
From: Attorney General
To: Schmaler, Tracy (SMO)
Sent: 8/30/2011 5:00:43 PM
Subject: Re: Clips - Round 2

True

From: Schmaler, Tracy (SMO)
Sent: Tuesday, August 30, 2011 04:50 PM
To: Attorney General
Subject: RE: Clips - Round 2

Indeed. Just need to make sure we keep this up on day 2 and beyond.

From: Attorney General
Sent: Tuesday, August 30, 2011 4:49 PM
To: Schmaler, Tracy (SMO)
Subject: Re: Clips - Round 2

Pretty good

From: Schmaler, Tracy (SMO)
Sent: Tuesday, August 30, 2011 04:40 PM
To: Schmaler, Tracy (SMO); Attorney General; Cole, James (ODAG); Perrelli, Thomas J. (OAAG); Grindler, Gary (OAG); Delery, Stuart F. (OAG); Goldberg, Stuart (ODAG); O'Neil, David (ODAG); Reich, Steven (ODAG); Weich, Ron (SMO)
Subject: Clips - Round 2

Updated clips on top --

USA Today: ATF Chief, Arizona prosecutor resign amid gun inquiries (August 30, 2011; 3:12 PM)

The acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives and Arizona's top federal prosecutor resigned Tuesday in the midst of congressional and Justice Department inquiries into a controversial gun trafficking investigation that allowed hundreds of firearms to fall into the hands of Mexican drug cartel enforcers and criminals in the USA.

Attorney General Eric Holder said B. Todd Jones, the chief federal prosecutor in Minnesota, would replace Kenneth Melson as acting director of the ATF. Holder said Melson will become senior adviser on forensic science in the Justice Department's Office of Legal Policy.

Arizona U.S. Attorney Dennis Burke, whose office is overseeing pending prosecutions in the gun investigation known as "Operation Fast and Furious," also resigned, and Emory Hurley, an assistant federal prosecutor directly assigned to the gun prosecutions, was reassigned within the Phoenix office.

The shake-up represents the Obama administration's first major response to allegations that the flawed gun investigation, aimed at tracking guns to drug cartel leaders, may have been responsible for arming drug organization enforcers in deadly encounters with Mexican and U.S. officials.

The operation was shut down last December after the murder of Border Patrol Agent Brian Terry in Arizona. Two

weapons recovered at the scene of Terry's murder were purchased as part of the federal sting operation.

It has not been determined whether either of the weapons were used to kill Terry.

Holder, who offered no criticism of the departing leaders, said Jones would bring a "wealth of experience" to the top job at ATF.

"I have great confidence that he will be a strong and steady influence guiding ATF in fulfilling its mission of combating violent crime by enforcing federal criminal laws and regulations in the firearms and explosives industries," Holder said.

Rep. Darrell Issa, R-Calif., who leads the congressional investigation into the matter, said, "The reckless disregard for safety that took place in Operation Fast and Furious certainly merits changes." He said the House Committee on Oversight and Government Reform inquiry would continue "to ensure that blame isn't offloaded on just a few individuals."

"There are still many questions to be answered about what happened in Operation Fast and Furious and who else bears responsibility," Issa said, "but these changes are warranted and offer an opportunity for the Justice Department to explain the role other officials and offices played in the infamous efforts to allow weapons to flow to Mexican drug cartels."

<http://www.usatoday.com/news/washington/story/2011-08-30/ATF-chief-Arizona-prosecutor-resign-amid-gun-inquiries/50192398/1>

NYT: Firearms Bureau Chief is Out After Disputed Inquiry (August 30, 2011)

The Obama administration on Tuesday replaced two top Justice Department officials associated with Operation Fast and Furious, an ill-fated investigation into a gun-trafficking ring in Arizona, reassigning the acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives and announcing the resignation of the United States attorney in Phoenix.

Attorney General Eric H. Holder Jr. said that he was replacing Kenneth Melson, the acting A.T.F. chief, with B. Todd Jones, the United States attorney in Minnesota. He also announced that Dennis Burke, the top federal prosecutor in Arizona, was stepping down, making them the highest-profile casualties yet in the disputed effort to dismantle a gun-trafficking network that was funneling assault weapons to a Mexican drug cartel.

Mr. Holder did not directly address Operation Fast and Furious, but a Justice Department official said that he made the moves — which had been developing for weeks — for management reasons. Mr. Holder indirectly referred to the distraction of the controversy in his statement thanking Mr. Burke, commending "his decision to place the interests of the U.S. Attorney's office above all else."

The changes were part of a larger set of moves that have swept away officials associated with the star-crossed operation in recent weeks. In addition, two former top A.T.F. officials in Phoenix, William Newell and William McMahon, received lateral transfers to positions at the Justice Department in Washington. In addition, last week, Emory Hurley, an assistant United States attorney in Phoenix who worked closely on the operation, was transferred from the office's criminal division to its civil division.

But Representative Darrell Issa, a California Republican who is chairman of the House Oversight Committee, vowed to continue his investigation of the program, which he has said was seriously flawed. Mr. Issa has held a series of hearings on the program over the past year, and has repeatedly sought to link high-level Obama administration officials to the operation, although no evidence has yet emerged that they knew about its details.

"While the reckless disregard for safety that took place in Operation Fast and Furious certainly merits changes within the Department of Justice, the Oversight and Government Reform Committee will continue its investigation to ensure that blame isn't offloaded on just a few individuals for a matter that involved much higher levels of the Justice

Department,” Mr. Issa said.

Operation Fast and Furious, which ran from late 2009 to early 2011, was part of a still-open larger investigation into a large gun-trafficking ring in Arizona linked to drug cartels in Mexico, where consumers are not allowed to buy military-style assault weapons like a variant of the AK-47.

The operation was built around the tactic of monitoring suspected “straw purchasers” who were buying weapons at American gun stores on behalf of the smuggling network, rather than quickly moving to arrest the buyers and seize the guns. The hope was that by keeping the buyers under surveillance, they would lead investigators to higher-ups in the ring.

That tactic, however, prompted internal controversy within the firearms bureau, where agents traditionally move whenever they can to remove guns from the street. Investigators ultimately lost track of many of the roughly 2,000 guns linked to suspected straw buyers associated with the ring. Some of the weapons were later recovered at crime scenes inside Mexico, and two were found at the site where a United States Border Patrol agent, Brian Terry, was killed.

Earlier this year, Senator Charles E. Grassley, Republican of Iowa, began asking questions about the operation after A.T.F. agents contacted his office. He eventually linked up with Mr. Issa — who wields subpoena power as a committee chairman, and who has since made the operation a centerpiece of his oversight efforts of the administration.

Separately, Mr. Holder asked the Justice Department’s office of the inspector general to examine the operation. That investigation continues as well.

Mr. Obama had appointed Mr. Burke in 2009. He was formerly an aide to Janet Napolitano, the homeland security secretary, when she was governor of Arizona. He has had political ambitions of his own and was considered a rising Democratic star in a state run by Republicans.

Mr. Burke had met privately with Congressional investigators earlier this month. In an e-mail to his staff, he did not mention Operation Fast and Furious, but hinted at the troubles: “For me, it is the right time to move on to pursue other aspects of my career and my life and allow the office to move ahead.”

Mr. Burke’s first assistant, Ann Scheel, will serve as the acting United States attorney in Arizona for now, the department said. Mr. Holder said that Mr. Jones would stay on in his position as United States attorney in Minnesota in addition to his duties as the new acting director of A.T.F.

“I know it’s been a challenging time for this agency, and for many of you,” Mr. Jones wrote in an e-mail to A.T.F. staff on Tuesday. “As we move forward, we face a more important challenge than what’s been going on outside of A.T.F. these last several months — what’s going on inside A.T.F. We have important work to do and that is what I want you to focus on — and what I will be focused on in the coming months.”

Mr. Melson, meanwhile, has been transferred to a relatively low-profile position as a “senior advisor” for forensic science issues at the Justice Department’s Office of Legal Policy. Its statement noted that he is a past president of the American Academy of Forensic Sciences and has taught law and forensic sciences courses at George Washington University for nearly 30 years.

<http://www.nytimes.com/2011/08/31/us/31guns.html>

The Daily Mail: ATF Boss out of the job amid backlash over botched ‘Fast and Furious’ Gun Sting (August 30, 2011; 7:40 PM)

The U.S. official at the helm during an operation to track weapons that wound up arming violent drug cartels instead is being reassigned.

Kenneth Melson, the acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives, has been under fire and admitted mistakes in the sting operation meant to try to crack down on the flow of weapons to drug gangs.

He will be reassigned to the Justice Department's Office of Legal Policy as an adviser on forensic science, the Justice Department said.

The attorney for Minnesota, Todd Jones, will serve as acting ATF director.

In further fallout from the operation, the attorney for Arizona, Dennis Burke, has resigned and the lead prosecutor on that case in the office has been reassigned, according to a White House official.

Another administration official said this is a chance for a 'fresh start given everything they've gone through lately' at ATF.

The operation, dubbed "Fast and Furious," has spawned congressional and internal Justice Department probes and put the Obama administration on the defensive about whether dangerous weapons were knowingly allowed to cross the border.

Republicans in the U.S. Congress have been demanding the Obama administration explain who knew what and when about the ATF program, which was conceived from and run out of the agency's Phoenix division.

Authorities had hoped they would be able to follow the guns to cartel leaders, but ATF agents did not track the weapons after they were transferred from the initial buyer to others.

Some agents have said they were not allowed to continue the pursuit.

Instead, numerous weapons from the operation, which began in late 2009 and ran through 2010, have shown up at crime scenes in Mexico and the United States.

U.S. Border Patrol agent Brian Terry died in a December 2010 shootout on the American side of the border and two guns found there have been traced to the sting.

It is not yet known, however, if those guns were used to fire the fatal shots.

Mexican authorities have complained bitterly about the thousands of guns that cross the border from the United States each year and want Washington to do more to stem the flow.

President Obama has picked a permanent ATF director, Andrew Traver of the agency's Chicago office, but the gun industry has opposed him.

Mr Melson is a career federal employee.

Melson took the unusual step of being interviewed on the July 4 holiday by congressional investigators.

During those discussions he acknowledged mistakes had been made and other law enforcement agencies had had critical information they did not share about their targets.

<http://www.dailymail.co.uk/news/article-2031816/ATF-boss-Kenneth-Melson-job-backlash-botched-Fast-Furious-gun-sting.html>

NBC: 'Fast and Furious' fallout: ATF boss reassigned; US Attorney Losing Job (August 30, 2011; 2:09 PM)

The Obama administration on Tuesday removed or reassigned the top officials involved in a widely criticized U.S. operation to trace the flow of illegal guns into Mexico.

"Fast and Furious" was intended to gather information on how Mexican drug cartels use operatives in the U.S. to buy

and smuggle guns across the border. Federal Alcohol, Tobacco and Firearms agents were instructed to watch — but not to stop — the illegal sales in the hope of gathering intelligence on how the smugglers worked. But in the process, hundreds of guns wound up in the hands of Mexican drug gangs. Two of the weapons turned up at the scene where a U.S. Border Patrol agent was killed in a shootout.

The acting director of ATF, Kenneth Melson, has been reassigned to a Justice Department policy office. And Dennis Burke, the U.S. attorney in Arizona who approved the "Fast and Furious" operation, resigned Tuesday. A senior Justice Department official said Attorney General Eric Holder had lost confidence in them and that ATF needed "a fresh start."

Melson has been under fire and has admitted mistakes in the sting operation meant to try to crack down on the flow of weapons to violent drug gangs.

Burke is an experienced federal prosecutor. He was also a chief of staff to Janet Napolitano when she was governor of Arizona. Napolitano is now homeland security secretary.

"My long tenure in public service has been intensely gratifying. It has also been intensely demanding. For me, it is the right time to move on to pursue other aspects of my career and my life and allow the office to move ahead," Burke said Tuesday in a memo to his staff.

At ATF, Melson will be replaced by Todd Jones, the U.S. Attorney from Minnesota, who will now do both jobs — continuing as U.S. attorney while running ATF. The Bush administration did something similar, appointing the U.S. Attorney from Boston to run ATF and continue as a prosecutor.

