



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

May 2, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This supplements our previous responses to your letter, dated March 16, 2011, and your subpoena issued on March 31, 2011, to Kenneth Melson, Acting Director of the Department's Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). Your letter and subpoena requested documents and other information relating to Project Gunrunner and Operation Fast and Furious, including materials concerning pending criminal investigations and the prosecution of twenty individuals on drug trafficking, gun trafficking, and money laundering charges that is scheduled for trial on June 7, 2011.

Enclosed are 92 pages of documents responsive to your request. In addition, we have identified 466 pages of responsive documents that we are prepared to make available for review at the Department by Committee staff at any convenient time. We have substantial confidentiality interests in these materials because of their law enforcement sensitivity. They include information about federal law enforcement strategies, policies, and practices, the disclosure of which would be helpful to individuals who seek to evade our efforts to combat drug and firearms trafficking.

We have made limited redactions in these documents to protect the identities of individuals who are involved in our investigations, law enforcement techniques, and other details relating to particular investigations. These redactions are important to protect the integrity of our law enforcement efforts as well as individual privacy interests.

The Honorable Darrell E. Issa
Page Two

Our efforts to identify documents responsive to your subpoena are continuing and we will supplement this response as soon as possible. We hope this information is helpful. Please do not hesitate to contact this office if we can provide additional assistance regarding this or any other matter.

Sincerely,



Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah E. Cummings
Ranking Minority Member

Logan, Stephanie B (OIP)

From: Gaston, Molly (OLA)
Sent: Thursday, May 28, 2011 8:38 PM
To: 'Davis, Carlton'; 'Kerner, Henry'
Cc: 'Grooms, Susanne Sachman'
Subject: ATF Order - EXTENDED 2.01 MB

MsIdInstanceGUID: {7777BBFA-D805-49E2-874A-D8433F7AA16A}
MsEntryId: 000000009D89B4C3EFEB84C8CEP071A3EEC33840700A29C722E8852944D835F1BD3C772E39700000912428E00003412B42292B9404EAAEA7E99D48F34EB000209A3A2DE00018538138
MsMessageDBId: {1856392F-B9BB-47F4-B1C0-C74984FC87D0}
MsMessageItemGUID: 2caCIQsR1wfrROEJ7xk8JWbMLUgSMpWw9F7MamskMgiRhYUHLLBYgWnuQV50WD9GJbZ
MsUniversalStub: HdimsFBSiLCDGuZQe/PyDRbqSy9Ks3TVM1/q+tVOIQ0Wesi62aQ6ivyA8V6s6gXnUtcVay4Bw/XzsNho2U965

Carlton and Henry,

I think I mentioned on the phone to Carlton that I was going to send this, but attached please find an ATF Order to which you previously had access. Upon further review, we believe that we can produce it to you with very limited redactions. Please let us know if you have any questions.

Thanks,
Molly

Molly Gaston
Office of Legislative Affairs
U.S. Department of Justice
Office: (202) 305-9134 | Cell: [REDACTED]

Ex. 6



MimosaStub.html



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 10, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This letter provides additional information and documents responsive to the Committee's subpoena of March 31, 2011.

We fully appreciate the Committee's legitimate oversight interest in the genesis and strategy pertaining to Fast and Furious. We are committed to working with you to accommodate the Committee's information needs, consistent with our law enforcement responsibilities. Toward that end, we have delivered to your office 379 pages of documents to date and an additional 69 pages are enclosed with this letter. These documents were identified in our search of the emails of ATF Agents Newell, Gillett, and [REDACTED]. They bear limited redactions, like other documents we have previously provided, to protect specific details about the pending [Ex. 6 and 7(C)] investigations, including text that would identify targets and sensitive techniques, plus information relating to line employees. We also have redacted text unrelated to the Committee's request in multi-subject documents. Many of these documents are not appropriate for public disclosure.

We understand your letter, dated June 8, 2011, requested the complete production of all documents by June 10, 2011. While this is not possible, we are continuing to work expeditiously to identify, process and provide or make available to the Committee additional information responsive to the its subpoena as quickly as possible and we intend to provide additional documents next week. We are also making available for review at the Department by Committee staff an additional 88 pages. This is in addition to the 800 pages of material that has previously been made available for review by Committee staff. We have substantial confidentiality interests in these documents because they contain information that relates to the pending criminal investigations. They bear limited redactions, similar to those set forth in the 466 pages reviewed by Committee staff on May 5.

The Honorable Darrell E. Issa
Page Two

To the extent that the Committee has already obtained many of the records covered by your subpoena, our search might be streamlined by your identification of any that you do not need from us. We welcome any suggestions about how we might accommodate your oversight needs efficiently, consistent with our own responsibilities.

We understand your interest in our completion of the document search as soon as possible and we share that goal. In light of the pending investigations, however, we ask for your understanding that we are making a substantial effort in the extraordinary context of pending criminal investigations. We will continue our efforts and ask that you continue to work with us to find accommodations that meet both the Committee's oversight needs and the Department's need to avoid harm to these pending investigations.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,



Ronald Weich
Assistant Attorney General

Enclosure

cc: The Honorable Elijah Cummings
Ranking Member

Enclosure

Ex. 6 and 7(C) The enclosed documents include emails derived from our ongoing search of the accounts of Agents Gillett, Newell, and [REDACTED]. Below the routing information at the top of these emails, there appears a "Categories" line that was not part of the original email transaction. These categories represent the tags being used by document reviewers as they search for responsive materials. We are working to prevent these tags from appearing on future emails.

Our search produced some documents, attached to emails, that have already been made available to the Committee. In these cases, we thought that the cover email, demonstrating who sent or received the documents, and when, might provide useful information; thus, we have provided the cover email and the first page of the document to which the Committee has already had access. Some documents produced in this collection are also included in the group of documents being made available for Committee review, with fewer redactions. Neither the first pages of documents already reviewed by the Committee, nor those also prepared for review with fewer redactions, are counted in the page numbers set forth in our letter to the Committee.



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 13, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This letter provides additional information and documents responsive to the Committee's subpoena of March 31, 2011. We also want to respond to questions raised by your letter, dated May 5, 2011, about redactions in documents that Committee staff reviewed at the Department on May 4, 2011.

We are delivering today to your office an additional 125 pages of material. These documents, which follow a production of 69 pages on Friday, make a total of 573 pages that we have physically produced to you to date. The documents being produced today again bear limited redactions, like other documents we have previously provided, to protect specific details about the pending investigations, including text that would identify targets and sensitive techniques, plus information relating to line employees. Many of these documents contain non-public material and are not appropriate for public disclosure, even in their redacted form.

We are also making available for review at the Department by Committee staff an additional 36 pages. These pages are in addition to the nearly 900 pages of material that we have previously offered to make available for review by Committee staff — the bulk of which Committee staff has in fact reviewed. We have substantial confidentiality interests in these documents because they contain information that relates to sensitive law enforcement techniques and tactics. They bear limited redactions, similar to those set forth in the 466 pages reviewed by Committee staff on May 4.

Your letter of May 5, 2011 raised questions concerning redactions in the 466 pages made available to staff the previous day, May 4. Our re-review of those documents indicated that we made significant redactions of text, concerning specific investigative activities, in just 14 pages. These include redactions of information unrelated to Fast and Furious and text that would identify investigative subjects, targets, and the structure of a criminal organization. In another 55 pages, we made minor redactions of text identifying investigative file numbers, subjects, targets, witnesses, and personal information, such as cell phone numbers. We would be pleased to discuss these and any other specific redactions with Committee staff if that would be useful.

The Honorable Darrell E. Issa
Page Two

We hope this information is helpful and look forward to working with the Committee as this matter continues. Please do not hesitate to contact this office if we can provide additional assistance regarding this or any other matter.

Sincerely,



Ronald Weich
Assistant Attorney General

Enclosure:

cc: The Honorable Elijah Cummings,
Ranking Member



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 14, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This letter provides additional information and documents responsive to the Committee's subpoena of March 31, 2011.

We are delivering today to your office an additional 97 pages of material. These documents make a total of 299 pages that we have physically produced to you within the last week, and a total of 678 pages that we have physically produced to date. We have also made available over 900 pages of material for review by Committee staff.

In addition to the 97 pages of material referenced above, today's production also includes 54 pages that are almost entirely redacted. The redactions are of information located in multi-subject documents and the redacted information is unrelated to the Committee's request. The documents being produced also bear limited redactions to protect specific details about the pending investigations, including text that would identify targets and sensitive techniques, plus information relating to line employees. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosure

cc: The Honorable Elijah Cummings
Ranking Member



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 15, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, regarding Operation Fast and Furious.

