATF custody" numbers
Attachments: briefing paper for round-up.docx

ATF

Per our discussion I queried N-Force vault and in Phoenix Group VII we have 218 firearms in this case, El Paso has 60 = 278 firearms in ATF custody. Bear in mind there are other domestic recoveries of firearms at the Port by CBP etc... these numbers are only "in ATF custody."

I hope this works, please let me know if you want other changes or corrections.

Thanks,

ATF

Briefing Paper

Phoenix Field Division

Phoenix Group VII (SWB group)

ATF Investigation 785115-10-0004

Operation: Fast & Furious, OCDETF No. SW-AZ-0496

January 12, 2011

Purpose: Indictment and arrest of approximately nineteen individuals involved in firearms trafficking to Mexican Drug Trafficking Organizations/Cartels.

Date of Operation: January 25, 2011.

Background: Since October 2009, ATF, and other partners, have been investigating a firearm trafficking organization that is being funded by a drug trafficking organization (DTO) that is involved in violent criminal activity in Mexico, Southern Arizona and many other regions of the United States. These acts contribute to violations of Federal Laws to include Firearms, Narcotics, Money Laundering, and Conspiracy Laws.

Agents believe that the Phoenix-based firearm trafficking group is actively purchasing firearms through straw purchasers using bulk narcotics proceeds. From October 2009 to October 2010 agents have documented that this organization has spent approximately 1.25 million dollars in cash at various Phoenix area FFLs to acquire in excess of 1,900 firearms. The firearms are then being trafficked into Mexico.

ATF

ATF

and other investigative techniques to further the investigation. Through these investigative techniques, agents have been able to identify additional co-conspirators and disrupt the firearms trafficking organization by seizing numerous firearms and narcotics. To date, 278 firearms and over fifty (50) pounds of marijuana have been recovered by ATF agents in addition to the numerous firearms and narcotic seizures in Mexico related to this investigation.

Evidence in ATF Custody: 278 firearms, 250 "drum" magazines, thousands of rounds of various caliber ammunition.

OPERATION DETAILS:

Command Post:

ATF

Incident Commander(s): Incident Commander ASAC Jim Needles.

Arrest Teams:

ATF

Additional ATF Support: No additional ATF support outside the reporting division will be needed to complete the operation.

Specialized ATF Support: ATF Special Response Team, (SRT).

Issues/Problems: No issues or problems that are anticipated.

Anticipated Seizures: No significant seizures are anticipated during the enforcement operation.

Media: Acting Director Melson, SAC Newell, and United States Attorney, District of Arizona, Dennis Burke will hold press conference.

Action or Follow-up: This is considered "Phase I" of the judicial process. Approximately

ATF

Participants: ATF, IRS, DEA, ICE (HSI), USMS, Phoenix PD, USDA-OIG.

Case Agent:
Telephone:

ATF

RAC/GS:
Telephone:

ATF

³³
From: ATF
Sent: Thursday, February 03, 2011 6:43 PM
To: ATF
Subject: SWB paper - USE THIS ONE!
Attachments: PHOENIX GROUP VII biweekly update 02-03-2011.docx

ATF

I added something to this submission, please use this version.

Thanks,

ATF

Group Supervisor
Phoenix Group VII

ATF

PHOENIX GROUP VII

785115-10-0004, Operation Fast and Furious: (OCDETF investigation) As previously noted on January 19, 2011, the Federal Grand Jury in the District of Arizona returned a fifty-three (53) count indictment charging twenty (20) individuals with a variety of charges to include; Conspiracy (371), Dealing in Firearms without a License (922 a 1 A), False Statement in Connection with the Acquisition of a Firearm (924 a 1 A), Conspiracy to Possess a Firearm in Furtherance of a Drug Trafficking Offense (924 o), Money Laundering (1956), Possession/Conspiracy to Possess a Controlled Substance with Intent to Distribute (841 & 846), Aid and Abet (2).

On January 25th, 2011, the ATF Phoenix Field Division, Phoenix Group VII, along with numerous other federal and local law enforcement agencies, concluded this firearms trafficking investigation with the arrest of eighteen (18) individuals and the execution of four (4) search warrants.

During the execution of the above mentioned arrest and search warrants, as well as an additional consent search, twelve (12) firearms, body armor, ammunition, two (2) pounds of methamphetamine, numerous pounds of marijuana, scales, computers, documents, and packaging material, were recovered.



One defendant DEA still remains at large as a Federal fugitive; his location is currently being sought by the United States Marshals Service.

Additional indictments are anticipated in this investigation.

**Phoenix Field Division
Phoenix Group VII (SWB Group)
Briefing Paper on: 785115-10-0004**

Background

1. This investigation has currently identified more than **ATF** individual connected straw purchasers. More suspects are being identified as the scope of the investigation expands.

ATF

ATF

To date

(September 2009 – present) this group has purchased in excess of 650 firearms (mainly AK-47 variants) for which they have paid cash totaling more than \$350,000.00.

2. To date there have been five (5) notable seizure events connected with this group, and approximately 53 firearms originally purchased by this group have been recovered. Three of these seizures have been in the Country of Mexico, one recovery in Douglas, AZ, and one recovery in Nogales, AZ. The U.S. recoveries were both believed to be destined for Mexico.

3.

ATF

4.

ATF

5.

DEA, ATF

Investigative Techniques Used to Date

6. To date in this investigation we have utilized numerous proactive, advanced investigative techniques:

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DEA, ATF

Strategy

7. This investigation is currently being conducted in conjunction with the Phoenix DEA OCDETF strike force. ATF Phoenix VII is the lead investigating enforcement group. A formal OCDETF proposal is completed and will be presented on January 26, 2009, in furtherance of this investigation.

ATF

8.

ATF

9. The ultimate goal is to [ATF]
[ATE]
[DEA] [DEA]

Additional Resources

10. This investigation is a Southwest Border “Gunner” investigation initiated by Phoenix Group VII. Group VII did not exist in FY’09 and was newly formed FY’10 under the Southwest Border Strategy to focus on investigations involving the trafficking of firearms to Mexico. As such, Group VII currently is comprised of [ATF] Special Agents; [ATF] of which are journeymen grade, [ATF] of which are still in the OJT program and one Group Supervisor.

11. [ATF]

12. It is hereby respectfully requested that 6 additional special agents be brought in for an initial 30 day detail the purpose of aiding/assisting in this investigation, mainly in the capacity of surveillance. [ATF]

[ATF]

13. [DEA] [ATF] [DEA]
[DEA] [DEA]
[DEA]