"Fast and Furious," has spawned congressional and internal Justice Department probes and put the Obama administration on the defensive about whether dangerous weapons were knowingly allowed to cross the border.

Vanishing arms

Republicans in Congress have been demanding the Obama administration explain who knew what and when about the ATF program, which was conceived of and run out of the agency's Phoenix division.

Authorities had hoped they would be able to follow the guns to cartel leaders, but ATF agents did not track the weapons after they were transferred from the initial buyer to others. Some agents have said they were not allowed to continue the pursuit.

Instead, numerous weapons from the operation, which began in late 2009 and ran through 2010, have shown up at crime scenes in Mexico and the United States.

U.S. Attorney for Arizona Dennis Burke speaks behind a cache of seized weapons on Jan. 25 in Phoenix. Burke on Tuesday resigned from his job.

ATF intelligence analyst Lorren Leadmon testified before Congress that of more than 2,000 weapons linked to the operation, some 1,400 have not been recovered.

U.S. Border Patrol agent Brian Terry died in a December 2010 shootout on the American side of the border and two guns found there have been traced to the sting. It is not yet known if those guns were used to fire the fatal shots.

Terry's slaying effectively ended the operation.

Mexican authorities have complained bitterly about the thousands of guns that cross the border from the United States each year and want Washington to do more to stem the flow.

Melson took the unusual step of being interviewed on the July 4 holiday by congressional investigators. During those discussions he acknowledged mistakes had been made and other law enforcement agencies had had critical information that they did not share about their targets.

House Oversight and Government Reform Committee Chairman Darrell Issa, R-Calif., said the personnel changes announced Tuesday were warranted.

"While the reckless disregard for safety that took place in Operation Fast and Furious certainly merits changes within the Department of Justice, the Oversight and Government Reform Committee will continue its investigation to ensure that blame isn't offloaded on just a few individuals for a matter that involved much higher levels of the Justice Department," Issa said in a statement.

"There are still many questions to be answered about what happened in Operation Fast and Furious and who else bears responsibility, but these changes are warranted and offer an opportunity for the Justice Department to explain the role other officials and offices played in the infamous efforts to allow weapons to flow to Mexican drug cartels."

http://today.msnbc.msn.com/id/44328901/ns/us_news-security/

AFP: US names new ATF chief after Mexican arms scandal (August 30, 2011; 1:28 PM)

US authorities Tuesday named a new chief for the Bureau of Alcohol, Tobacco and Firearms (ATF) after a scandal in which the agency lost track of weapons that ended up in the hands of drug cartels in Mexico.

B. Todd Jones, a federal prosecutor in Minnesota, was appointed acting director of ATF, while the current acting director Kenneth Melson was named a senior adviser to the agency on forensic science.

"As a seasoned prosecutor and former military judge advocate, US Attorney Jones is a demonstrated leader who brings a wealth of experience to this position," said Attorney General Eric Holder in a statement.

"I have great confidence that he will be a strong and steady influence guiding ATF in fulfilling its mission of combating violent crime by enforcing federal criminal laws and regulations in the firearms and explosives industries."

The shakeup comes weeks after a congressional report showed an estimated 2,000 weapons smuggled into Mexico as part of a US sting operation -- and then lost -- have been linked to numerous killings, including that of an American federal agent.

The report found that ATF lost track of the weapons after allowing them to be smuggled into Mexico under an operation called "Fast and Furious," which drew harsh criticism in Congress after the revelations.

At least 122 of the weapons were used in crimes in Mexico, according to the report.

Two of the weapons were found at the scene of the killing of Brian Terry, a border patrol agent who was shot and killed in Arizona December 14 while trying to apprehend armed men preying on illegal immigrants.

The ATF program, which angered Mexico when it came to light, allowed hundreds of weapons to be smuggled into Mexico between 2009 and 2010 as part of a plan to capture major arms traffickers.

President Barack Obama has said neither he nor Holder authorized the program and promised that consequences would flow from a Justice Department investigation.

Mexico estimates that 90 percent of the weapons seized from drug traffickers come from its neighbor to the north.

Jones will continue to serve in the capacity of US Attorney when he assumes the role of ATF acting director on Wednesday.

Also resigning Tuesday was the US attorney for Arizona, Dennis Burke, who according to media reports provided legal guidance for the ATF weapons initiative.

Holder announced the resignation, saying Burke "demonstrated an unwavering commitment to the Department of Justice and the US Attorney's office."

ABC: ATF Shake-Up Comes Fast and Furious (August 30, 2011; 2:29 PM)

Ken Melson, the man who oversaw the Bureau of Alcohol, Tobacco, Firearms and Explosives during the controversial “Fast and Furious” gun trafficking operation is leaving ATF and returning to Justice Department headquarters.

Two other top officials involved in the “Fast and Furious” operation resigned or were reassigned, the department announced today.

Melson headed the ATF when the bureau ran the botched gun-running investigation in Arizona which resulted in hundreds of guns ending up in Mexico and some firearms going to drug cartels. Guns from the program have also been traced to a series of crimes in Arizona.

The Department also announced today that Dennis Burke, the U.S. Attorney for the District of Arizona where operation Fast and Furious was overseen, was resigning. Additionally the assistant U.S. attorney who helped run the program, Emory Hurley, has been reassigned from working on criminal cases and will now work in the civil division at the Arizona U.S. attorney’s office.

Read more about the “Fast and Furious” gun tracking program.

Under “Fast and Furious” ATF agents recorded and tracked straw purchases of weapons and allowed the guns to “walk” across the U.S. border into Mexico in an effort to locate major weapons traffickers, rather than catching the low-level buyers. The operation took a tragic toll when two weapons found on the scene where Border Patrol agent Brian Terry was murdered were linked to the ATF program.

A Congressional investigation into the program has revealed numerous short-comings and poor oversight of the program, which was overseen by the ATF field office in Phoenix and the U.S. attorney’s office in Arizona. It is unclear what senior officials at Justice Department headquarters knew about the program or if they were familar with the details of the program.

According to administration officials, Attorney General Eric Holder pushed for the personnel moves to provide stable leadership at ATF. Holder has pushed for the department’s inspector general to review the “Fast and Furious” program, but the status of that review is unknown.

Last month, appearing before the House Committee on Oversight and Government Reform, the former head of the ATF’s Phoenix office admitted that mistakes were made in the controversial gun trafficking operation. William Newell, the ATF agent who helped oversee the operation told the committee, “I recognize that in retrospect there were mistakes made in how we handled this investigation.”

The committee has requested numerous documents and testimony from ATF agents and Department of Justice officials as they looked into the operation.

Melson in July took the unusual step of hiring his own attorney and agreed to testify before the committee over the July 4 holiday weekend so he could provide his own testimony without other DOJ officials present. During his interview with the committee Melson called DOJ’s response to the congressional inquiry “a disaster.”

Melson also alleged that DOJ headquarters was trying to deflect attention away from the political appointees telling the oversight committee, “It was very frustrating to all of us, and it appears thoroughly to us that the department is really trying to figure out a way to push the information away from their political appointees at the department.”

The ATF has been without a confirmed director since 2006 due to political opposition and pressure from gun-rights group.

In a statement Chairman of the House Oversight and Government Reform Committee Rep. Darrell Issa said, "There are still many questions to be answered about what happened in Operation Fast and Furious and who else bears responsibility, but these changes are warranted and offer an opportunity for the Justice Department to explain the role other officials and offices played in the infamous efforts to allow weapons to flow to Mexican drug cartels. I also remain very concerned by Acting Director Melson's statement that the Department of Justice is managing its response in a manner intended to protect its political appointees."

Melson will now serve as a senior advisor to the assistant attorney general for the Office of Legal Policy focusing on forensic science policy. According to ATF officials the post is in Melson's area of interest since he had served as a past president of the American Academy of Forensic Sciences.

<http://abcnews.go.com/blogs/headlines/2011/08/atf-shake-up-comes-fast-and-furious/>

All Headline News: ATF boots chief after embarrassing, deadly gun program (August 30, 2011; 2:30 PM)

The acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF, Kenneth Melson, is being demoted and reassigned to the Justice Department after a botched arms trafficking sting ended up putting guns in the hands of criminals.

Picture (Device Independent Bitmap)

After being tapped to head the ATF in 2009, Melson will now remain a part of the Obama administration as a senior advisor to the Assistant Attorney General for the Office of Legal Policy (OLP).

"ATF employees are hard working and dedicated to the mission of protecting the public every day, and in my time here I have seen firsthand their extraordinary commitment to stopping violent crime," Melson said. "I will miss working with them, but know that my continued work at the Department will contribute in their pursuit and prosecution of violent criminals."

Melson's tenure at the ATF fell casualty to the controversial Operation Fast and Furious, the gun-running sting that backfired on American law enforcement officials. According to documents released to Congress and the public, the ATF facilitated the sale of 2,000 guns to mainly Mexican drug gangs. Only 600 firearms have been recovered, leaving hundreds in the hands of deadly criminals. Investigators say more than 100 guns have been linked to shootings in Mexico.

Now, the public is demanding answers from the ATF as to why the program has been such a deadly failure. One of the marked guns was involved in the murder of a U.S. Border Patrol officer.

"While the reckless disregard for safety that took place in Operation Fast and Furious certainly merits changes within the Department of Justice, the Oversight and Government Reform Committee will continue its investigation to ensure that blame isn't off-loaded on just a few individuals for a matter that involved much higher levels of the Justice Department," Rep. Darrell Issa (R-CA) told FOX News. "There are still many questions to be answered about what happened in Operation Fast and Furious and who else bears responsibility, but these changes are warranted."

<http://www.allheadlinenews.com/articles/90058629?ATF%20boots%20chief%20after%20embarrassing%20C%20deadly%20gun%20program>

Texas Tribune: Embattled ATF Interim Director Reassigned (August 30, 2011; 1:30 PM)

The federal Bureau of Alcohol, Tobacco, Firearms and Explosives announced today that the embattled interim director who oversaw the flawed gun-smuggling investigation known as "Fast and Furious" is stepping down.

Kenneth Melson, who led the agency since 2009, was reassigned as a senior advisor to the assistant attorney general for the Office of Legal Policy, according to an ATF statement.

"ATF employees are hard working and dedicated to the mission of protecting the public every day, and in my time

here I have seen firsthand their extraordinary commitment to stopping violent crime,” Melson said in the statement. “I will miss working with them, but know that my continued work at the department will contribute in their pursuit and prosecution of violent criminals.”

The announcement drew an immediate rebuke from U.S. Sen. John Cornyn, R-Texas, who said the U.S. Department of Justice should have instead sought Melson’s resignation due to the “Fast and Furious” scandal. During the Arizona-based operation, agents allowed thousands of weapons to enter Mexico, including several that were subsequently used in crimes.

“Instead of reassigning those responsible for ‘Fast and Furious’ within the Department of Justice, Attorney General Holder should ask for their resignations and come clean on all alleged gun-walking operations,” Cornyn said in a statement.

Cornyn added the department should also come clean and answer questions the senator posed earlier this month about reports that a similar “gun walking” operation took place in Texas. ATF officials have denied claims that a Texas-based operation ever took place.

Attorney General Eric Holder announced that B. Todd Jones, the U.S. Attorney for the District of Minnesota, will take Melson's place as acting director. The Obama administration's choice to become the full-time head of the ATF has been blocked by opposition from the National Rifle Association.

Before joining the bureau, Melson was the director of the Executive Office for United States Attorneys. He has also served as a co-chair of the Subcommittee on Forensic Science at the National Science and Technology Council within the Executive Office of the President, according to the ATF website.

<http://www.texastribune.org/texas-dept-criminal-justice/guns-texas/embattled-atf-director-reassigned/>

The Hill: Sen. Cornyn wants ATF Director Fired (August 30, 2011; 2:11 PM)

Sen. John Cornyn (R-Texas) is calling for Attorney General Eric Holder to fire the head of the ATF.

Cornyn said that the Bureau of Alcohol, Tobacco, Firearms and Explosives's (ATF) acting director Kenneth Melson should be asked to resign instead of being reassigned to the Office of Legal Council. The move was announced by the Department of Justice on Tuesday after months of speculation about Melson's role in a botched gun-tracking operation that might have contributed to the death of a Border Patrol agent.