Enclosed are an additional 56 pages of material. These documents make a total of 355 pages that we have physically produced to you within the last week, and a total of 734 pages that we have physically produced to date. Most of the enclosed documents bear limited redactions to protect specific details about the pending investigations, including text that would identify confidential informants, targets and sensitive techniques, plus information relating to line employees. One multi-subject document bears substantial redactions of text that is not responsive to the Committee's request. As in our production yesterday, we have not included wholly redacted pages in this multi-subject document in our page counts. Even with the redaction, many of these documents contain non-public material and are not appropriate for public disclosure.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah Cummings
Ranking Member



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 16, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This letter supplements our previous responses to the Committee's subpoena of March 31, 2011, relating to Operation Fast and Furious.

We are delivering today to your office an additional 39 pages of material. These documents make a total of 396 pages that we have physically produced to you within the last week, and a total of 775 pages that we have physically produced to date. The documents being produced bear limited redactions to protect specific details about the pending investigations, including text that would describe targets and sensitive techniques, plus information relating to line employees. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure.

We have also located an additional 44 pages of law-enforcement sensitive documents that we are prepared to make available at the Department for review by Committee staff. Some of these also bear limited redactions of text that would identify investigative subjects, sensitive techniques and the portion of a multi-subject document that is not responsive to your request.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah Cummings
Ranking Member



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 17, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, relating to Operation Fast and Furious.

We are delivering today to your office an additional 33 pages of material. These documents bear limited redactions to protect specific details about the pending investigations, including text that would describe targets and sensitive techniques, plus information relating to line employees. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure.

We have also located an additional 11 pages of law-enforcement sensitive documents that we are prepared to make available at the Department for review by Committee staff. Some of these also bear limited redactions of text that would identify investigative subjects, sensitive techniques and the portion of a multi-subject document that is not responsive to your request.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah Cummings
Ranking Member



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 21, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, relating to Operation Fast and Furious.

We are delivering today to your office an additional 65 pages of material. These documents bear limited redactions to protect specific details about the pending investigations, including text that would describe targets and sensitive techniques, plus information relating to line employees. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure.

We have also located an additional 6 pages of law-enforcement sensitive documents that we are prepared to make available at the Department for review by Committee staff. These pages bear no redactions.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah Cummings
Ranking Member



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 22, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, relating to Operation Fast and Furious.

We are delivering today to your office an additional 9 pages of material. The documents bear limited redactions to protect specific details about a pending investigation, the identity of an unindicted suspect in a closed case, and information relating to line employees. The collection includes the cover page from one document that has been previously reviewed at the Department by Committee staff. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure.

We have also located an additional 17 pages of law-enforcement sensitive documents that we are prepared to make available at the Department for review by Committee staff. These pages bear limited redactions to protect the identity of an unindicted suspect in a closed case.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah Cummings
Ranking Member



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 23, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, relating to Operation Fast and Furious.

We are delivering today to your office an additional 62 pages of material. These documents bear limited redactions to protect specific details about the pending investigations, including text that would describe targets and sensitive techniques, plus information relating to line employees. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure.

We have also located an additional 29 pages of law-enforcement sensitive documents that we are prepared to make available at the Department for review by Committee staff. These pages also bear limited redactions of text that would identify investigative subjects and sensitive techniques.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah Cummings
Ranking Member



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 24, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, and your letter of June 8, 2011, relating to Operation Fast and Furious.

We are delivering today to your office an additional 97 pages of material. These documents bear limited redactions to protect specific details about pending investigations, including text that would identify targets and sensitive techniques, plus information relating to line employees. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure.

We have also located an additional page of law-enforcement sensitive material that we are prepared to make available at the Department for review by Committee staff. This also bears limited redactions of text that would disclose specific details about the pending investigation.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

M. Jack Burton for

Ronald Weick
Assistant Attorney General

Enclosures

cc: The Honorable Elijah Cummings
Ranking Member



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 27, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, relating to Operation Fast and Furious.

We are delivering today to your office an additional 22 pages of material. These documents bear limited redactions to protect specific details about pending investigations, including text that would identify targets and sensitive techniques, plus information relating to line employees. We also have redacted text unrelated to the Committee's request in one multi-subject document. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah Cummings
Ranking Member



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 29, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, and your letter of June 8, 2011, relating to Operation Fast and Furious.

We are delivering today to your office an additional 35 pages of material. These documents bear limited redactions to protect specific details about pending investigations, including text that would identify targets and sensitive techniques, plus information relating to line employees. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure.

We have also located an additional eight pages of law-enforcement sensitive material that we are prepared to make available at the Department for review by Committee staff. These pages also bear limited redactions of text that would identify investigative targets and techniques, or would disclose specific details about the pending investigation.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah Cummings
Ranking Member



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 30, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, and your letter of June 8, 2011, relating to Operation Fast and Furious.

We are delivering today to your office an additional 39 pages of material. These documents bear limited redactions to protect specific details about pending investigations, including text that would identify targets and sensitive techniques, plus information relating to line employees. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah Cummings
Ranking Member



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

July 1, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, and your letter of June 8, 2011, relating to Operation Fast and Furious.

Enclosed please find an additional 32 pages of material. Pursuant to our agreement with Committee staff, we will no longer deliver hard copies to your office. These documents bear limited redactions to protect specific details about pending investigations, including text that would identify targets and sensitive techniques, plus information relating to line employees. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure. In response to requests from Chairmen Smith and Leahy, we also will provide these documents to the House Committee on the Judiciary and the Senate Committee on the Judiciary, respectively.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosure

cc: The Honorable Elijah Cummings
Ranking Member



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

July 5, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, and your letter of June 8, 2011, relating to Operation Fast and Furious.

We are delivering today to your office an additional 18 pages of material. These documents bear limited redactions to protect specific details about pending investigations, including text that would identify targets and sensitive techniques, plus information relating to line employees. In addition, we have redacted the portions of multi-subject documents that are not responsive to your request. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure.

In response to requests from Chairmen Smith and Leahy, we also will provide these documents to the House Committee on the Judiciary and the Senate Committee on the Judiciary, respectively.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah Cummings
Ranking Member



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

July 6, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, and your letter of June 8, 2011, relating to Operation Fast and Furious.

We are delivering today an additional 16 pages of material. These documents bear limited redactions to protect specific details about pending investigations, including text that would identify targets and sensitive techniques, plus information relating to line employees. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure. In response to requests from Chairmen Smith and Leahy, we also will provide these documents to the House Committee on the Judiciary and the Senate Committee on the Judiciary, respectively.

We have also located an additional 9 pages of law-enforcement sensitive material that we are prepared to make available at the Department for review by Committee staff. There are significant redactions of non-responsive text in several multi-subject documents and limited redactions of text that would disclose specific details about the pending investigation. The documents will also be made available for review at the Department by staff of the House Committee on the Judiciary and the Senate Committee on the Judiciary.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosure

cc: The Honorable Elijah Cummings
Ranking Member



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

July 7, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, and your letter of June 8, 2011, relating to Operation Fast and Furious.

We are delivering today to your office an additional 26 pages of material. These documents bear limited redactions to protect specific details about pending investigations, including text that would identify targets and sensitive techniques, plus information relating to line employees. In addition, we have redacted from a multi-subject document text that is not responsive to your requests. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure. In response to requests from Chairmen Smith and Leahy, we also will provide these documents to the House Committee on the Judiciary and the Senate Committee on the Judiciary, respectively.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah Cummings
Ranking Minority Member



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

July 8, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, and your letter of June 8, 2011, relating to Operation Fast and Furious.

We are delivering today to your office an additional 15 pages of material. These documents bear limited redactions to protect specific details about pending investigations, including text that would identify targets and sensitive techniques, plus information relating to line employees. In addition, we have redacted from a multi-subject document text that is not responsive to your requests. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure. In response to requests from Chairmen Smith and Leahy, we also will provide these documents to the House Committee on the Judiciary and the Senate Committee on the Judiciary, respectively.

We have also located an additional 4 pages of law-enforcement sensitive material that we are prepared to make available at the Department for review by Committee staff. There are limited redactions of text that would disclose specific details about the pending investigation. The documents will also be made available for review at the Department by staff of the House Committee on the Judiciary and the Senate Committee on the Judiciary.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah Cummings
Ranking Minority Member



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

July 11, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, and your letter of June 8, 2011, relating to Operation Fast and Furious.

We are delivering today to your office an additional 125 pages of material. These documents bear limited redactions to protect specific details about pending investigations, including text that would identify targets and sensitive techniques, plus information relating to line employees. In addition, we have redacted from multi-subject documents text that is not responsive to your requests. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure. In response to requests from Chairmen Smith and Leahy, we also will provide these documents to the House Committee on the Judiciary and the Senate Committee on the Judiciary, respectively.

