

From: O'Neil, David (ODAG)
To: Ramirez, Monica (ODAG); Goldberg, Stuart (ODAG)
CC: Reich, Steven (ODAG); Axelrod, Matthew (ODAG)
Sent: 7/19/2011 1:25:12 PM
Subject: Re: revised responses

DP

From: Ramirez, Monica (ODAG)
Sent: Tuesday, July 19, 2011 01:00 PM
To: Goldberg, Stuart (ODAG); O'Neil, David (ODAG)
Cc: Reich, Steven (ODAG); Axelrod, Matthew (ODAG)
Subject: revised responses

Stuart and Dave – per your request, here are the revised responses to the questions about which you had substantive concerns.

ATF Acting Director

Questions:

A. When did Acting Director Kenneth Melson 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 the investigation”?

DP

Deputy Attorney General’s Office

Questions:

When and how did any official in the Deputy Attorney General’s office first become aware of Operation Fast and Furious or the strategy of “allow[ing] the transfer of firearms to continue to take place in order to further the investigation”? Please provide a detailed answer for each official in that office.

DP

Murder Weapon of ICE Agent Jaime Zapata

According to a Justice Department press release from March 1, 2011, one of the firearms used in

the February 15 murder of U.S. Immigration and Customs Enforcement (ICE) Agent Jaime Zapata was traced by the ATF to Otilio Osorio, a Dallas-area resident. Otilio Osorio and his brother Ranferi Osorio were arrested at their home, along with their neighbor Kelvin Morrison, on February 28. According to that same press release, the Osorio brothers and Morrison transferred 40 firearms to an ATF confidential informant in November 2010. Not only were these three individuals not arrested at that time, according to the press release their vehicle was later stopped by local police. Yet the criminal indictment in *United States v. Osorio*, filed March 23, 2011, is for straw purchases alone and references no activity on the part of the Osorio brothers or Morrison beyond November 2010.

Questions:

A. Why did the ATF not arrest Otilio and Ranferi Osorio and their neighbor Kelvin Morrison in November?

DP