“Instead of reassigning those responsible for Fast and Furious within the Department of Justice, Attorney General Holder should ask for their resignations and come clean on all alleged gun-walking operations, including a detailed response to allegations of a Texas-based scheme,” said Cornyn in a statement.

Cornyn wrote a letter to Holder earlier this month asking for DOJ to turn over any information they have on similar gun-tracking operations that have been conducted or are ongoing in Texas.

<http://thehill.com/homenews/news/178761-cornyn-wants-atf-head-fired>

Town Hall: ATF Director Moved to Office of Legal Policy (August 30, 2011)

Rather than losing his job for overseeing Operation Fast and Furious, the National Journal has confirmed Acting ATF Director Kenneth Melson has been moved from his position at ATF to the Justice Department Office of Legal Policy.

The embattled head of the Bureau of Alcohol, Tobacco, Firearms and Explosives is being replaced in the aftermath of a botched sting operation that allowed guns to knowingly fall into the hands of violent criminals in Mexico.

Kenneth Melson will be replaced as acting ATF director by U.S. Attorney for the District of Minnesota B. Todd Jones, the Justice Department announced Tuesday. Jones is expected to assume the new position on Aug. 31. Melson is being reassigned as a senior advisor on forensic science in the Office of Legal Policy, the department said.

The National Journal, as most media outlets have, calls Operation Fast and Furious "botched." The operation was not "botched," and was carried out exactly as intended. Officials within the Obama DOJ and ATF knew innocent victims would be killed as a result of the operation, and used human life to assess risk.

Chairman of the House Oversight Committee Darrell Issa, who has been leading the investigation into Operation Fast and Furious has released a statement:

“While the reckless disregard for safety that took place in Operation Fast and Furious certainly merits changes within the Department of Justice, the Oversight and Government Reform Committee will continue its investigation to ensure that blame isn’t offloaded on just a few individuals for a matter that involved much higher levels of the Justice Department. There are still many questions to be answered about what happened in Operation Fast and Furious and who else bears responsibility, but these changes are warranted and offer an opportunity for the Justice Department to explain the role other officials and offices played in the infamous efforts to allow weapons to flow to Mexican drug cartels. I also remain very concerned by Acting Director Melson’s statement that the Department of Justice is managing its response in a manner intended to protect its political appointees. Senator Grassley and I will continue to press the Department of Justice for answers in order to ensure that a reckless effort like Fast and Furious does not take place again.”

http://townhall.com/tipsheet/katiepavlich/2011/08/30/atf_director_moved_to_office_of_legal_policy

Houston Chronicle: ATF acting chief Kenneth Melson leaves post amid gun-tracking controversy; Cornyn says “reassignment” is not enough (August 30, 2011)

The acting head of the Bureau of Alcohol, Tobacco, Firearms and Explosives resigned today after months of investigation into his role in the controversial Fast and Furious gun-tracking operation.

Kenneth Melson, the acting head of ATF, will become a senior adviser for forensic science in the Justice Department’s Office of Legal Policy on Aug. 31, the department announced Tuesday in a statement.

That news wasn’t enough to satisfy Sen. John Cornyn, R-Texas, who once served as the state’s top law enforcer and has accused U.S. Attorney General Eric Holder of not being forthcoming to congressional investigators about the operation.

“Instead of reassigning those responsible for ‘Fast and Furious’ within the Department of Justice, Attorney General Holder should ask for their resignations and come clean on all alleged gun-walking operations, including a detailed response to allegations of a Texas-based scheme,” Cornyn, a member of the Senate Judiciary Committee, said in a statement issued Tuesday.

U.S. Attorney Dennis Burke, who oversaw the operation’s execution in Arizona, also resigned today, the Justice Department announced.

Congress has been investigating Fast and Furious, a joint effort involving the FBI, Drug Enforcement Agency and ATF to take down Mexican cartels shipping drugs to the United States and importing U.S.-purchased weapons. ATF agents watched sales of firearms to straw traffickers and sought to build a case against the cartels by tracking the weapons instead of interdicting them.

The government lost track of thousands of guns, and two of them were recovered in December from the scene of a U.S. Border Patrol agent’s murder in Arizona. A report released in late July by the House Oversight and Government

Reform Committee alleged that some guns that got into the cartels' hands were later recovered from crime scenes in Mexico.

Rep. Darrell Issa, a California Republican who chairs the committee, called on Melson to resign in June, and rumors swirled that Melson would be shown the door. Issa later walked back his resignation call and accused the Justice Department of trying to make Melson a "fall guy" after Melson told congressional staffers on July 4 that he felt "sick to his stomach" about the operation's problems.

The Justice Department appointed B. Todd Jones, currently U.S. attorney for the District of Minnesota, to replace Melson as acting ATF director. Jones will stay in his current role while serving as ATF head and will continue living in Minnesota, according to Tracy Schmalzer, a department spokeswoman.

Issa said in a statement that he still has questions about the operation and who else might have ultimate responsibility, "but these changes are warranted and offer an opportunity for the Justice Department to explain the role other officials and offices played in the infamous efforts to allow weapons to flow to Mexican drug cartels."

<http://blog.chron.com/txpotomac/2011/08/atf-acting-chief-kenneth-melson-leaves-post-amid-gun-tracking-controversy-cornyn-says-reassignment-isnt-enough/>

TPM: Two Top Officials Resign Over ATF's Operation Fast and Furious (August 30, 2011; 3:21 PM)

The acting director of the Bureau of Alcohol, Tobacco, Firearms And Explosives (ATF) and the U.S. Attorney for Arizona have resigned their posts in the wake of a scandal involving a program aimed at stopping gun trafficking on the Mexican border. ATF Director Ken Melson and U.S. Attorney Dennis Burke announced their resignations on Tuesday.

An Obama administration official told TPM that the White House and Justice Department were not prejudging the investigations of Operation Fast and Furious being conducted by DOJ's Inspector General and the House Oversight Committee. But the official said that both ATF and the federal prosecutor's office in Arizona had critical public safety missions they needed to carry out and that it was important for proper leadership to be in place.

B. Todd Jones, the U.S. Attorney for Minnesota, will take over ATF on an acting basis, the Justice Department announced. An administration official said he'd continue to simultaneously serve as U.S. attorney, a set-up that had precedent in the Bush administration.

Melson will go from heading an agency with 5,000 employees to serving as a senior advisor on forensic science in DOJ's Office of Legal Policy, where he'll have none.

"ATF employees are hard working and dedicated to the mission of protecting the public every day, and in my time here I have seen firsthand their extraordinary commitment to stopping violent crime," Melson said in a statement announcing his resignation. "I will miss working with them, but know that my continued work at the Department will contribute in their pursuit and prosecution of violent criminals."

Burke, a former senior advisor to Homeland Security Secretary Janet Napolitano, submitted his letter of resignation to President Barack Obama.

"My long tenure in public service has been intensely gratifying," he said in a statement. "It has also been intensely demanding. For me, it is the right time to move on to pursue other aspects of my career and my life and allow the office to move ahead."

Rep. Darrell Issa (R-CA) said in a statement that the Oversight and Government Reform Committee "will continue its investigation to ensure that blame isn't offloaded on just a few individuals for a matter that involved much higher levels of the Justice Department."

"There are still many questions to be answered about what happened in Operation Fast and Furious and who else

bears responsibility, but these changes are warranted and offer an opportunity for the Justice Department to explain the role other officials and offices played in the infamous efforts to allow weapons to flow to Mexican drug cartels," Issa said.

"I also remain very concerned by Acting Director Melson's statement that the Department of Justice is managing its response in a manner intended to protect its political appointees," Issa said.

"There's a lot of blame to go around," said Sen. Chuck Grassley (R-Iowa). "As our investigation moves forward, and we get to the bottom of this policy, I wouldn't be surprised to see more fall out beyond the resignations and new assignments announced today."

http://tpmmuckraker.talkingpointsmemo.com/2011/08/two_top_officials_resign_over_atfs_operation_fast_and_furious.php

Tickle the Wire: ATF Director Melson and Az. U.S. Atty. Dennis Burke Stepping Down (August 30, 2011)

ATF acting Director Kenneth E. Melson, who took a lot of heat for the failed "Operation Fast and Furious" program, announced Tuesday he was stepping down to become Senior Advisor to the Assistant Attorney General for the Office of Legal Policy (OLP) where he will specialize in forensic science policy issues at the Department of Justice.

The Justice Department announced that B. Todd Jones, the U.S. attorney in Minneapolis, will replace Melson as acting director, effective Wednesday.

At the same time, the Justice Department announced the resignation of U.S. Attorney Dennis K. Burke, who oversaw the Phoenix Division during Operation Fast and Furious.

Melson was at the helm during one of the agency's more turbulent periods, thanks to ATF's "Operation Fast and Furious", which encouraged Arizona gun dealers to sell to straw purchasers, all with the hopes of tracing the guns to the Mexican cartels.

ATF lost track of some of the guns. Some surfaced at crime scenes on both sides of the border.

"ATF employees are hard working and dedicated to the mission of protecting the public every day, and in my time here I have seen firsthand their extraordinary commitment to stopping violent crime," said Melson in a statement announcing his resignation. "I will miss working with them, but know that my continued work at the Department will contribute in their pursuit and prosecution of violent criminals."

On Dennis Burke's resignation, U.S. Atty. Eric Holder Jr. stated;

"Under his leadership, the office has made great progress in its pursuit of justice with the creation of special units focusing on civil rights enforcement and rule of law, as well as more robust outreach to key communities, particularly in Indian Country. The office's quick response to the devastating shootings in January that claimed the lives of several people and critically injured Congresswoman Gabrielle Giffords was crucial in arresting and charging the alleged shooter."

Rep. Darrell Issa (R-Calif.), a critic of ATF who has been leading the probe into Operation Fast and Furious, issued a statement after Melson announced his resignation:

"While the reckless disregard for safety that took place in Operation Fast and Furious certainly merits changes within the Department of Justice, the Oversight and Government Reform Committee will continue its investigation to ensure

that blame isn't offloaded on just a few individuals for a matter that involved much higher levels of the Justice Department.

“There are still many questions to be answered about what happened in Operation Fast and Furious and who else bears responsibility, but these changes are warranted and offer an opportunity for the Justice Department to explain the role other officials and offices played in the infamous efforts to allow weapons to flow to Mexican drug cartels.

” I also remain very concerned by Acting Director Melson’s statement that the Department of Justice is managing its response in a manner intended to protect its political appointees. Senator Grassley and I will continue to press the Department of Justice for answers in order to ensure that a reckless effort like Fast and Furious does not take place again.”

<http://www.ticklethewire.com/2011/08/30/atf-director-melson-to-be-removed-fox-news-reports/>

Dallas Morning News: Fast and Furious Fallout Keeps Walking up the Ladder (August 30, 2011; 1:06 PM)

If you've been following the fallout from the ATF's Operation Fast and Furious, you know it was a terrible idea poorly executed. The basic idea was to allow "straw" purchases of high-powered weapons in the U.S. and follow the guns to Mexico, where the drug cartels were thought to be waiting for them.

And you know things didn't turn out anything close to that.

The whole fiasco would be another hilarious example of guys in suits fooling themselves into thinking they'd come up with a revolutionary law enforcement strategy. Well, except for the two dead federal agents probably killed with Fast and Furious weapons, not to mention the thousands of Mexicans and Americans endangered when the ATF predictably lost track of who-knows-how-many guns. (And we don't know because no one at the Department of Justice seems to know; estimates run from 1,400 to 2,000, and that's just what they'll admit.)

If your question was when some heads toward the top would begin to roll, the answer is they are, finally . Kenneth Melson, the acting ATF director who has been fairly evasive with Congress on what he knew and when, is being reassigned to a lesser position at Justice. And Dennis Burke, the U.S. Attorney for Arizona, has resigned, probably to pursue those famous "other career options."

Burke was chief of staff to Janet Napolitano when she was Arizona governor. Now that she's running the Homeland Security Department , one would think he might have a soft landing ahead. Melson has been reassigned to the Justice Department's Office of Legal Policy as an adviser on forensic science, which carries a sense of irony.