We have also located an additional two pages of law-enforcement sensitive material that we are prepared to make available at the Department for review by Committee staff. There are limited redactions of text that would disclose specific details about the pending investigation. In addition, text that is not responsive to your requests has been redacted from a multi-subject document. The documents will also be made available for review at the Department by staff of the House Committee on the Judiciary and the Senate Committee on the Judiciary.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah Cummings
Ranking Member



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

July 13, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This supplements our previous responses to the Committee's subpoena of March 31, 2011, and your letter of June 8, 2011, relating to Operation Fast and Furious.

We are delivering today to your office an additional 74 pages of material. These documents bear limited redactions to protect specific details about pending investigations, including text that would identify targets and sensitive techniques, plus information relating to line employees. In addition, we have redacted from multi-subject documents text that is not responsive to your requests. Even with the redactions, many of these documents contain non-public material and are not appropriate for public disclosure. In response to requests from Chairmen Smith and Leahy, we also will provide these documents to the House Committee on the Judiciary and the Senate Committee on the Judiciary, respectively.

We have also located an additional nine pages of law-enforcement sensitive material that we are prepared to make available at the Department for review by Committee staff. There are limited redactions of text that would disclose sensitive techniques and specific details about the pending investigation. In addition, text that is not responsive to your requests has been redacted from a multi-subject document. The documents will also be made available for review at the Department by staff of the House Committee on the Judiciary and the Senate Committee on the Judiciary.

We hope this information is helpful and look forward to working with the Committee as this matter continues.

Sincerely,

Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah Cummings
Ranking Minority Member



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

April 8, 2011

The Honorable Darrell Issa
Chairman
Committee on Oversight and Government Reform
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This responds to your letter dated March 16, 2011, and your subpoena issued on March 31, 2011, to Kenneth Melson, Acting Director of the Department's Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). Your letter and subpoena requested documents and other information concerning, among other things, the pending criminal investigation undertaken by ATF known as Operation Fast and Furious and the pending criminal investigation into the shooting death of Customs and Border Protection (CBP) Agent Brian Terry.

To date, our search has located several law enforcement sensitive documents responsive to the requests in your letter and the subpoena. We have substantial confidentiality interests in these documents because they contain information about ATF strategies and procedures that could be used by individuals seeking to evade our law enforcement efforts. We are prepared to make these documents, with some redactions, available for review by Committee staff at the Department. They will bear redactions to protect information about ongoing criminal investigations, investigative targets, internal deliberations about law enforcement options, and communications with foreign government representatives. In addition, we notified Committee staff that we have identified certain publicly available documents that are responsive. Committee staff informed us that, for now, they do not want us to produce such documents. Our search for records responsive to your letter and the subpoena is continuing and we will supplement this response when additional information becomes available.

While our efforts to identify responsive documents are continuing, many of your requests seek records relating to ongoing criminal investigations. Based upon the Department's long-standing policy regarding the confidentiality of ongoing criminal investigations, we are not in a position to disclose such documents, nor can we confirm or deny the existence of records in our ongoing investigative files. This policy is based on our strong need to protect the independence and effectiveness of our law enforcement efforts. The enclosed May 17, 2000 letter from Attorney General Reno to Senator Hatch, then-Chairman of the Senate Judiciary Committee, provides a fuller statement of the rationale for this policy, as well as its lengthy and nonpartisan

The Honorable Darrell Issa

Page 2

history. Within those constraints, we would appreciate the opportunity to confer with Committee staff to explore other options to accommodate your interests and look forward to working with you regarding the information you seek.

Your letter also asks certain questions, and reflects certain assumptions, concerning Operation Fast and Furious that we are presently unable to address because they relate directly to an ongoing investigation. We can say, however, that Operation Fast and Furious is a criminal investigation of an extensive gun-trafficking enterprise.¹ The purpose of the investigation is to dismantle a transnational organization believed to be responsible for trafficking weapons into Mexico, in part by prosecuting its leadership. The investigation is led by a dedicated team of United States Attorney's Office prosecutors and ATF agents. These efforts have already resulted in an indictment charging 20 defendants with federal firearms offenses, and the investigation is continuing.

Mexican drug cartels are a significant organized crime threat, both to the United States and to Mexico. According to the Department's 2010 National Drug Threat Assessment, these cartels present the single greatest drug trafficking threat to the United States. Mexican cartels use violence to control drug trafficking corridors, through which drugs flow north into the United States, while guns and cash flow south to Mexico. Drug-related violence in Mexico was increasing at an alarming rate well before the inception of Operation Fast and Furious. For calendar year 2009, the Mexican government reported 9,635 murders in Mexico resulting from organized crime and drug trafficking – an increase of 50 percent from the number of murders in 2008 and three times the 2,837 killed in 2007. In part because Mexican law severely restricts gun ownership, Mexico's drug traffickers routinely smuggle weapons purchased in the United States into Mexico.

Stopping the flow of weapons across the border into Mexico is a challenging task given the resources of the cartels and the cartels' use of sophisticated trafficking organizations to move firearms across the border. These trafficking organizations typically involve the use of straw purchasers, who purchase the weapons not for themselves, but with the purpose of transferring them to others who then facilitate their movement across the border to the cartels. Among the challenges in investigating a trafficking organization is developing sufficient evidence to prove that particular firearm purchases are, in fact, unlawful straw purchases. As you know, it is legal for a non-prohibited person to purchase an unlimited number of firearms from a licensed gun dealer and then to sell or barter those firearms to another person.

Allegations have been raised about how Operation Fast and Furious was structured and conducted. As you note, at the request of the Attorney General, the Department of Justice's Office of the Inspector General (DOJ-OIG) is now investigating those allegations. Your letter asks about DOJ-OIG's ability to handle this inquiry in an independent and objective manner.

¹ Operation Fast and Furious, which is one law enforcement investigation, should not be confused with Project Gunrunner, which is the broader initiative to deal with weapons trafficking along the Southwest Border generally. As was recently noted by the Congressional Research Service, "[a]s of March 2010, Project Gunrunner had led to the arrest of 1,397 defendants – 850 of which had been convicted – and the seizure of over 6,688 firearms." Congressional Research Service Report RL32724, *Mexico-U.S. Relations: Issues for Congress*, February 15, 2011, at 19.

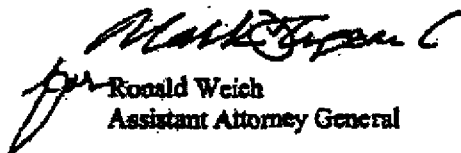
The Honorable Darrell Issa
Page 3

The enclosed letter to Senator Grassley, dated March 16, 2011, from the acting Chairperson of the Integrity Committee of the Council of Inspectors General on Integrity and Efficiency (CIGIE), responds to similar questions raised by Senator Grassley. CIGIE's response to Senator Grassley describes DOJ-OIG as "a model of independence, objectivity, and above all, integrity in every aspect of its daily pursuits." The response goes on to state that DOJ-OIG has "fully earned an unquestioned reputation for successfully addressing highly difficult and sensitive cases, and deserves the trust and confidence of the public. Further, its prior involvement in a review of a portion of the same ATF program can properly be viewed, not as an impediment to objectivity, but rather as an opportunity for the DOJ-OIG staff to have obtained familiarity with the subject-matter and working environment that would be used advantageously in the investigation requested by the Attorney General."

Finally, your letter asks about the shooting death of CBP Agent Brian Terry. The Department, with the Federal Bureau of Investigation leading the effort, is investigating the shooting death of Agent Terry. ATF has assisted in that investigation and the United States Attorney's Office has assigned senior prosecutors to the case. We are dedicated to holding Agent Terry's killer or killers responsible through the criminal justice process that is currently underway, but we are not in a position to provide additional information at this time regarding this active criminal investigation for the reasons set forth above and in the enclosed Attorney General Reno letter.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional information regarding this, or any other, matter.

Sincerely,


Ronald Weich
Assistant Attorney General

Enclosures

cc: The Honorable Elijah E. Cummings
Ranking Minority Member



Office of the
Inspector General

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Washington, DC 20415

March 16, 2011

The Honorable Charles E. Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Senator Grassley:

This is in response to your letter of March 8, 2011, to Kevin L. Perkins, in his capacity as Chair of the Integrity Committee of the Council of Inspectors General on Integrity and Efficiency (CIGIE). You expressed concern that the Department of Justice's Office of Inspector General would not be able to apply a publicly acceptable level of independence and objectivity in carrying out a review that the Attorney General had requested it to perform regarding an operation of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF).

In accordance with the Integrity Committee's rules, because this matter involved the DOJ-OIG, Mr. Perkins, as an official of the FBI and other Justice Department staff recused themselves from any involvement in this matter. Accordingly, as the Committee's senior member, I am acting as Chairperson for this case.