A cynic might suspect Melson and Burke know where all the bodies are buried on Fast and Furious and will be taken care of. If not, who knows what details they might be motivated to spill?

That same cynic also might think a program so untested and potentially controversial -- "Wait, we're *letting* the guns go to Mexico? On *purpose*?" -- would not have been approved for the field without signoffs at levels higher than the ATF's acting director and the U.S. Attorney for the affected district.

As a friendly reminder, regional U.S. attorneys and the ATF report up to the same cabinet official, Attorney General Eric Holder. He has insisted he knew nothing -- *nothing!* -- about Fast and Furious until agents started dying and people started asking questions.

Hard to believe, but that's his story, and he's sticking to it. For now, anyway.

As we noted in an Aug. 21 editorial, Texas Sen. John Cornyn is going after this issue with both barrels, as well he should. And Darrell Issa, R-Calif., chair of the House Oversight and Government Reform Committee, isn't going to let this rest:

"While the reckless disregard for safety that took place in Operation Fast and Furious certainly merits changes within the Department of Justice, the Oversight and Government Reform Committee will continue its investigation to ensure

that blame isn't offloaded on just a few individuals for a matter that involved much higher levels of the Justice Department," Issa said in a statement.

"There are still many questions to be answered about what happened in Operation Fast and Furious and who else bears responsibility, but these changes are warranted and offer an opportunity for the Justice Department to explain the role other officials and offices played in the infamous efforts to allow weapons to flow to Mexican drug cartels."

<http://dallasmorningviewsblog.dallasnews.com/archives/2011/08/fast-and-furiou.html>

Arizona Central: Dennis Burke Falls in Fast and Furious (August 30, 2011)

We now know who will take the fall for Fast and Furious, the Arizona gun trafficking operation that famously flopped in a tragic way.

The acting head of Alcohol, Tobacco, Firearms and Explosives, Kenneth Melson has been reassigned and Dennis Burke, U.S. attorney for Arizona, resigned this morning.

Don't look for those moves to satisfy the Republicans in Congress, who believe responsibility for this botched operation goes all the way to the top -- far beyond Burke.

Fast and Furious was a sting operation in Arizona, in which ATF agents actually encouraged gun stores to sell semi-automatic rifles and the like to suspected straw buyers, hoping to track the guns to the Mexican drug cartels and take down the big boys.

The guns went down, all right – all the way down to Mexico where they have been found at various murder scenes. Two of the weapons were also found in that southern Arizona canyon where Border Patrol Agent Brian Terry was killed in December by a group of Mexican bandits.

One ATF agent/whistleblower estimates that 1,800 of the weapons supposedly being tracked under Fast and Furious are unaccounted for.

A congressional inquiry is under way to determine what the heck happened and who ordered it. In June, a pair of Republican congressmen released a report that blistered ATF's Phoenix office, concluding that Agent Terry's death was "likely a preventable tragedy".

Arizona Rep. Paul Gosar, who sits on the committee investigating Fast and Furious, has told me that he believes the responsibility for this lies at the top, in the office of Eric Holder or someplace nearby.

This move to dump Burke -- who oversaw the operation -- looks like an effort to make this mess go away.

My bet: it won't happen. And it shouldn't, not until the complete story is told.

<http://www.azcentral.com/members/Blog/LaurieRoberts/139821>

Washington Times: ATF Replaces Director Amid Weapons Probe (August 30, 2011)

Kenneth E. Melson, acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) who got caught this year in a firestorm over the "Fast and Furious" undercover gun investigation, was reassigned Tuesday and will be replaced by U.S. Attorney B. Todd Jones of Minnesota.

Mr. Melson, whose last day on the job ends at the close of business Tuesday, will report Wednesday to the Justice Department's Office of Legal Programs, where he will be a senior advisor on forensic science and focus on issues relating to policy development.

Also reassigned was U.S. Attorney Dennis Burke in Arizona, who oversaw the Fast and Furious prosecution, and Assistant U.S. Attorney Emory Hurley, the lead prosecutor in the probe.

The three Justice Department officials came under heavy criticism earlier this year when Sen. Charles E. Grassley of Iowa, ranking Republican on the Senate Judiciary Committee, and Rep. Darrell Issa, California Republican and chairman of the House Oversight and Government Reform Committee, discovered that hundreds of weapons sold to straw buyers in the Fast and Furious investigation had been “walked” to drug smugglers in Mexico.

At least two of those weapons — AK-47 assault rifles — turned up at the site of the fatal shooting of U.S. Border Patrol Agent Brian A. Terry, killed by Mexican bandits just north of the border near Nogales, Ariz.

“While the reckless disregard for safety that took place in Operation Fast and Furious certainly merits changes within the Department of Justice, the Oversight and Government Reform Committee will continue its investigation to ensure that blame isn’t offloaded on just a few individuals for a matter that involved much higher levels of the Justice Department,” Mr. Issa said.

“There are still many questions to be answered about what happened in Operation Fast and Furious and who else bears responsibility, but these changes are warranted and offer an opportunity for the Justice Department to explain the role other officials and offices played in the infamous efforts to allow weapons to flow to Mexican drug cartels,” he said.

Mr. Issa said he remained “very concerned” about a statement by Mr. Melson to the committee during a secret weekend session that the Justice Department was managing its response in a manner intended to protect its political appointees. He said he and Mr. Grassley would continue to “press the Department of Justice for answers in order to ensure that a reckless effort like Fast and Furious does not take place again.”

Sen. John Cornyn, Texas Republican and a Senate Judiciary Committee member, said that instead of reassigning those responsible for the Fast and Furious operation, Attorney general Eric H. Holder Jr. “should ask for their resignations and come clean on all alleged gun-walking operations, including a detailed response to allegations of a Texas-based scheme.”

Earlier this month, Mr. Cornyn sent a letter to Mr. Holder demanding answers following press reports of alleged Texas-based “gun-walking” programs similar to the Fast and Furious operation. To date, he said, Mr. Holder has refused to respond.

Mr. Holder, in announcing the reassignments, said that as a seasoned prosecutor and former military judge advocate, Mr. Jones was a “demonstrated leader who brings a wealth of experience to this position.”

“I have great confidence that he will be a strong and steady influence guiding ATF in fulfilling its mission of combating violent crime by enforcing federal criminal laws and regulations in the firearms and explosives industries,” Mr. Holder said.

Mr. Jones, a former U.S. Marine, will take over as acting ATF director on Wednesday. A Justice Department veteran, he has served as U.S. attorney for the District of Minnesota under two presidential administrations. He first served from 1998 to 2001 and was nominated again in 2009 by President Obama.

With regard to Mr. Burke, Mr. Holder said the Arizona prosecutor had “demonstrated an unwavering commitment to the Department of Justice and the U.S. Attorney's office, first as a line prosecutor over a decade ago and more recently as United States Attorney.

“Under his leadership, the office has made great progress in its pursuit of justice with the creation of special units focusing on civil rights enforcement and rule of law, as well as more robust outreach to key communities, particularly in Indian Country,” he said. “The office’s quick response to the devastating shootings in January that claimed the lives of several people and critically injured Congresswoman Gabrielle Giffords was crucial in arresting and charging the alleged shooter.”

Mr. Melson, in a statement, said he would miss working with ATF employees, but was confident that his continued work at the Justice Department would contribute in their pursuit and prosecution of violent criminals.”

“ATF employees are hard working and dedicated to the mission of protecting the public every day, and in my time here I have seen firsthand their extraordinary commitment to stopping violent crime,” he said.

Mr. Holder said Mr. Melson brought “decades of experience at the department and extensive knowledge in forensic science to his new role and I know he will be a valuable contributor on these issues.”

“As he moves into this new role, I want to thank Ken for his dedication to the department over the last three decades,” he said.

The Fast and Furious operation drew widespread criticism, sparking questions on who outside the agency knew that weapons were being taken from straw buyers in this country to Mexico. President Obama has said he did not authorize the program, and Mr. Holder also has pleaded ignorance, calling for an investigation by the Justice Department’s Office of Inspector General.

Mr. Issa said the consequences of arming Mexican drug cartels seemed obvious, but as the weapons kept turning up at crime scenes in Mexico, there “wasn’t enough for Justice Department officials to arrest straw purchasers and shut down their trafficking operations.”

At least 122 weapons linked to Operation Fast and Furious have been recovered at crime scenes in Mexico, according to a report by Mr. Issa and Mr. Grassley. More than 1,000 weapons are still unaccounted for, the report said, including AK-47 assault rifles, Barrett .50-caliber sniper rifles, .38-caliber revolvers and FN-57 semiautomatic pistols.

<http://www.washingtontimes.com/news/2011/aug/30/atf-replaces-director-amid-fast-furious-probe/?page=all#pagebreak>

Slate: ATF Loses its head in “Gunwalker Scandal” (August 30, 2011; 3:43 PM)

If you’re a federal law enforcement official, catching drug traffickers is a good thing. Selling guns to drug traffickers is generally a bad thing. Selling guns to drug traffickers in hopes of catching other drug traffickers? There the moral calculus gets a bit murkier. But it’s safe to say you’ve gone astray when the guns start turning up at hundreds of violent crime scenes all along the U.S.-Mexico border.

That was the disturbing outcome of “Operation Fast and Furious,” an undercover program run by the Bureau of Alcohol, Tobacco, Firearms and Explosives. Over 14 months, the ATF’s Phoenix office deliberately allowed thousands of weapons into the hands of suspected drug smugglers in hopes of snaring criminals higher up the chain of Mexican cartels. As the *Los Angeles Times* reported earlier this month, the program continued even as the bureau lost track of as many as 2,000 of the guns. It finally unraveled in January only after two of them turned up at the scene of an Arizona shootout that left a U.S. Border Patrol agent dead. No cartel leaders were ever arrested.

On Tuesday, the political fallout hit new levels as the Justice Department reassigned the ATF’s acting director, Kenneth Melson, and the federal prosecutor whose office oversaw the operation stepped down. Attorney General Eric Holder didn’t mention “Fast and Furious” in announcing the move, but Justice Department officials told the *Wall Street Journal* that was only because an internal investigation is in progress. Several other senior officials who worked on the operation from the ATF’s Phoenix office have also been reassigned in recent weeks.

Congress has gotten involved as well, with a pair of Republicans, Sen. Chuck Grassley of Iowa and Rep. Darrell Issa of California, leading the inquiries. Issa’s investigation revealed that Melson was regularly briefed on the operation. And on Tuesday, Sen. John Cornyn criticized Holder for simply reassigning Melson instead of firing him.

Conservatives may not emerge from the “gunwalker scandal” blameless either, however. The *Journal* points out an irony in the ATF’s crisis of leadership:

The ATF has been without a Senate-confirmed director since 2006, with both the Bush and Obama administrations unable to overcome opposition from gun-rights groups to win approval of nominees. In November, President Obama

nominated Andrew Traver, the head of the ATF's Chicago office, as permanent ATF director. The nomination stalled in the Senate after the National Rifle Association said Mr. Traver had a "demonstrated hostility" to the rights of gun owners.

http://slatest.slate.com/posts/2011/08/30/gunwalker_scandal_atf_head_kenneth_melson_reassigned_after_fast_.html

Arizona Republic: U.S. Attorney for Arizona resigns in wake of Fast and Furious investigation (August 30, 2011)

Dennis Burke, the United States Attorney for Arizona since 2009, resigned Tuesday morning.

Burke's resignation, effective immediately, is one of several personnel moves made in the wake of a federal gun-trafficking investigation that put hundreds of rifles and handguns from Arizona into the hands of criminals in Mexico. Burke's office provided legal guidance to the federal Bureau of Alcohol, Tobacco and Firearms on the flawed initiative called Operation Fast and Furious.

The news comes on the same day as a new acting director was named to oversee the Bureau of Alcohol, Tobacco, Firearms and Explosives following congressional hearings into Fast and Furious, an operation that was aimed at major gun-trafficking networks in the Southwest.

Burke's resignation was announced to his staff Tuesday morning, said former state Attorney General Grant Woods.

"I think Dennis has had more on his plate in two years than anyone that I can ever remember who assumed a top prosecutorial post," Woods said. "If you go in with nothing unusual, you have a full plate. Then you add to that the (Jared) Loughner case, the (Maricopa) County corruption case, the Fast and Furious controversy, all of the border issues and border cases that they've pursued, it's been pretty amazing -- like nothing I've ever seen."

Woods said Burke had "done an excellent job and I think he probably welcomes the chance to take a breather."

Former Arizona Sen. Dennis DeConcini said if the resignation is tied to Fast and Furious, it would be a misguided effort to lay blame on Burke.

"If his resignation is tied to Fast and Furious, it's ridiculous. It would be absolutely outrageous for 'Justice Main' to take it out on Dennis and make him the fall guy," DeConcini said. "It's just typical Washington cronyism. It just shows you how incompetent government can be to save themselves. It appears they screwed up, based on congressional hearings."

Ann Scheel will serve as acting U.S. Attorney for Arizona, under the Vacancies Reform Act and by virtue of her position as first assistant.

In an email he sent to the staff Tuesday, Burke said:

"The work in every corner of this office - your work - has been significant and impressive. When I first came to this office a decade ago as a line AUSA (Assistant United States Attorney), I knew this was an excellent office and did important work."

Burke added, "My long tenure in public service has been intensely gratifying. It has also been intensely demanding. For me, it is the right time to move on to pursue other aspects of my career and my life and allow the office to move ahead."

Questions about the Fast and Furious program began to emerge in the spring as a member of Congress began pressing ATF officials for answers about an operation that was designed to track small-time gun buyers until the guns reached the hands of major weapons traffickers along the southwestern border.

Instead, ATF agents ended up arresting low-level suspects and nearly 2,000 of the weapons were unaccounted for, with nearly two-thirds of those guns likely in Mexico, according to testimony federal firearms investigators gave to a

House committee in June.

Investigators also confirmed that two of the weapons connected to the ATF operations were found at the scene of a December gunbattle near Rio Rico, Ariz., that left Border Patrol Agent Brian Terry dead.

Terry's slaying effectively ended the operation.

Dozens of so-called straw buyers have been arrested, and more than 10,000 guns confiscated. However, the ATF came in for criticism from the Justice Department's Office of Inspector General last year because Project Gun Runner was catching only the straw buyers -- small fish in the smuggling business.

At a news conference in February, the ATF in Phoenix announced that 34 suspects had been indicted and that U.S. agents had seized 375 weapons as part of Operation Fast and Furious. None of those arrested was a significant cartel figure.

Sen. Charles Grassley, R-Iowa, ranking minority member of the Senate Judiciary Committee, has pressed the ATF for two months to disclose details of Project Gun Runner and to justify a policy that allowed weapons into a nation where there were more than 36,000 drug-related murders in four years.

Last month, William McMahon, the head of ATF's Western region, testified that the agency had good intentions when it launched Operation Fast and Furious in 2009. But looking back, there are things ATF would have done differently, he said.

Appearing before the House Oversight and Government Reform Committee, McMahon said he was committed to dismantling criminal networks on both sides of the border and that "in our zeal to do so, and in the heat of battle, mistakes were made. And for that I apologize."

Burke is not alone in having his career altered by the fallout from the Fast and Furious investigation.

William Newell, former special agent in charge of the ATF, was headed to work in Mexico as a federal liaison before the controversy erupted and has since been reassigned to a position in Washington, D.C.

McMahon and Special Agent David Voth were also laterally transferred from operational positions and moved into administrative roles, according to the ATF.

WSJ: ATF Chief Reassigned After Troubled Gun Sting (August 30, 2011; 12:51 PM)

The Justice Department reassigned the head of the Bureau of Alcohol, Tobacco, Firearms and Explosives amid criticism over a troubled federal antitrafficking operation.

The shakeup is part of an overhaul that Attorney General Eric Holder ordered after months of controversy over a gun-trafficking operation called Fast and Furious, which used tactics that allowed suspected smugglers to buy more than a thousand firearms. Many of the weapons are believed to have been trafficked to Mexican drug cartel gangs and have turned up in crime scenes in Mexico and the U.S.

Mr. Holder said of Mr. Jones, "I have great confidence that he will be a strong and steady influence guiding ATF in fulfilling its mission of combating violent crime by enforcing federal criminal laws and regulations in the firearms and explosives industries."

Other ATF and Justice Department officials involved in the program are expected to leave their posts in response to missteps in the operation. The controversy over the program has paralyzed a long-beleaguered agency buffeted by partisan battles.

Mr. Melson issued a statement saying: "ATF employees are hard working and dedicated to the mission of protecting the public every day, and in my time here I have seen firsthand their extraordinary commitment to stopping violent crime. I will miss working with them, but know that my continued work at the Department will contribute in their

pursuit and prosecution of violent criminals."

Rep. Darrell Issa (R., Calif.), chairman of the Oversight and Government Reform Committee, and Sen. Chuck Grassley (R., Iowa) have led congressional probes of the program.

The ATF Phoenix office ran the program in 2009-10 to monitor weapons purchases by suspected gun smugglers. Agency officials hoped eventually to build a case against major arms smugglers serving Mexican drug cartels. The ATF has struggled to stanch the flow of U.S. weapons to Mexican drug gangs.

The Fast and Furious operation came to light after an Arizona shootout in December that killed a U.S. border agent. Two assault weapons bought in a gun shop that was part of the operation were found at the scene. The shooter and the gun used to kill the agent haven't been identified. A Mexican national is charged in the shootout.

Mr. Jones, a former Marine, will continue to serve as the top federal prosecutor in Minnesota.

The ATF has been without a Senate-confirmed director since 2006, with both the Bush and Obama administrations unable to overcome opposition from gun-rights groups to win approval of nominees. In November, President Barack Obama nominated Andrew Traver, the head of the ATF's Chicago office, as permanent ATF director. The nomination stalled in the Senate after the National Rifle Association said Mr. Traver had a "demonstrated hostility" to the rights of gun owners.

<http://online.wsj.com/article/SB10001424053111904332804576540492675657816.html>

Fox News: ATF Director Reassigned; Sources Say U.S. Attorney Out Amid 'Fast and Furious' Uproar (August 30, 2011)

Acting ATF Director Kenneth Melson has been reassigned to a lesser post in the Justice Department and the U.S. attorney for Arizona is also "out," sources told Fox News Tuesday as fallout from Operation Fast and Furious reached new heights.

Melson's step down from his role as head of the Bureau of Alcohol, Tobacco, Firearms and Explosives to the position of senior adviser on forensic science in the Department of Justice's Office of Legal Programs is effective by close of business Tuesday, administration officials announced. U.S. Attorney for the District of Minnesota B. Todd Jones will replace Melson.

U.S. Attorney for Arizona Dennis Burke, one of the officials closely tied to Fast and Furious, is also a casualty in a shakeup tied to the botched gun-running program. Burke was on the hot seat last week with congressional investigators, and according to several sources, got physically sick during questioning and could not finish his session.

The purge of those responsible for the firearms trafficking scandal continued as new documents reveal a deeper involvement of federal agencies beyond ATF.

In Phoenix, Assistant U.S. Attorney Emory Hurley, who oversaw Fast and Furious on a day-to-day basis, was reassigned from the criminal to civil division. Also in Phoenix, three out of the four whistleblowers involved in the case have been reassigned to new positions outside Arizona. Two are headed to Florida, one to South Carolina.

Hurley's reassignment came after three ATF supervisors responsible for the operation were promoted. William G. McMahon, a former deputy director of operations, took over the Office of Professional Responsibility. Field supervisors William D. Newell and David Voth, also moved up despite heavy criticism.

The moves follow a series of reports on Fox News detailing the face-off between Attorney General Eric Holder, Rep. Darrell Issa, R-Calif., and Sen. Charles Grassley, R-Iowa, whose investigators have recently broadened their probe. It now reportedly shows a deeper involvement of the FBI, Drug Enforcement Administration and the Department of Homeland Security.

"While the reckless disregard for safety that took place in Operation Fast and Furious certainly merits changes within the Department of Justice, the Oversight and Government Reform Committee will continue its investigation to ensure that blame isn't offloaded on just a few individuals for a matter that involved much higher levels of the Justice Department," Issa, chairman of the House panel.

"There are still many questions to be answered about what happened in Operation Fast and Furious and who else bears responsibility, but these changes are warranted. ... I also remain very concerned by Acting Director Melson's statement that the Department of Justice is managing its response in a manner intended to protect its political appointees," Issa continued.

Operation Fast and Furious, a program designed to track illegal gun sales, turned into an embarrassing scandal after weapons linked to it were found at the scene of a U.S. Border Patrol agent's murder last year. Thousands of guns ended up in the hands of Mexican cartel members.

Melson has led the agency since April 2009 supplanting a Bush administration acting director who was also unable to get Senate confirmation over the objections of gun rights groups. It was during his tenure that the ATF Phoenix office began Operation Fast and Furious in the fall of 2009.

According to the Justice Department, Jones will take over ATF in place of Melson beginning Wednesday, and will continue to serve as a U.S. attorney. A permanent replacement at ATF would need to be confirmed by the U.S. Senate.

"As a seasoned prosecutor and former military judge advocate, U.S. Attorney Jones is a demonstrated leader who brings a wealth of experience to this position," Holder said. "I have great confidence that he will be a strong and steady influence guiding ATF in fulfilling its mission of combating violent crime by enforcing federal criminal laws and regulations in the firearms and explosives industries."

<http://www.foxnews.com/politics/2011/08/30/sources-atf-director-to-be-reassigned-amid-fast-and-furious-uproar/>

Washington Post: ATF Head Kenneth Melson reassigned amid gun-trafficking probe (August 30, 2011; 12:32 PM)

The head of the ATF has been reassigned amid an investigation into a controversial U.S. gun-trafficking operation, the Justice Department announced Tuesday.

Kenneth E. Melson, acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives, will become a senior advisor on forensic science in the department's Office of Legal Policy. He will be replaced at ATF by B. Todd Jones, the U.S. attorney in Minnesota.

government sources said was a mutual decision by Melson and Justice Department officials, follows months of controversy over the agency's "Operation Fast and Furious."

That now-defunct operation targeted Mexican gun traffickers, but it has been linked to the killing of a U.S. Border Patrol officer. Congressional Republicans have criticized ATF over the operation and are pushing to learn whether senior Justice Department officials were involved.

http://www.washingtonpost.com/politics/atf-head-kenneth-melson-reassigned-amid-gun-trafficking-probe/2011/08/30/gIQAjAIppJ_story.html

Reuters: ATF Chief Reassigned After Botched Sting (August 30, 2011; 12:19 PM)

The head of the U.S. agency that oversaw a botched attempt to track arms flowing to drug cartels in Mexico is being reassigned to the Justice Department headquarters, the Obama administration said on Tuesday.

Kenneth Melson, who has been acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives, has

been under fire and admitted mistakes in the sting operation meant to try to crack down on the flow of weapons to violent drug gangs.

He will be reassigned to the Justice Department's Office of Legal Policy as an advisor on forensic science, the Justice Department said. The U.S. Attorney for Minnesota, Todd Jones, will serve as acting ATF director.

One administration official said this is a chance for a "fresh start given everything they've gone through lately."

The operation, dubbed "Fast and Furious", has spawned congressional and internal Justice Department probes and put the Obama administration on the defensive about whether dangerous weapons were knowingly allowed to cross the border.

Republicans in the U.S. Congress have been demanding the Obama administration explain who knew what and when about the ATF program, which was conceived of and run out of the agency's Phoenix division.

Numerous weapons from the operation, which began in late 2009 and ran through 2010, have shown up at crime scenes in Mexico and the United States.

<http://ca.reuters.com/article/topNews/idCATRE77T3NT20110830>

CNN (Blog): Acting Director of ATF reassigned (August 30, 2011; 12:20 PM)

Kenneth Melson, the acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives who came under criticism for the "Fast and Furious" program involving illegal weapons sales, is being reassigned to the Department of Justice as a senior adviser on forensic issues, the department announced Tuesday.

The announcement said that Todd Jones, a U.S. attorney from Minnesota, will become the acting director of ATF.