At a special meeting called on March 14, 2011, to consider the issues identified in your letter, the membership concluded unanimously that neither the Committee's authorizing statute nor its internal rules and procedures apply to the matters you identified. The Committee's jurisdiction, as defined by section 7(d)(1) of the Inspector General Reform Act of 2008 (Public Law 110-409, October 14, 2008), is to "receive, review, and refer for investigation allegations of wrongdoing that are made against Inspectors General and staff members." In this context, the Committee has consistently interpreted its mandate to extend only to questions of improper or wrongful conduct on the part of individuals occupying positions of significant responsibility in Inspector General offices, and then, as required by the statute, make recommendations, where appropriate, to the Chair of the CIGIE. However, your statement of reasons why "the public may be unable to trust that the DOJ-OIG is completely disinterested and independent" appears to involve concerns of an institutional or organizational nature, about which the Committee is not empowered to act. Furthermore, the IC has no authority to mandate the recusal of an Office of Inspector General.

However, as the name Integrity Committee implies, scenarios may occur from time to time that cause the membership to comment in a manner that goes beyond the chartered structure. Your stated reservations about the suitability of the DOJ-OIG to properly investigate the Project Gunrunner case present one of those instances.

Honorable Charles E. Grassley

2

While that office is currently headed by an acting Inspector General, the organization, managed for many years by former Inspector General Glenn Fine, has established itself as a model of independence, objectivity, and above all, integrity in every aspect of its daily pursuits. It fully earned an unquestioned reputation for successfully addressing highly difficult and sensitive cases, and deserves the trust and confidence of the public. Further, its prior involvement in a review of a portion of the same ATF program can properly be viewed, not as an impediment to objectivity, but rather as an opportunity for the DOJ-OIG staff to have obtained familiarity with the subject-matter and working environment that would be used advantageously in the investigation requested by the Attorney General. Thus, although an Inspector General from another agency could feasibly conduct this work, it would face a learning curve that might involve some delay in completing the assignment. Finally, it appears that the belief DOJ-OIG was not responsive to disclosures made by an ATF agent may have been initially reached without obtaining information from that office.

If you have any questions or need further information, please do not hesitate to contact me on (202) 606-1200.

Sincerely,



Patrick E. McFarland
Inspector General



Office of the Attorney General
Washington, D. C. 20530

May 17, 2000

The Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

This responds to the Committee's subpoena, received on May 12, 2000, seeking certain Department records relating to Loral Space and Communications Ltd. ("Loral") and Hughes Electronics Corporation ("Hughes"). We intend to cooperate fully with the part of the subpoena seeking documents on the *closed* investigation of the Campaign Finance Task Force ("CFTC") regarding the Presidential waiver in 1998 to permit Loral to export a satellite to the Peoples' Republic of China ("PRC"). We cannot, however, comply with the part of the subpoena seeking the files of the United States Attorney's Office for the District of Columbia ("U.S. Attorney's Office") for its *open* criminal investigation into the separate matter of the role Loral and Hughes played in a possible technology transfer to the PRC in 1996 following the failure of a satellite launch from the PRC earlier that year.*

Providing *open* criminal investigative files to Congress would undermine public and judicial confidence in the criminal justice process and would be in complete contravention of the Department's policy of declining congressional requests for non-public information about pending investigations. This policy is neither new nor partisan. It is based on the longstanding belief of top Department officials, both Democrat and Republican alike, that the Department's ability to discharge its responsibilities for the fair administration of justice would

* The closed CFTC investigation and the open U.S. Attorney's Office investigation have always been completely separate. The U.S. Attorney's investigation is directed only towards the possible technology transfer in 1996 and not to any matters concerning the 1998 waiver or the possible impact of campaign contributions on the granting of waivers to launch satellites or on which agency should have jurisdiction over licensing decisions for satellite launches. The Department has already provided the Committee with more than 400 pages of documents relating to the CFTC investigation, including all documents we have identified that are responsive to subparagraph B of the Committee's subpoena, and we are continuing to search for responsive documents.

be compromised by the disclosure to Congress of open investigative files. Almost 60 years ago, Attorney General Robert H. Jackson, relying on positions taken by many of his predecessors, informed Congress that:

It is the position of the Department, restated now with the approval of and at the direction of the President, that all investigative reports are confidential documents of the executive department of the Government, to aid in the duty laid upon the President by the Constitution to "take care that the Laws be faithfully executed," and that congressional or public access to them would not be in the public interest.

Position of the Executive Department Regarding Investigative Reports, 40 Op. Att'y. Gen. 45, 46 (1941) ("Jackson Op.?).

The rationale underlying this policy was further explicated in a 1986 published opinion of the Office of Legal Counsel ("OLC") issued by Charles J. Cooper, OLC's Assistant Attorney General during part of the Reagan Administration. See Response to Congressional Requests for Information Regarding Decisions made Under the Independent Counsel Act, 10 Op. O.L.C. 68, 76-77 (1986). Mr. Cooper noted in his opinion that providing a congressional committee with confidential information about active criminal investigations would place the Congress in a position to exert pressure or attempt to influence the prosecution of criminal cases. *Id.* at 76, citing Memorandum for Edward L. Morgan, Deputy Counsel to the President, from Thomas E. Kauper, Deputy Assistant Attorney General, OLC, Re: Submission of Open CID Investigating Files, at 2 (Dec. 19, 1989) ("TTPs Executive cannot effectively investigate if Congress is, in a sense, a partner in the investigation. If a congressional committee is fully apprised of all details of an investigation as the investigation proceeds, there is a substantial danger that congressional pressures will influence the course of the investigation."). Moreover, providing open investigative files in response to a congressional subpoena could give rise to a claim, by defense counsel or others, of improper congressional influence over the criminal justice process should it turn out that an indictment was returned in the matter after Congress had obtained access to the files.

The danger of such congressional influence was one of the principal reasons the Framers of the Constitution eschewed the concept of the separation of powers in the Constitution. The Framers of the Constitution regarded the combination of the powers of government as "the very definition of tyranny." The Federalist No. 47, at 301 (Madison) (Clinton Rossiter ed., 1961). They were particularly concerned about the threat of combining the power to legislate and the power to execute the law. They agreed with Montesquieu that "there can be no liberty" "[w]hen the legislative and executive powers are united in the same person or body." *Id.* at 303.

The disclosure of the files of the U.S. Attorney's Office's open criminal investigation, which is apparently what is sought by the Committee's subpoena, would be extremely damaging

from a law enforcement perspective as well. Such a disclosure would reveal the investigative reports and other evidence that has been collected in the investigation, as well as the internal documents setting out investigative strategies and plans. These materials would provide a "road map" of the ongoing investigation to the targets of the investigation and to anyone else with access to them. As Attorney General Jackson observed:

Disclosure of the [law enforcement] reports could not do otherwise than seriously prejudice law enforcement. Counsel for a defendant or a prospective defendant, could have no greater help than to know how much or how little information the Government has, and what witnesses or sources of information it can rely upon. This is exactly what these reports are intended to contain.

Jackson Op. at 46.

The Committee's subpoena would also require the Department to produce grand jury material covered by the non-disclosure provision of Rule 6(e) of the Federal Rules of Criminal Procedure. As you know, the production of any such material would be in violation of the law. Thus, while we would obviously remove grand jury material from the scope of any production, the remaining documents that were responsive to the Committee's subpoena would still provide a "road map" of a portion of the Department's criminal investigation.

We have received no statement on behalf of the Committee as to why it believes it has a need for documents relating to this ongoing criminal investigation. We understand that proponents of the subpoena may contend that the U.S. Attorney's Office is not investigating quickly enough, or that it does not intend to seek an indictment even if the evidence and Principles of Federal Prosecution support one. This speculation is entirely without merit, as the U.S. Attorney's letters to Senator Specter, dated April 21 and May 10, 2000, have previously explained. In any event, the Framers sought to avoid such contemporaneous second-guessing of the executive branch by the legislative branch through the separation of powers principle. In light of that principle and the dangers to the criminal justice system it is designed to forestall, we cannot conceive of any interest that would justify providing the files of an ongoing criminal investigation to Congress.

In closing, I appreciate the fact that you have expressed a willingness to consider an accommodation "for structuring the production of the open case materials so as to have as little impact on the open case as possible." When it comes to *ongoing* criminal investigations, however, I do not believe that an accommodation along the lines you might envision is possible

that would not do violence to the paramount interests set forth above. Nonetheless, as always, I would be happy to discuss this matter with you further and consider alternative ways of satisfying your oversight needs.

Sincerely,

A handwritten signature in cursive script, appearing to read "Janet Reno".

Janet Reno

cc: Honorable Arica Specter
Honorable Robert G. Torricelli
Honorable Charles E. Grassley



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 2, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and
Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This follows up on conversations with your staff about the Committee's interest in records of the Department's Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), consisting of briefing books prepared for Acting Director Melson's visits to the Phoenix Field Office in 2010 and Organized Crime and Drug Enforcement Task Force (OCDETF) reports regarding the Fast and Furious investigation from 2010.

We have identified documents responsive to staff's request and, as you know, we have already provided 51 pages to you in electronic format. The Department has substantial confidentiality interests in the remaining documents because they contain law enforcement sensitive information. Acting Director Melson's briefing materials contain information about Fast and Furious as well as other ongoing investigations in the Phoenix Field Office. The OCDETF documents include details about the background and status of Fast and Furious at the time the reports were written. With limited redactions, we believe that we can make these documents available for your staff's review without compromising our law enforcement efforts. While the materials are not responsive to your previous requests, we recognize that they are quite pertinent to the Committee oversight interests that you have articulated and we are prepared to provide your staff access to them at the Department at any convenient time.

We hope that this information is helpful. Please do not hesitate to contact this office if we can provide additional assistance regarding this or any other matter.

Sincerely,

Ronald Weich
Assistant Attorney General

cc: The Honorable Elijah Cummings
Ranking Minority Member

[b6]

From: Siskel, Edward N. (ODAG) <[b6]>
Sent: Friday, October 23, 2009 8:09 AM
To: [b6] Melson, Kenneth E. (ATF); [b6] (ATF); Hoover, William J. (ATF); Leonhart, Michele M.; Harrington, T. J. (FBI); Perkins, Kevin L. (FBI); Carlin, John (FBI); Clark, John (USMS) DIR; Fahey, Sean (USMS); Harley G. Lappin; Dallus, William (BOP); Jarrett, Marshall (USAEO); Derden, Terry (USAEO); Nash, Stuart (ODAG); Jones, B Todd (USAMN); Hewitt, Karen (USACAS); Burke, Dennis (USAAZ); Fouratt, Greg (USANM); Murphy, John E. (USATXW); Johnson, Tim (USATXS) 7
Cc: Delery, Stuart F. (ODAG); Ruemmier, Kathryn (ODAG); Vogel, Miriam (ODAG); Brinckey, Winnie; Williams, Toni (ODAG)
Subject: Southwest Border Strategy Group
Attachments: DOJ SWB Strategy Group (circ 10-23-09).wpd

Attached please find a memo from the DAG announcing the creation of the Southwest Border Strategy Group -- a senior-level, internal DOJ working group that will provide the vehicle for coordinating policy, resource and operational issues regarding the SWB and our engagement with the Government of Mexico.

The DAG would like to convene an inaugural meeting of the Strategy Group this Monday, October 26th from 11:30 to 12:30 in the DAG's conference room (RFK 4111). Please let me know as soon as possible if you or your designee will be able to attend either in person or by phone. For those who are not in DC, we will be circulating a dial-in number soon. In addition, we will be circulating an agenda in advance of the meeting.

<<DOJ SWB Strategy Group (circ 10-23-09).wpd>>

Edward Siskel
Associate Deputy Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

(a) [b6] b6
(c) [b6] b6

[b6]

FORMATION OF THE SOUTHWEST BORDER STRATEGY GROUP

The Department of Justice has long recognized the magnitude of the law enforcement challenges arising along the Southwest Border and has sought to address those challenges by combining the specialized expertise and authorities of almost every law enforcement component in the Department, as well as partnering with other federal, state, local, tribal, and international law enforcement organizations.

The jurisdictions immediately contiguous to the border find themselves in a particularly difficult position. In addition to pursuing the same range of federal criminal priorities that are faced by jurisdictions throughout the country, the five U.S. Attorneys in the districts immediately adjacent to the border have additional, significant responsibilities – handling tens of thousands of reactive immigration cases and border-related drug cases, enforcing federal law on the vast tracts of Indian reservations within their borders, and bearing the brunt of the violence, corruption, and drug- and weapons-trafficking perpetrated by the Mexican cartels.

Issues related to our Southwest Border are not, however, confined to the border districts. In the drug arena alone, NDIC intelligence reports indicate that Mexican drug trafficking organizations maintain drug distribution networks or supply drugs to distributors in at least 230 U.S. cities in 45 of the 50 states. Immigration enforcement poses a challenge in every one of our jurisdictions, from Arizona to Alaska. Firearms illegally transiting the Southwest Border have been sourced to distribution outlets in nearly every state in the union.

Maintaining Comprehensive Coordination and Oversight

With so many of the Department's law enforcement components involved in so many cooperative and independent efforts relevant to border-related concerns, it is critical that the Department maintain a comprehensive policy and a strategic approach that is effectively coordinated at the highest levels of leadership. To harness all these disparate entities, maximize the effectiveness of each, avoid duplication, conserve scarce Department resources, and ensure optimal coordination, all the Department components must hear, and then speak with, a single voice. They must have a single point of contact for policy development and strategic direction, not only amongst themselves, but also within the interagency. As cross-cutting issues arise, other federal and state agencies with a role on the Southwest Border must have the same single point of contact through which they may work to maintain a constant, unified, whole-government policy.

Implementation of an effective overall Southwest Border strategy must include an assessment of the resource needs of all the components involved. It must also include a plan for how each component intends to achieve its goals in

concert with the activity of every other component. Each component must be sensitive to the effect of its initiatives on the overall mission, taking into consideration the initiatives of other law enforcement components and other agencies (both within and outside DOJ). For example, before unilaterally deploying significant additional personnel resources to a particular locale, an investigative agency should take into consideration how that will affect the prosecutorial and judicial resource needs in the relevant jurisdictions, as well as the effect on other law enforcement agencies. Similarly, components should consider to what extent their resources may be more efficiently deployed in combination with corresponding deployments by other components in multi-agency task forces.

This unified and coordinated approach to law enforcement within the Department and between the Department and its sister federal, state, local, tribal, and international partners is the best way to use the formidable resources of the United States government. It is also the most effective way to decrease the influence of the violent criminal enterprises operating along and across the U.S.-Mexico border, while enhancing the public safety of the entire region. By coordinating the resources, expertise, and jurisdiction of law enforcement agencies focusing on drug enforcement, firearms and explosives trafficking, fugitive investigation and extradition, bulk cash smuggling, and human trafficking, the Department will maximize its ability to attack every aspect of the criminal activity that undermines the safety and security not only of our Southwest Border communities, but also of the Nation as a whole.

The Southwest Border Strategy Group

The Department will be implementing its Southwest Border efforts under the leadership of the Attorney General, with primary oversight by the Deputy Attorney General. To maximize the effective deployment of scarce resources, the Deputy Attorney General will convene a multi-component Southwest Border Strategy Group ("Strategy Group") that will coordinate the priorities and initiatives established by each of the Department components into a coherent, mutually reinforcing whole. As mission requirements may evolve, the Strategy Group will be able to ensure a coordinated response from all Departmental components.

The Southwest Border Strategy Group will assess existing capabilities, identify any gaps, and develop, on an annual basis, a consolidated Southwest Border budget initiative.

The Southwest Border Strategy Group will be given primary responsibility for developing and supervising the implementation of the Department of Justice Strategy for Combating the Mexican Cartels, which is set forth in a separate document attached hereto. The Strategy Group will also be responsible for developing and supervising other essential Departmental strategies along the Southwest Border, such as immigration enforcement, firearms trafficking,

money-laundering, and non-cartel-related violence, and coordinating and balancing these Departmental priorities. To the extent that the Department has high-level strategy groups working on aspects of these issues – i.e. the Firearms Trafficking Strategy Group – this new Southwest Border Strategy Group will be the forum to coordinate and reconcile their respective initiatives and recommendations.

The Southwest Border Strategy Group will be chaired by the Deputy Attorney General. The Assistant Attorney General for the Criminal Division will serve as Vice-Chair. In addition, the Strategy Group will consist of the following individuals, or their designees:

- Director, ATF
- Administrator, DEA
- Director, FBI
- Director, USMS
- Director, BOP
- Director, EOUSA
- Director, OCDETF
- U.S. Attorney, District of Arizona
- U.S. Attorney, Southern District of California
- U.S. Attorney, District of New Mexico
- U.S. Attorney, Southern District of Texas
- U.S. Attorney, Western District of Texas
- Chair, Attorney General's Advisory Committee ("AGAC")
- Chair, AGAC Subcommittee on Controlled Substances and Asset Forfeiture
- Chair, AGAC Subcommittee on Border Security

The Strategy Group will have a Steering Committee made up of the following individuals, or their designees:

- Deputy Attorney General
- Assistant Attorney General, Criminal Division
- Chair, AGAC
- Director, ATF
- Administrator, DEA
- Director, FBI
- Director, OCDETF

The full Strategy Group will meet as soon as practicable after its announcement. The Steering Committee will then meet every two weeks with the full Strategy Group meeting on a quarterly basis.