<http://news.blogs.cnn.com/2011/08/30/acting-director-of-atf-reassigned/>

CNN International: ATF Head Reassigned in wake of 'Fast and Furious' Controversy (August 30, 2011; 12:45 PM)

Kenneth Melson, the acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives who came under criticism for the "Fast and Furious" operation involving illegal weapons sales, is being reassigned to the Justice Department as a senior adviser on forensic issues, the department announced Tuesday.

The announcement said that Todd Jones, a U.S. attorney from Minnesota, will become the acting director of ATF starting Wednesday.

Operation Fast and Furious allowed thousands of heavy-duty assault-type weapons to be illegally purchased. In the operation, straw buyers -- people who buy the weapons for others who might not legally be allowed to buy them -- were allowed to purchase illegally large numbers of weapons, some of which ended up in the hands of cartels in Mexico.

The operation has come under intense criticism since the December killing of U.S. Border Patrol Agent Brian Terry in Arizona. Two weapons that were allowed to be sold under the Fast and Furious program were found at the crime scene.

Last month, Sen. Charles Grassley, R-Iowa, and Rep. Darrell Issa, R-California, sent letters to agencies including the FBI and Drug Enforcement Administration demanding specific information and documents on the operation.

The letters followed a closed July 4 meeting between investigators and Melson, who sources said implicated FBI and DEA involvement in the controversial firearms purchasing operation.

Federal law enforcement officials familiar with the case said Melson was fighting to keep his job, and was unwilling

to be a "fall guy" for Operation Fast and Furious.

The letters called for answers to a series of questions about informants, FBI and DEA officials in Arizona and Texas and the case agent from Tucson in charge of the Terry murder investigation.

The letters also demanded e-mails, memoranda, briefing papers and handwritten notes relating to the operation.

Operation Fast and Furious was "a colossal failure of leadership," Peter Forcelli, an ATF supervisor in Phoenix, has said.

The program focused on following people who legally bought weapons that were then transferred to criminals and destined for Mexico. But instead of intercepting the weapons when they switched hands, Operation Fast and Furious called for ATF agents to let the guns "walk" and wait for them to surface in Mexico, according to a report by the House Oversight and Government Reform Committee.

The idea was that once the weapons in Mexico were traced back to the straw purchasers, the entire arms smuggling network could be brought down. Instead, the report argues, letting the weapons slip into the wrong hands was a deadly miscalculation that resulted in preventable deaths, including that of Terry.

In Mexico, the case has drawn nationwide attention and sharp criticism from top officials, who have long stressed that U.S. weapons are fueling the country's drug war.

The Mexican attorney general's office demanded a quick U.S. investigation of the matter in March and said authorities must hold accountable anyone who was responsible for the operation.

<http://www.cnn.com/2011/POLITICS/08/30/fast.and.furious.melson/>

CBS News: Gunwalker Scandal: ATF Director out of top job (August 30, 2011; 11:13 AM)

ATF Acting Director Kenneth Melson is being moved out of the top job at the Bureau, ATF Special Agents in Charge announced during a conference call with reporters today. He will transfer to the Justice Department and assume the position of senior advisor, Office of Legal Programs.

Melson's move is another in a number of high-level personnel shifts, as the Inspector General continues investigating the so-called gunwalker scandal at the Justice Department and the Bureau of Alcohol, Tobacco and Firearms.

The gunwalking scandal centered on an ATF program that allowed thousands of high-caliber weapons to knowingly be sold to so-called "straw buyers" who are suspected as middlemen for criminals. Those weapons, according to the Department of Justice, have been tied to at least 12 violent crimes in the United States, and an unknown number of violent crimes in Mexico.

Dubbed operation "Fast and Furious," the plan was designed to gather intelligence on gun sales, but ATF agents have told CBS News and members of Congress that they were routinely ordered to back off and allow weapons to "walk" when sold.

Sources tell CBS News that the Assistant US Attorney in Phoenix Emory Hurley, who helped oversee the controversial case, is expected to be transferred out of the Criminal Division into the Civil Division. Justice Department officials provided no immediate comment or confirmation. Hurley's boss, US Attorney in Arizona Dennis Burke, was interviewed by Congressional investigators behind closed doors on August 18.

Previously, ATF Phoenix Special Agent in Charge Bill Newell was reassigned to headquarters, and two Assistant Special Agents in Charge under Fast and Furious, George Gillett and Jim Needles, were also moved to other positions.

http://www.cbsnews.com/8301-31727_162-20099228-10391695.html

POLITICO: Kenneth Melson, acting ATF chief, steps down (August 30, 2011; 12:21 PM)

The man who led the controversial Fast and Furious anti-gun-trafficking operation will step down as the interim head of Bureau of Alcohol, Tobacco, Firearms and Explosives, the Justice Department announced Tuesday as it named a new acting director for the agency.

Kenneth Melson, the bureau's acting director, on Wednesday will move to the Office of Legal Policy, where he will be a senior adviser on forensic science, the department said, without making reference to the failed gun-tracking operation that is alleged to have ultimately put guns into the hands of criminals.

Ken brings decades of experience at the department and extensive knowledge in forensic science to his new role and I know he will be a valuable contributor on these issues," Attorney General Eric Holder said in a statement. "As he moves into this new role, I want to thank Ken for his dedication to the department over the last three decades."

Melson's replacement is B. Todd Jones, the U.S. Attorney for the District of Minnesota. Jones "is a demonstrated leader who brings a wealth of experience to this position," Holder said. "I have great confidence that he will be a strong and steady influence guiding ATF in fulfilling its mission of combating violent crime by enforcing federal criminal laws and regulations in the firearms and explosives industries."

Melson took the top spot at the ATF on an interim basis in 2009 and oversaw the execution of Fast and Furious, an effort that was aimed at rooting out gun smugglers selling weapons to Mexican cartels. Ultimately, the ATF lost track of as many as 2,000 guns that were sold during the operation, including two that were found near the scene of the killing of a Border Patrol agent.

An investigation of the operation by the House Oversight and Government Reform Committee found emails showing that Melson was regularly informed of the problems with the investigation.

One associate told POLITICO that despite news stories predicting Melson's exit since the beginning of the summer, he may have been reluctant to resign due to issues related to eligibility for retirement. Melson started at the Justice Department in 1983 as a federal prosecutor in Virginia.

In June, Rep. Darrell Issa (R-Calif.), chairman of the House oversight committee, called on Melson to resign. But by July, Issa reversed course, saying that Melson should not be forced out until the facts about the operation were fully known.

The ATF has been without a permanent director since 2006. The confirmation process for the Obama administration's nominee, Andrew Traver, the head of the agency's Chicago office, has stalled under opposition from the National Rifle Association.

<http://www.politico.com/news/stories/0811/62320.html>

Huffington Post: Kenneth Melson Resigns As ATF Chief Over 'Fast And Furious' Gun Trafficking Operation (August 30, 2011; 12:30 PM)

Kenneth Melson is out as head of the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Department of Justice announced Tuesday.

Melson has been under fire from Republicans over the scandal surrounding the gun trafficking program Operation Fast and Furious. The Justice Department announced that Melson will be moving back to the Department of Justice to serve in the Office of Legal Programs.

Melson has been under pressure to step aside since earlier this summer, after a House Oversight Committee hearing revealed controversial aspects of the program. ATF agents charged with monitoring the illegal sale and transfer of guns from the U.S. To Mexican drug cartels told lawmakers that, instead of arresting small-time buyers, they were

ordered to stand by and let the guns go through, in the hopes of tracing them to larger arms dealers.

After border patrol agent Brian Terry was murdered in a shootout along the Arizona-Mexico border in December 2010, two weapons found on the scene were linked that the Fast and Furious program.

This month, the Justice Department announced that guns from the program had turned up at the scenes of at least 11 crimes in the U.S. In El Paso, Texas, 42 weapons were seized from two crime scenes alone.

Melson "was part of the bad judgment. ... This was a program so stupid from the start," Rep. Darrell Issa (R-Calif.), the head of the Oversight Committee, told Fox News in June.

In July, after a review of the program, Melson admitted that, in at least one instance, agents could and should have intercepted the weapons. "I read through those and found ROIs (reports of investigation) that indeed suggested that interdiction could have occurred, and probably should have occurred, but did not occur," Melson told congressional lawmakers.

http://www.huffingtonpost.com/2011/08/30/kenneth-melson-atf-fast-furious-guns_n_941909.html

TPM: Report – ATF Director Melson To Step Down Over Fast and Furious Program (August 30, 2011; 11:40 AM)

Ken Melson, the acting deputy director of the Bureau of Alcohol, Tobacco, Firearms and Explosives, will announce later today that he's stepping down as the head of ATF amidst probes of a controversial anti-gun trafficking program, the *Los Angeles Times* reported.

Melson was expected to share the news in a conference call with supervisors of the bureau's offices at 11:30 am, the newspaper said.

As head of ATF, Melson oversaw the Fast and Furious scandal, an effort intended to curb gun trafficking on the Mexican border. Many guns that were allowed to "walk" ended up in the hands of Mexican drug cartels.

Fast and Furious and Project Gunrunner have been under investigation by the Justice Department's Inspector General and the House Oversight Committee headed up by Rep. Darrell Issa (R-CA). A Justice Department spokeswoman did not immediately respond to a request for comment. More background on the Fast and Furious scandal here.

http://tpmmuckraker.talkingpointsmemo.com/2011/08/report_atf_director_melson_to_step_down_over_fast.php

National Journal: Acting Head of Bureau of Alcohol, Tobacco, and Firearms is Reassigned (August 30, 2011; 12:54 PM)

The embattled head of the Bureau of Alcohol, Tobacco, Firearms, and Explosives is being replaced in the aftermath of a botched sting operation that allowed guns to knowingly fall into the hands of violent criminals in Mexico.

Kenneth Melson will be replaced as acting ATF director by U.S. Attorney for the District of Minnesota B. Todd Jones, the Justice Department announced on Tuesday. Jones is expected to assume the new position on Wednesday. Melson is being reassigned as a senior adviser on forensic science in the Office of Legal Policy, the department said.

Melson came under fire for a program called Operation Fast and Furious, which was ran out of the ATF Phoenix field office. The operation has been halted and is under investigation by lawmakers and the Justice Department's inspector general for failing to stop guns from flowing into Mexico.

The Justice Department did not mention Operation Fast and Furious in announcing the changes.

A congressional investigation into the operation being led by House Oversight and Government Reform Chairman **Darrell Issa**, R-Calif., and Senate Judiciary ranking member **Charles Grassley**, R-Iowa, is examining how high up within the administration the program was known about and authorized.

Minn. Post: B. Todd Jones to be interim ATF Chief, keep Minnesota U.S. Attorney Job (August 30, 2011; 12:19 PM)

U.S. Attorney for Minnesota B. Todd Jones has been named interim director of the Bureau of Alcohol Tobacco Firearms and Explosives after a gun trafficking incident led to the ouster of Acting Director Kenneth Melson.

Jones was appointed U.S. attorney by President Obama in 2009, after serving an earlier stint in the job under President Clinton. He'll keep his U.S. attorney duties while doing the ATF job.

The agency, which has been in the spotlight after a controversial gun trafficking investigation in Phoenix allowed hundreds of firearms to fall into the hands of Mexican drug cartel enforcers and criminals, was shut down when two weapons purchased by a target of the effort were recovered at the scene of a shootout where a U.S. Border Patrol agent was killed.

In announcing Jones' appointment, Attorney General Eric Holder said:

"As a seasoned prosecutor and former military judge advocate, Jones is a demonstrated leader who brings a wealth of experience to this position. I have great confidence that he will be a strong and steady influence guiding ATF in fulfilling its mission of combating violent crime by enforcing federal criminal laws and regulations in the firearms and explosives industries."

<http://www.minnpost.com/politicalagenda/2011/08/30/31208>

[/b todd jones to be interim atf chief keep minnesota us attorney job](#)

New York Post: ATF Head Reassigned in Wake of Gun-Running Scandal (August 30, 2011; 1:20 PM)

Kenneth Melson, who presided over the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) during an embarrassing federal gun-running scandal, has been reassigned amid a spate of staff changes related to the highly-criticized program, the Department of Justice announced Tuesday.

Melson will step down from the position of acting director to become senior adviser on forensic science for the office of legal policy at the Justice Department. US Attorney for the District of Minnesota B. Todd Jones will replace Melson as ATF's acting director, the department said.

Melson's widely-expected reassignment continues an ongoing purge of those responsible for the program known as Operation Fast and Furious, FOX News Channel reported.

Fast and Furious, which began in the fall of 2009 under Melson's leadership, was intended as a sting operation to stop illegal gun trafficking on the Southwest border. Instead, the ATF lost track of more than a thousand firearms, which made their way into the hands of dangerous Mexican drug cartels.

Other US officials closely tied to the program have also been reassigned or removed.

Emory Hurley, the Assistant US Attorney responsible for the day-to-day operations of the operation was reassigned from the criminal division to the civil division, FOX said. US Attorney for Arizona Dennis Burke has been removed from his post.

Attorney General Eric Holder has said he did not know about the operation until the controversy erupted following the December 2010 shooting death of Border Patrol agent Brian Terry, which was linked to guns supplied by the Fast and Furious program.

After the staff changes, Rep. Darrell Issa (R-Calif.), who chairs the House Oversight and Government Reform Committee that has led the probe into the program said his panel will continue its investigation into those responsible for Operation Fast and Furious.

"There are still many questions to be answered about what happened in Operation Fast and Furious and who else bears responsibility, but these changes are warranted and offer an opportunity for the Justice Department to explain the role other officials and offices played in the infamous efforts to allow weapons to flow to Mexican drug cartels," Issa said in a statement.

"I also remain very concerned by Acting Director Melson's statement that the Department of Justice is managing its response in a manner intended to protect its political appointees," Issa added.

http://www.nypost.com/p/news/national/atf_head_reassigned_in_wake_of_gun_fJEhMwcRsk4Vh28ibNQHfl

Tucson Sentinel: U.S. Attorney, ATF Director Step Down over Fast & Furious (August 30, 2011; 9:45 AM)

The acting director of the ATF, Kenneth Melson, and the U.S. attorney for Arizona, Dennis Burke, are resigning over the controversial gun-running investigation known as Fast and Furious.

Melson announced the moves in a Tuesday morning conference call. Burke released a statement shortly after.

The ATF acting director will become a senior advisor in the Department of Justice. Burke has delivered a letter of resignation to the president, his office said.

The moves follow a call by Republicans for an investigation into the ATF probe.

"While the reckless disregard for safety that took place in Operation Fast and Furious certainly merits changes within the Department of Justice, the Oversight and Government Reform Committee will continue its investigation to ensure that blame isn't offloaded on just a few individuals for a matter that involved much higher levels," said Rep. Darrell Issa, R-Calif., in a press release.

Burke's resignation, which is effective immediately, comes just days after he testified before Issa's committee. The Fast and Furious operation has become a political scandal after many weapons tracked by the ATF were smuggled into Mexico. Weapons purchased by straw buyers in transactions known to the ATF were found at the scene of a Rio Rico fire that killed Border Patrol Agent Brian Terry last December.

ATF officials have testified that the operation was aimed at taking down large-scale gun trafficking networks. Agents watched illegal gun sales, sometimes with the cooperation of firearms dealers, and tracked the movement of the weapons. In many cases, the agency lost track of the guns.

"My long tenure in public service has been intensely gratifying. It has also been intensely demanding. For me, it is the right time to move on to pursue other aspects of my career and my life and allow the office to move ahead," Burke said in an email to his staff.

Burke did not reference the Fast and Furious investigation in his statement.

Ann Scheel, an assistant U.S. attorney, will act in Burke's place until a replacement is appointed.

Burke has served as the U.S. attorney for the state since September 2009. He is a former advisor to Homeland Security Secretary Janet Napolitano, and served as her chief of staff when she was governor. Prior to that, Burke worked in the state attorney general's office.

U.S. Attorney General Eric Holder praised Burke's work in a statement.

"Under his leadership, the office has made great progress in its pursuit of justice with the creation of special units focusing on civil rights enforcement and rule of law, as well as more robust outreach to key communities, particularly in Indian Country," Holder said. "The office's quick response to the devastating shootings in January that claimed the lives of several people and critically injured Congresswoman Gabrielle Giffords was crucial in arresting and charging the alleged shooter."

Melson's move to a different position in DOJ drew criticism from Sen John Cornyn, R-Tex.

"Instead of reassigning those responsible for Fast and Furious within the Department of Justice," Cornyn said, "Atty. Gen. Holder should ask for their resignations and come clean on all alleged gun-walking operations, including a detailed response to allegations of a Texas-based scheme.

http://www.tucson sentinel.com/local/report/083011_us_attorney/us-attorney-atf-director-step-down-over-fast-furious/

UPI: ATF Acting Chief Steps Down (August 30, 2011; 1:02 PM)

The U.S. Bureau of Alcohol, Tobacco, Firearms and Explosive official who oversaw the Operation Fast and Furious gun-trafficking probe says he is resigning.

Kenneth Melson told field office supervisors of his decision to step aside as ATF acting director during a conference call Tuesday, sources told the Los Angeles Times.

Melson said he would return to the Justice Department as a senior adviser with the Office of Legal Programs.

Kenneth Melson came under fire for Operation Fast and Furious, which unintentionally allowed U.S. guns to be purchased by Mexican gun cartels. The undercover plan to track guns to bring down smuggling networks became controversial when many of the guns disappeared and one was used to kill a U.S. Border Patrol agent

http://www.upi.com/Top_News/US/2011/08/30/AFT-acting-chief-steps-down/UPI-24371314723767/?spt=hs&or=tn

The Blog of Legal Times: Holder Names New ATF Leader Amid Criticism of Gun Sting (August 30, 2011)

The embattled head of the federal alcohol, tobacco and firearms bureau, criticized for months for a firearms investigation dubbed "Fast and Furious," was reassigned today, the U.S. Justice Department announced.

Kenneth Melson, who came under fire for a bureau operation that allowed guns to travel from the United States into Mexico, was named today the senior adviser on forensic science for the department's Office of Legal Policy.

Attorney General Eric Holder Jr. named B. Todd Jones, the U.S. attorney for Minnesota, the acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

In a prepared statement, Holder called Jones a veteran prosecutor and a "demonstrated leader who brings a wealth of experience to this position." Jones will take over for Melson on Aug. 31, Holder said.

Jones was a partner with Robins, Kaplan, Miller & Ciresi from 2001 to 2009 and, earlier, a partner with Greene Espel. He served as an assistant U.S. attorney in Minnesota in the 1990s.

The Justice Department said Melson in his new role will focus on policy development in forensic science. Melson has served as the acting director of ATF since 2009.

The House of Representatives oversight committee chairman Darrell Issa (R-Calif.) and Sen. Chuck Grassley, Republican of Iowa, have led the congressional investigation of the Fast and Furious sting.

The bureau's operation, critics contend, allowed guns into the hands of drug traffickers in Mexico. One of the firearms flagged in the sting has been linked to the murder of a federal agent.

On July 4, Melson testified before the House Oversight Committee. He told investigators, according to Grassley's office, that agents witnessed gun transfers from straw purchaers to third parties without follow-up.

Issa and Grassley have long complained that the Justice Department has not fully cooperated in the congressional probe of the ATF gun sting. In a [letter last month to Holder](#), Issa and Grassley said DOJ “seems to have been unable to fully grasp the magnitude and seriousness of this issue.”

Justice Department officials have said the [department is conducting an internal probe](#) of Fast and Furious.

DOJ also said today that Dennis Burke, the U.S. attorney for Arizona, is resigning. Grassley said last month the ATF group that carried out Fast and Furious was under the direct supervision of the Arizona U.S. Attorney’s office.

Holder said in a statement that Burke supervised an office that "has made great progress in its pursuit of justice with the creation of special units focusing on civil rights enforcement and rule of law, as well as more robust outreach to key communities, particularly in Indian Country."

<http://legaltimes.typepad.com/blt/2011/08/holder-names-new-atf-leader-amid-criticism-of-gun-sting.html>

Market Watch: ATF Acting Chief Resigns Over ‘Fast and Furious’ (August 30, 2011; 12:32 PM)

Kenneth Melson, under fire for his agency's handling of the "Fast and Furious" gun-trafficking probe, is resigning from his post as the acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives. Melson, who plans to move back to the Department of Justice as an adviser with the Office of Legal Programs, will be replaced by B. Todd Jones, U.S. Attorney for the District of Minnesota. "Fast and Furious" was an attempt to track gun sales and learn how weapons were moved to Mexico with the goal of nabbing those running the gun-smuggling operations. But the ATF lost track of many of the guns and even when they did follow them, buyers often turned out to be Mexicans living legally in the U.S. rather than smugglers.

http://www.marketwatch.com/story/atf-acting-chief-resigns-over-fast-and-furious-2011-08-30?link=MW_latest_news

Minn. Business Journal: Minnesota’s U.S. Attorney to Lead ATF (August 30, 2011; 11:55 AM)

U.S. Attorney **B. Todd Jones** has been named acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the Department of Justice said Tuesday.

Jones will remain Minnesota's U.S. Attorney even after he takes on the new role, which starts Wednesday.

“As a seasoned prosecutor and former military judge advocate, U.S. Attorney Jones is a demonstrated leader who brings a wealth of experience to this position,” U.S. Attorney General **Eric Holder** said in a statement. “I have great confidence that he will be a strong and steady influence guiding ATF in fulfilling its mission of combating violent crime by enforcing federal criminal laws and regulations in the firearms and explosives industries.”

He replaces **Kenneth Melson** as the agency finds itself under congressional scrutiny for a gun trafficking investigation that allowed suspected straw buyers for Mexican drug cartels to obtain thousands of weapons. Melson has been named senior advisor on forensic science for the Office of Legal Policy.

Jones was formerly a partner at Minneapolis law firms Robins, Kaplan, Miller & Ciresi and Greene Espel.

<http://www.bizjournals.com/twincities/blog/law/2011/08/minnesotas-us-attorney-to-lead-atf.html>

Minnesota Public Radio: Minnesota’s U.S. Attorney to direct ATF (August 30, 2011; 11:50 AM)

Minnesota's U.S. Attorney B. Todd Jones will take over as acting director of the Bureau of Alcohol, Tobacco and Firearms. Jones, who was serving his second stint as U.S. Attorney, will take over an agency that has been receiving heavy criticism over the past few months. The former head of the ATF, Kenneth Melson, was criticized for a botched sting operation that resulted in guns getting into the hands of violent criminals in Mexico.

"As a seasoned prosecutor and former military judge advocate, U.S. Attorney Jones is a demonstrated leader who

brings a wealth of experience to this position," said Attorney General Eric Holder in a [news release](#). "I have great confidence that he will be a strong and steady influence guiding ATF in fulfilling its mission of combating violent crime by enforcing federal criminal laws and regulations in the firearms and explosives industries."

The news release says Jones will continue to serve in the capacity of U.S. Attorney when he assumes the role of ATF acting director on Aug. 31, 2011.

http://minnesota.publicradio.org/collections/special/columns/polinaut/archive/2011/08/minnesotas_us_a.shtml

LA Times: Kenneth Melson, who oversaw ATF's Fast and Furious, steps down (August 30, 2011; 9:30 AM)

Kenneth E. Melson, who has faced heavy criticism in connection with the controversial Fast and Furious gun-trafficking investigation, announced Tuesday that he is stepping down as acting director of the [Bureau of Alcohol, Tobacco, Firearms and Explosives](#).

Also resigning is Dennis Burke, the U.S. attorney in Phoenix whose office oversaw the Fast and Furious program, in which ATF agents purposely allowed weapons to be illegally purchased in the hope of catching Mexican drug cartel leaders.

Melson shared the news in a conference call at 11:30 a.m. EDT with supervisors at the bureau's field offices, telling them that he will be moving back to the Department of Justice to serve as a senior advisor with the Office of Legal Programs. His resignation will take effect at 5 p.m. EDT.

Attorney Gen. Eric H. Holder Jr. announced that B. Todd Jones, the U.S. attorney in Minneapolis, will replace Melson as acting director, effective Wednesday.

Despite the problems with Fast and Furious under Melson's tenure, Holder praised the outgoing acting director and his new responsibilities.