[REDACTED] b6

[REDACTED] b6

From: Brinkley, Winnie <[REDACTED]> on behalf of Ogden, David W. (ODAG)

Sent: Friday, October 23, 2009 6:03 PM

To: Ruemmler, Kathryn (ODAG); Delery, Stuart F. (ODAG); Siskel, Edward N. (ODAG); Osuna, Juan (CIV); Torrez, Raul; Breuer, Lanny A. (CRM); Raman, Mythili (CRM); Melson, Kenneth E. (ATF); [REDACTED] (ATF); Hoover, William J. (ATF); Leonhart, Michele M.; Mueller, Robert S. III (FBI); Harrington, T. J. (FBI); Perkins, Kevin L. (FBI); Carlin, John (FBI); Clark, John (USMS) DIR; Fahey, Sean (USMS); Lappin, Harley G. (BOP); Dalius, William (BOP); Dodrill, D. Scott (BOP); Jarrett, Marshall (USAEO); Darden, Terry (USAEO); Nash, Stuart (ODAG); Burke, Dennis (USAAZ); Hewitt, Karen (USACAS); Fouratt, Greg (USANM); Johnson, Tim (USATXS) 7; Murphy, John E. (USATXW); [REDACTED] (USMS) b6

Cc: Blanco, Kenneth (CRM); Weinstein, Jason (CRM); Swartz, Bruce (CRM)

Subject: RE: Southwest Border Strategy Group Meeting

Attachments: cartel.strategy2.wpd

On behalf of DAG Ogden,
Earlier today you received notice from Ed Siskel of the inaugural meeting of the Southwest Border Strategy Group next Monday. One of the items that will be on the agenda for that meeting is discussion, and, if possible, adoption, of the Department's Strategy for Combating the Mexican Cartels. I am attaching hereto a draft copy of the strategy. It reflects a great deal of discussion with, and contributions from, many of your components over the past several months. The DAG asks that you come prepared with any specific suggestions or recommendations you may have related to this document.

And here is the document to attach:
<<cartel.strategy2.wpd>>

Winnie Brinkley

From: Brinkley, Winnie On Behalf Of Ogden, David W. (ODAG)

Sent: Thursday, October 22, 2009 6:32 PM

To: Ruemmler, Kathryn (ODAG); Delery, Stuart F. (ODAG); Siskel, Edward N. (ODAG); Osuna, Juan (CIV); Torrez, Raul; Breuer, Lanny A. (CRM); Raman, Mythili (CRM); Melson, Kenneth E. (ATF); [REDACTED] (ATF); Hoover, William J. (ATF); Leonhart, Michele M. (DEA-US); Mueller, Robert S. III (FBI); Harrington, T. J. (FBI); Perkins, Kevin L. (FBI); Carlin, John (FBI); Clark, John (USMS) DIR; Fahey, Sean (USMS); Lappin, Harley G. (BOP); Dalius, William (BOP); Dodrill, D. Scott (BOP); Jarrett, Marshall (USAEO); Darden, Terry (USAEO); Nash, Stuart (ODAG); Burke, Dennis (USAAZ); Hewitt, Karen (USACAS); Fouratt, Greg (USANM); Johnson, Tim (USATXS) 7; Murphy, John E. (USATXW); [REDACTED] (USMS) b6

Cc: Blanco, Kenneth (CRM); Weinstein, Jason (CRM); Swartz, Bruce (CRM)

Subject: Southwest Border Strategy Group Meeting

When: Monday, October 26, 2009 11:30 AM-12:30 PM (GMT-05:00) Eastern Time (US & Canada).

Where: Main RPK Bldg., Room 4111

Call in telephone #: [REDACTED] **and Pass Code #:** [REDACTED] b6 b6

Briefing materials in binder – Tab #3.

Attendees: Kathryn Ruemmler, Stuart Delery, Ed Siskel, Juan Osuna, Raul Torrez, AAG Lanny Breuer/CRM, Mythili Raman/CRM

b6

- Ken Melson, Director, ATF, [REDACTED] William Hoover
- Michelle Leonhart, Administrator, DEA
- Robert Mueller, Director, FBI, T.J. Harrington, Kevin Perkins, John Carlin
- John Clark, Director, USMS, Sean Fahey
- Harley Lappin, Director, BOP, William Dalius, Scott Dodrill attending on behalf of Mr. Lappin
- Marshall Jarrett, Director, EOUSA, Terry Darden
- Stuart Nash, Director, OCDETF
- Dennis Burke, U.S. Attorney, District of Arizona by telephone
- Karen Hewitt, U.S. Attorney, Southern District of California
- Greg Fouratt, U.S. Attorney, District of New Mexico
- Tim Johnson, U.S. Attorney, Southern District of Texas by telephone
- John Murphy, U.S. Attorney, Western District of Texas
- Todd Jones, Chair, Attorney General's Advisory Committee ("AGAC")

[REDACTED] b6 [REDACTED] b6

From: Brinkley, Winnie <[REDACTED]> on behalf of Ogden, David W. (ODAG) <[REDACTED]>
Sent: Monday, October 26, 2009 10:09 AM
To: Ruemmler, Kathryn (ODAG); Delery, Stuart F. (ODAG); Siskel, Edward N. (ODAG); Osuna, Juan (CV); Torrez, Raul; Breuer, Lanny A. (CRM); Raman, Mythili (CRM); Melson, Kenneth E. (ATF); [REDACTED] (ATF); Hoover, William J. (ATF); Leonhart, Michele M.; Mueller, Robert S. III (FBI); Harrington, T. J. (FBI); Perkins, Kevin L. (FBI); Carlin, John (FBI); Clark, John (USMS) DIR; Fahey, Sean (USMS); Lappin, Harley G. (BOP); Dalius, William (BOP); Dodrill, D. Scott (BOP); Jarrett, Marshall (USAEQ); Derden, Terry (USAEQ); Nash, Stuart (ODAG); Burke, Dennis (USAAZ); Hewitt, Karen (USACAS); Fouratt, Greg (USANM); Johnson, Tim (USATXS) 7; Murphy, John E. (USATXW); [REDACTED] (USMS) b6
Cc: Blanco, Kenneth (CRM); Weinstein, Jason (CRM); Swartz, Bruce (CRM)
Subject: RE: Southwest Border Strategy Group Meeting
Attachments: Agenda SWB Strategy Group Mtg 10-26-09 v2.wpd

See attached agenda for the meeting.

<<Agenda SWB Strategy Group Mtg 10-26-09 v2.wpd>>

Winnie Brinkley

From: Brinkley, Winnie On Behalf Of Ogden, David W. (ODAG) b6
Sent: Thursday, October 22, 2009 8:32 PM
To: Ogden, David W. (ODAG); Ruemmler, Kathryn (ODAG); Delery, Stuart F. (ODAG); Siskel, Edward N. (ODAG); Osuna, Juan (CV); Torrez, Raul; Breuer, Lanny A. (CRM); Raman, Mythili (CRM); Melson, Kenneth E. (ATF); [REDACTED] (ATF); Hoover, William J. (ATF); Leonhart, Michele M. (DEA-US); Mueller, Robert S. III (FBI); Harrington, T. J. (FBI); Perkins, Kevin L. (FBI); Carlin, John (FBI); Clark, John (USMS) DIR; Fahey, Sean (USMS); Lappin, Harley G. (BOP); Dalius, William (BOP); Dodrill, D. Scott (BOP); Jarrett, Marshall (USAEQ); Derden, Terry (USAEQ); Nash, Stuart (ODAG); Burke, Dennis (USAAZ); Hewitt, Karen (USACAS); Fouratt, Greg (USANM); Johnson, Tim (USATXS) 7; Murphy, John E. (USATXW); [REDACTED] (USMS)
Cc: Blanco, Kenneth (CRM); Weinstein, Jason (CRM); Swartz, Bruce (CRM) b6
Subject: Southwest Border Strategy Group Meeting
When: Monday, October 26, 2009 11:30 AM-12:30 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Main RPK Bldg., Room 4111 b6 b6

Call in telephone #: [REDACTED] **and Pass Code #:** [REDACTED]

Briefing materials in binder - Tab #3.

Attendees: Kathryn Ruemmler, Stuart Delery, Ed Siskel, Juan Osuna, Raul Torrez, AAG Lanny Breuer/CRM, Mythili Raman/CRM, Ken Blanco/CRM, Jason Weinstein/CRM, Bruce Swartz/CRM

- Ken Melson, Director, ATF, [REDACTED] William Hoover
- Michelle Leonhart, Administrator, DEA
- Robert Mueller, Director, FBI, T.J. Harrington, Kevin Perkins, John Carlin
- John Clark, Director, USMS, Sean Fahey
- Harley Lappin, Director, BOP, William Dalius, Scott Dodrill attending on behalf of Mr. Lappin
- Marshall Jarrett, Director, EOUSA, Terry Derden
- Stuart Nash, Director, OCDETF
- Dennis Burke, U.S. Attorney, District of Arizona by telephone

- Karen Hewitt, U.S. Attorney, Southern District of California
- Greg Fouratt, U.S. Attorney, District of New Mexico
- Tim Johnson, U.S. Attorney, Southern District of Texas by telephone
- John Murphy, U.S. Attorney, Western District of Texas
- Todd Jones, Chair, Attorney General's Advisory Committee ("AGAC")

AGENDA
Meeting of the Southwest Border Strategy Group
October 26, 2009 11:30 am - 12:30 pm

I. **Opening Remarks**

David W. Ogden,
Deputy Attorney General

II. **Update on Merida 2.0 IPC Process**

Lanny Breuer,
Assistant Attorney General for the Criminal Division

III. **Brief Updates from Components**

IV. **DOJ Strategy for Combating the Mexican Cartels**

David W. Ogden

V. **Next Steps**

Logan, Stephanie B (OIP)

From: Siskel, Edward N. (ODAG)
Sent: Friday, October 23, 2009 8:37 AM
To: Delery, Stuart F. (ODAG); Ruemmler, Kathryn (DDAG); Nash, Stuart (DDAG)
Subject: Draft Agenda for SWB Strategy Group Mtg Monday

Here is a draft agenda for the meeting on Monday. Stuart, can we sit down with David for a few minutes this morning to talk through some issues in advance of the meeting?