"Ken brings decades of experience at the department and extensive knowledge in forensic science to his new role and I know he will be a valuable contributor on these issues," Holder said. "As he moves into this new role, I want to thank Ken for his dedication to the department over the last three decades."

But simply transferring Melson within the [Justice Department](#) did not immediately sit well with some critics, including Sen. John Cornyn (R-Texas), who has asked Justice officials for an accounting of all Fast and Furious cases in Texas.

"Instead of reassigning those responsible for Fast and Furious within the Department of Justice," Cornyn said, "Atty. Gen. Holder should ask for their resignations and come clean on all alleged gun-walking operations, including a detailed response to allegations of a Texas-based scheme."

Under Melson's leadership, ATF launched Operation Fast and Furious, through which agents were to watch -- and in some cases record on video -- illegal gun sales and then use surveillance teams and electronic eavesdropping to follow the guns and learn how the weapons were moved. The goal was to arrest cartel leaders overseeing gun smuggling on the U.S. side of the border with [Mexico](#).

But the chase for guns and cartel leaders soon hit a dead end. The ATF was attempting to follow each of the weapons as they were moved from the straw men who bought them illegally at gun shops to what officials expected would be cartel higher-ups in the U.S., who would move them to Mexico.

The agency, which didn't have the resources to follow so many weapons, soon lost track of many of them. When officials did follow them to the next level, the buyers of the guns often turned out to be Mexicans living legally in the U.S. and not cartel honchos.

An investigation by the House Oversight and Government Reform Committee, chaired by Rep. [Darrell Issa](#) (R-Calif.), uncovered emails that showed Melson was regularly briefed on the botched operation.

<http://www.latimes.com/news/nationworld/nation/la-pn-atf-director-resign-20110830,0,4064414.story>

Bloomberg: U.S. Firearms Agency Chief Leaves After Criticism on Illegal-Guns Strategy (August 30, 2011; 1:02 PM)

Kenneth Melson, the acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives, was reassigned after lawmakers criticized his department for a program that allowed illegal gun purchases in the U.S. in an effort to link the weapons to Mexican drug cartels.

Melson will become a senior adviser on forensic science in the [Justice Department](#)'s Office of Legal Policy, Attorney General Eric Holder said in a statement today.

The U.S. attorney for Minnesota, B. Todd Jones, will take over as acting chief of the firearms agency, the statement said.

Holder didn't explain the reason for the change.

The ATF gun operation, called Fast and Furious, has been the subject of a congressional investigation. Two of about 2,000 guns that ATF allowed to be carried away were found at the Arizona murder scene of U.S. Border Patrol agent Brian Terry in December 2010, according to a report released in June by [Darrell Issa](#), of [California](#), chairman of the House Oversight and Government Reform Committee, and Chuck Grassley, of [Iowa](#), the top Republican on the Senate Judiciary Committee.

The operation sought to show a connection between straw buyers of assault-style weapons in the U.S. and Mexican drug trafficking organizations working on both sides of the border, according to the report.

<http://www.bloomberg.com/news/2011-08-30/u-s-firearms-agency-chief-leaves-after-criticism-on-illegal-guns-strategy.html>

USA Today: ATF Chief Ousted Amid Gun Trafficking Probes (August 30, 2011; 12:39 PM)

The acting director of the beleaguered Bureau of Alcohol Tobacco Firearms and Explosives was ousted today in the midst of ongoing congressional and internal Justice inquiries into a controversial gun trafficking investigation that allowed hundreds of firearms to fall into the hands of Mexican drug cartel enforcers and criminals in the U.S., USA TODAY's Kevin Johnson reports

Attorney General Eric Holder said B. Todd Jones, the top federal prosecutor in Minnesota, would replace Kenneth Melson as acting director of the ATF. Holder said Melson will become senior advisor on forensic science in the Justice Department's Office of Legal Policy.

"As a seasoned prosecutor and former military judge advocate, Jones is a demonstrated leader who brings a wealth of experience to this position," Holder said. "I have great confidence that he will be a strong and steady influence guiding ATF in fulfilling its mission of combating violent crime by enforcing federal criminal laws and regulations in the firearms and explosives industries."

<http://content.usatoday.com/communities/ondeadline/post/2011/08/atf-chief-ousted-amid-gun-trafficking-probes/1>

AP: Amid Controversy, ATF gets a new acting director (August 30, 2011; 12:35PM)

A new acting director is taking over at the Bureau of Alcohol, Tobacco, Firearms and Explosives following congressional hearings into a flawed law enforcement operation aimed at major gun-trafficking networks in the Southwest.

The Justice Department says the U.S. Attorney in Minnesota, B. Todd Jones, will replace the bureau's acting director, Kenneth Melson.

Picture (Device Independent Bitmap)del.icio.us

Picture (Device Independent Bitmap)Digg It!

Picture (Device Independent Bitmap)yahoo

Picture (Device Independent Bitmap)Facebook

Picture (Device Independent Bitmap)Twitter

Picture (Device Independent Bitmap)Reddit

Picture (Device Independent Bitmap)rss

Melson will become senior adviser on forensic science in the Justice Department's Office of Legal Policy.

ATF has been criticized by Republicans on Capitol Hill for a law enforcement operation in Arizona designed to track small-time gun buyers up to major weapons traffickers along the Southwest border.

ATF intelligence analyst Lorren Leadmon testified that of more than 2,000 weapons linked to the operation, some 1,400 have not been recovered.

http://www.forbes.com/feeds/ap/2011/08/30/general-us-atf-director_8650350.html

The Hill: ATF Head Removed by DOJ after 'fast and furious' controversy (August 30, 2011; 12:29 PM)

The head of the ATF has been removed after months of speculation about his role in a botched gun tracking operation that may have contributed to the death of a Border Patrol agent.

The Department of Justice (DOJ) announced on Tuesday that acting director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) Kenneth Melson was being replaced. Melson is being transferred to the Office of Legal Policy, where he will be a senior advisor.

U.S. Attorney for the District of Minnesota Todd Jones will take over as acting ATF director, according to the Department of Justice.

Melson has been in Congress's crosshairs for the majority of this year as Sen. Chuck Grassley (R-Iowa) and Rep. Darrell Issa (R-Calif.) investigated the ATF's botched gun tracking operation, Fast and Furious. The operation oversaw the sale of thousands of firearms to known and suspected straw purchasers for Mexican drug cartels.

Issa, who is the chairman of the House Oversight and Government Reform Committee, called for Melson's resignation in June, but two weeks later he backed away from those demands when Melson came to Capitol Hill on the July 4th holiday with his own personal lawyer to conduct a transcribed interview with Issa and Grassley's staff.

Attorney General Eric Holder heralded Jones, saying he will provide the ATF with the necessary leadership to strengthen the agency.

"As a seasoned prosecutor and former military judge advocate, U.S. Attorney Jones is a demonstrated leader who brings a wealth of experience to this position," Holder said.

"I have great confidence that he will be a strong and steady influence guiding ATF in fulfilling its mission of combating violent crime by enforcing federal criminal laws and regulations in the firearms and explosives industries."

The Fast and Furious operation came under congressional scrutiny after whistleblowers within the ATF brought it to Grassley's attention. ATF agents said they were told to monitor the sale of thousands of guns in the southwest region with the hope of tracking them back to Mexican drug cartels and dismantling their trafficking networks.

But agents were often told to abandon the surveillance of the weapons, allowing them and the straw buyers to disappear, according to testimony from numerous agents before the House. The only remaining hope for agents to track the guns was if other agencies found them at a murder scene or during a drug raid and they could compare the serial numbers on the found guns with the recorded numbers on the guns sold during the operation.

Officials linked two weapons found at the Arizona murder scene last December of Border Patrol Agent Brian Terry, and according to testimony, they are terrified that some of the thousands of guns still at-large will be used to kill more innocent people.

Melson has never been implicitly indicated as approving the tactic of letting the guns "walk" but Issa has argued that as the head of the agency, he should have been aware of the operation.

The DOJ inspector general is conducting its own investigation of the operation and both Holder and President Obama have declined to comment in any detail about Fast and Furious until that is completed.

<http://thehill.com/homenews/administration/178735-atf-head-removed-after-fast-and-furious-controversy>

Daily Caller: Eric Holder Removes Acting ATF Director amid Fast and Furious scandal (August 30, 2011; 1:02 PM)

Attorney General Eric Holder announced on Tuesday that he's pulling acting Bureau of Alcohol, Tobacco, Firearms and Explosives director Ken Melson out of his spot.

According to the Justice Department, Melson will take on the role of a "senior adviser" in the DOJ's Office of Legal Policy.

"Ken brings decades of experience at the department and extensive knowledge in forensic science to his new role and I know he will be a valuable contributor on these issues," Holder said in a statement. "As he moves into this new role, I want to thank Ken for his dedication to the department over the last three decades."

Holder named Minnesota district U.S. Attorney B. Todd Jones to take over for Melson as acting ATF director.

"As a seasoned prosecutor and former military judge advocate, U.S. Attorney Jones is a demonstrated leader who brings a wealth of experience to this position," Holder said about picking Jones. "I have great confidence that he will be a strong and steady influence guiding ATF in fulfilling its mission of combating violent crime by enforcing federal criminal laws and regulations in the firearms and explosives industries."

The shakeup comes in the middle of House Oversight Committee chairman Rep. Darrell Issa's investigation into the controversial Operation Fast and Furious. Melson secretly met with Congressional investigators from Issa's and Sen. Chuck Grassley's team on July 4 and provided them with information about the program.

"While the reckless disregard for safety that took place in Operation Fast and Furious certainly merits changes within the Department of Justice, the Oversight and Government Reform Committee will continue its investigation to ensure that blame isn't offloaded on just a few individuals for a matter that involved much higher levels of the Justice Department," Issa said in a statement. "There are still many questions to be answered about what happened in Operation Fast and Furious and who else bears responsibility, but these changes are warranted and offer an opportunity for the Justice Department to explain the role other officials and offices played in the infamous efforts to allow weapons to flow to Mexican drug cartels."

Issa said he's also "very concerned" after Melson said the DOJ "is managing its response in a manner intended to protect its political appointees."

“Senator Grassley and I will continue to press the Department of Justice for answers in order to ensure that a reckless effort like Fast and Furious does not take place again,” Issa said.

<http://dailycaller.com/2011/08/30/eric-holder-removes-acting-atf-director-amid-fast-and-furious-scandal/>

NPR: Under Scrutiny for ‘Fast And Furious,’ ATF Announces New Leader (August 30, 2011; 12:36 PM)

Justice Department officials announced Tuesday that the troubled Bureau of Alcohol, Tobacco, Firearms and Explosives has a new leader. Officials handpicked Minnesota's top federal prosecutor, B. Todd Jones, to serve as the bureau's acting director.

Jones is a former military judge advocate with broad experience in sensitive cases. And that could come in handy at the ATF, which is under intense scrutiny from Republicans in Congress over a failed gun trafficking investigation called Fast and Furious. The agency was supposed to be stopping the flow of guns to Mexico, but instead agents sometimes lost track of assault weapons that later turned up at crime scenes on both sides of the Southwest border.

Jones will serve as acting director of the ATF, and he won't give up his Senate confirmed job as the U.S. attorney in Minnesota. The ATF position requires Senate confirmation, too, but no nominee has gotten a successful vote in years because of fights in Congress about gun policy. Kenneth E. Melson, who had been leading the ATF on an interim basis since 2009, has been named a senior advisor on forensic science issues in the Justice Department's Office of Legal Policy.

Attorney General Eric Holder said he has "great confidence that (Jones) will be a strong and steady influence guiding ATF." Holder also thanked Melson for his service and said he would be a "valuable contributor" on forensic issues. Melson is a past president of the American Academy of Forensic Sciences.

Sen. John Cornyn (R-Tex.) signaled in a written statement that a change at the top of ATF won't make the climate any easier. "Instead of reassigning those responsible for Fast and Furious within the Department of Justice, Attorney General Holder should ask for their resignations and come clean on all alleged gun walking operations...," Cornyn said.

<http://www.npr.org/blogs/thetwo-way/2011/08/30/140059798/under-scrutiny-for-fast-and-furious-atf-announces-new-leader>