Agenda SWB
Strategy Group Mtg

Edward Siskel
Associate Deputy Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC. 20530
(o) 202.353.8878
(c) [REDACTED] b6
Edward.N.Siskel@usdoj.gov

AGENDA
Meeting of the Southwest Border Strategy Group
October 26, 2009 11:30 am - 12:30 pm

I. Opening Remarks

David W. Ogden,
Deputy Attorney General

II. Update on Merida 2.0 IPC Process

Lanny Breuer,
Assistant Attorney General for the Criminal Division

III. Reports from Components

- ATF
- BOP
- CRM
- DEA
- FBI
- USAOs
- USMS

III. DOJ Strategy for Combating the Mexican Cartels

Ed Siskel,
Associate Deputy Attorney General

Stuart Nash,
Director, OCDETF

IV. Strategy Group Committees and Next Steps

David W. Ogden

Alvarez, Greg (OIP)

From: Siskel, Edward N. (ODAG)
Sent: Wednesday, October 28, 2009 9:24 AM
To: Long, Linda E
Cc: Brinkley, Winnie; Delery, Stuart F. (ODAG); Nash, Stuart (ODAG)
Subject: Next meeting of the SW Border Strategy Group

Linda-- The DAG wants to hold meetings of the SW Border Strategy Group every two weeks to begin with (these will taper off to once a month after a few meetings), so we need to schedule the next meeting. The first one was this past Monday, so two weeks would be during the week of Nov. 9th. I am going to the ATF training center all day on Monday the 9th, so if we could do it on Tuesday, 11/10 or Wednesday, 11/11, that would be best. We should also check to make sure Lanny Breuer is available before finalizing the date and time. Thanks, Ed

Edward Siskel
Associate Deputy Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC. 20530
(o) 202.353.8878
(c) [REDACTED] b6
Edward.N.Siskel@usdoj.gov

Logan, Stephanie B (OIP)

Subject: Southwest Border Strategy Group Meeting
Location: Main RFK Bldg., Room 4111

Start: Mon 10/26/2009 11:30 AM
End: Mon 10/26/2009 12:30 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Ogden, David W. (ODAG)
Required Attendees: Ruemmler, Kathryn (ODAG); Delery, Stuart F. (ODAG); Siskel, Edward N. (ODAG); Osuna, Juan (CIV); Torrez, Raul; Breuer, Lanny A. (CRM); Raman, Mythili (CRM); Melson, Kenneth E. (ATF); [b6] (ATF); Hoover, William J. (ATF); Leonhart, Michele M. (DEA-US); Mueller, Robert S. III (FBI); Harrington, T. J. (FBI); Perkins, Kevin L. (FBI); Carlin, John (FBI); Clark, John (USMS) DIR; Fahey, Sean (USMS); Lappin, Harley G. (BOP); Dalius, William (BOP); Dodrill, D. Scott (BOP); Jarrett, Marshall (USAEO); Darden, Terry (USAEO); Nash, Stuart (ODAG); Burke, Dennis (USAAZ); Hewitt, Karen (USACAS); Fouratt, Greg (USANM); Johnson, Tim (USATXS) 7; Murphy, John E. (USATXW); [b6] (USMS) [b6]

When: Monday, October 26, 2009 11:30 AM-12:30 PM (GMT-05:00) Eastern Time (US & Canada).

Where: Main RFK Bldg., Room 4111

~~*~*~*~*~*~*~*~*

[b6]

[b6]

Call in telephone #: [redacted] **and Pass Code #:** [redacted]

Attendees: Kathryn Ruemmler, Stuart Delery, Ed Siskel, Juan Osuna, Raul Torrez, AAG Lanny Breuer/CRM, Mythili Raman/CRM

- Ken Melson, Director, ATF, [redacted] William Hoover [b6]
- Michelle Leonhart, Administrator, DEA
- Robert Mueller, Director, FBI, T.J. Harrington, Kevin Perkins, John Carlin
- John Clark, Director, USMS, Sean Fahey
- Harley Lappin, Director, BOP, William Dalius, Scott Dodrill attending on behalf of Mr. Lappin
- Marshall Jarrett, Director, EOUSA, Terry Darden
- Stuart Nash, Director, OCDETF
- Dennis Burke, U.S. Attorney, District of Arizona by telephone
- Karen Hewitt, U.S. Attorney, Southern District of California
- Greg Fouratt, U.S. Attorney, District of New Mexico
- Tim Johnson, U.S. Attorney, Southern District of Texas by telephone
- John Murphy, U.S. Attorney, Western District of Texas
- Todd Jones, Chair, Attorney General's Advisory Committee ("AGAC")

From: Newell, William D.
Sent: Tuesday, February 22, 2011 1:12 PM
To: [REDACTED] Per ATF b6, 7C
Subject: FW:
Categories: Red Category, Green Category

Bill Newell
Special Agent in Charge
Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
Phoenix Field Division (Arizona and New Mexico)
[REDACTED]

From: [REDACTED] Per ATF b6, 7C
Sent: Tuesday, February 22, 2011 10:56 AM
To: Newell, William D.
Subject: FW:

[REDACTED] Per ATF b6, 7C
ATF National Coordinator
Southwest Border/Project Gunrunner
[REDACTED]

From: Johnston, Deborah A. (ODAG) [REDACTED]
Sent: Tuesday, February 22, 2011 11:06 AM
To: [REDACTED] Per ATF b6, 7C
Subject:



Project Gunrunner
2011-02 (Hag...

Deborah A. Johnston
Associate Deputy General
950 Pennsylvania Ave. NW [REDACTED]
Washington, DC 20530

Southwest Border – Project Gunrunner

- Project Gunrunner, implemented in 2006 as ATF's southwest border strategy, works in conjunction with its domestic and international law enforcement partners to identify, disrupt and dismantle the firearms trafficking infrastructure of transnational criminal organizations operating in Mexico and along the border.
- Through Project Gunrunner ATF has targeted and prosecuted firearms trafficking organizations in all parts of the United States, from Minnesota to Florida to all our border states, where ATF tracing data and intelligence has provided valuable leads in identifying individuals bent on providing guns to the cartels.
- Today, there are over 4,600 open Project Gunrunner investigations throughout the United States looking into the firearm traffickers that facilitate such violence in Mexico.
- Since its 2006 inception, ATF's Project Gunrunner investigations have seized in excess of 10,000 firearms and 1.1 million rounds of ammunition destined for Mexico.
- In December 2009, ATF deployed Spanish eTrace, which allows our Mexican law enforcement partners and other Spanish-speaking nations to enter information about recovered crime guns into ATF's National Tracing Center.
- eTrace allows law enforcement representatives to electronically submit firearm trace requests, to retrieve completed trace results, and to query firearm trace-related data in a real-time environment.
- In response to the State Department funding of Integrated Ballistics Identification Systems (IBIS) machines in Mexico, ATF has developed an international correlation server for bilateral sharing of forensic evidence recovered in relation to shootings on both sides of the border. In addition, ATF is developing a mobile IBIS capability that will allow us to capture more forensic firearms identification from US law enforcement agencies that now do not have access to the NIBIN program. NIBIN continues to be an important tool in the identification and investigation of active shooters domestically and abroad.
- Project Gunrunner proves that valuable investigative information is obtained when all crime guns are traced. Numerous illegal purchasers have been identified and trafficking networks investigated and prosecuted based on leads generated by eTrace.
- Since 2009, ATF has tripled its Project Gunrunner personnel in Mexico which has increased its capabilities for intelligence sharing and scene response. As a result, the Government of Mexico is able to perfect additional cases and prosecute offenders.
- As part of ATF's Project Gunrunner contributions within the Merida initiative, ATF continues to train Government of Mexico officials in firearms and explosives

identification, firearms tracing procedures, post blast investigations, crisis negotiations, and the training and use of explosive detection canines.

- ATF has partnered with the Government of Mexico to create the Combined Explosives Investigation Team (CEIT). This team is a deployable, bi-national unit composed of Mexican law enforcement officers, ATF Special Agents, and ATF Explosives Enforcement Officers. The team responds to, and investigates, the rapidly increasing number of incidents involving the use or recovery of improvised explosive devices (IED's) and Vehicle Borne Improvised Explosive Devices (VBIED's) in Mexico.
- ATF has partnered with Immigration and Customs Enforcement (ICE) and the Government of Mexico to form the DC Arms Group. Based in Washington, DC, this group is a multi-agency effort to coordinate strategic efforts of the participating agencies.
- Further Project Gunrunner statistics, FY 2006 – 2010 (only that information coded as Project Gunrunner, not ATF as a whole):
 - 2,451 defendants were recommended for prosecution.
 - 809 defendants were serving an average of 104 months in prison and an additional 260 were under the supervision of the court for an average of 39 months
 - 300 additional defendants were convicted and are awaiting their sentence.
 - 1,573 defendants (64% of all Gunrunner defendants recommended for prosecution) faced charges related to firearms trafficking.
 - ATF conducted 11,745 firearms licensee compliance inspections.
 - ATF Industry Operations Investigators (IOIs) identified 92,871 firearms that FFLs could not locate in inventory or account for by sale or other disposition. By working with industry members, IOIs located either the firearms or records to confirm the disposition of 76,436, or 82% of the missing firearms.
 - ATF's IOIs reviewed over 1.75 million firearm transaction records to both validate their correct and accurate completion as well as glean investigative leads regarding patterns of purchases.

Success Stories:

- During a routine FFL inspection in Houston, Texas, a large-scale trafficking operation was discovered.



Per ATF b7A

and 45 cartel gunmen. Thus far, 16 individuals have been charged with firearms trafficking related charges and 13 have been sentenced.

- An ATF trace of a firearm recovered in Mexico revealed that the purchaser resided in Minnesota and had purchased in excess of 100 firearms. ATF also determined that this individual has numerous Mexico-U.S. border crossings near the dates of firearms purchases. ATF also determined that this individual has had nearly \$70,000 (non-declared on taxes) wired to his bank account from Mexican sources. ATF established a Title III intercept on the individual's cellular telephone. ATF then established a 1,400 mile surveillance tracking the individual to Laredo, Texas where ATF asked CBP to stop the individual prior to crossing the border. Fourteen (14) firearms were recovered from the vehicle. The Minnesota resident that ran the operation in the United States was sentenced to 36 months imprisonment. As of 01/25/11, 18 individuals have been charged in this investigation. ATF cooperation with GOM officials has led to several prosecutions in Mexico as well as evidence recovery.

➤ In December 2009, ATF released eTrace 4.0, the bilingual version of the application allowing law enforcement agencies to capitalize on the full benefits of eTrace in English or Spanish. eTrace 4.0 was produced at the request of Spanish-speaking countries and its concept was supported by the U.S. Department of State. It allows users to input and retrieve data in Spanish and, at the same time, the information is retrievable and searchable in English. It also allows international law enforcement agencies to capitalize on the full benefits of eTrace in Spanish or English and provides data conventions in accordance with international standards.

➤ The NTC conducted Spanish eTrace training in Mexico, Guatemala, Costa Rica, Honduras, Panama, Guyana and El Salvador. The NTC has provided briefings to representatives of selected South American governments to further expand the use of the system in order to have the majority of countries in the western hemisphere participating, thereby substantially improving ATF's understanding of the illegal trafficking of firearms within the entire region.

□ Long guns, including semiautomatic assault rifles, purchased in the United States are being smuggled to Mexico by drug cartels and used in violent criminal activity along the southwest border.

➤ Increase in U.S. Long Guns Recovered in Mexico: According to a recent Department of Justice, Office of the Inspector General (OIG) report, the percentage of crime guns recovered in Mexico that are long guns increased from 20% in 2004 to 48% in 2009.

▪ OIG also found that long guns tend to have shorter "time-to-crime" than handguns and Mexican cartels are buying these assault rifles in multiples.

- OIG report recommended that ATF obtain multiple long gun sales reports to identify trafficking patterns and improve investigative leads.
- According to OIG and ATF, 90 percent of firearms recovered and traced in drug cartel crimes in Mexico originated from the United States.
- Drug gangs are responsible for 30,100 deaths in Mexico

Per ATF b6, 7C

February 2011 (Prepared by [REDACTED] v. 1)

From: Hoover, William J.

Sent: Thursday, December 16, 2010 7:18 PM

To: Smith, Brad (ODAG) (SMO); Michalic, Mark (ODAG) (SMO)

CC: Melson, Kenneth E.

Subject: FW: Requested Documents

Attachments: December Fast and Furious BP Supplemental December 16 2010.docx; December Fast and Furious BP for SAC (2) (2).docx

Brad and Mark,

I apologize for the format of the first documents I forwarded. These should be better.

Thank you,

Billy

William J. Hoover

Deputy Director

Bureau of Alcohol, Tobacco, Firearms & Explosives

HQGR ATF - 002048

**REMARKS OF DEPUTY ATTORNEY GENERAL DAVID W. OGDEN
PROJECT GUNRUNNER PRESS CONFERENCE
October 1, 2009**

Good morning. I am happy to be here today with ATF Acting Director Melson and our partners in state and local law enforcement to highlight the real successes of Project Gunrunner and announce our plans to build upon those accomplishments. This administration and this Justice Department have made protecting the integrity of our Southwest Border a top priority. That means stemming the tide of illegal drugs and illegal immigration across the border into the United States, and it means continuing our efforts here in Houston and along the border to stop the flow of illegal firearms from the United States to the drug cartels in Mexico.

Since March, when we announced our Southwest Border Strategy, we have taken concrete steps to disrupt and dismantle these cartels. Just last month, in Brooklyn and Chicago, we announced major drug-trafficking charges against 43 individuals including leaders, members, and associates from a number of these deadly drug cartels such as the Sinaloa Cartel, the Federation, the Juarez Cartel, and Los Gueros. As we know all too well, the cartels' distribution networks in the United States help move these dangerous drugs from the border to neighborhoods across this country.

In addition to bringing these intelligence-driven, prosecutor-led cases against cartel leaders and associates, the President's National Southwest Border Counternarcotics Strategy includes millions in Recovery Act funds to fight crime and drug trafficking, a new arms trafficking working group, and new formal agreements with our partners at the Department of Homeland Security, law enforcement, and the government of Mexico to increase cooperation that is vitally needed as we carry out this fight on several fronts.

Our colleagues in some areas of Mexico face unprecedented levels of violence, due in large part to their valiant efforts to confront these dangerous and powerful cartels and their success in doing so. As efforts to disrupt and dismantle these powerful cartels gain momentum, the cartels have struck back with violence and terror. But this is not a problem Mexico alone must face. The drugs flow north into our communities and contribute to violence here and harm public health and safety and we know weapons from the United States flow south and are used in these violent attacks. So we must stand with Mexico as strong partners. It is the right thing to do and the only way to win this fight.

And thanks to the American Recovery and Reinvestment Act, ATF is building an infrastructure to combat violent crime and illegal firearms trafficking along our Southwest Border as part of Project Gunrunner, a comprehensive strategy to combat firearms-related violence by the drug cartels.

We intend to reduce the availability of guns to Mexican drug trafficking organizations. And we are accomplishing this goal by targeting those who enable the violence: the illegal firearms traffickers.

One component of Project Gunrunner is the Gun Runner Impact Teams or GRITs. These teams, working with federal, state, and local partners as well as the Mexican

authorities, follow leads generated from crime guns recovered in Mexico. They use a combination of inspections of Federal firearms licensees or "FFLs," and investigations of both FFLs, and their customers, to target and disrupt gun trafficking groups and organizations who are supplying the drug cartels.

Intelligence gathered by GRITs since their inception in April 2008 revealed that the majority of crime guns recovered in Mexico traced back to Southern Texas. In response to that important information, we deployed 100 additional ATF personnel to its Houston Field Division to form additional Impact Teams bringing new focus on this key source area. The new GRITs tracked every lead we had tying guns used in cartel violence to sources here in South Texas, and developed new ones.

This campaign enabled ATF to pursue 700 backlogged leads and to develop and pursue 400 additional leads. The new GRITs also performed a surge of inspections of FFLs, here in South Texas. We learned that some gun dealers here were failing to conduct background checks, failing to keep tabs on their inventories, or failing to require the proper paperwork from their customers. These kinds of failures facilitate the illegal gun traffic to the cartels. Through inspections lawful gun dealers are incentivized to take greater care and are educated on how to identify suspicious purchasers and potential traffickers – creating new key sources of intelligence.

The GRITs also opened 276 full-scale investigations – that is more investigations in one four month period than the Houston Field Division had opened in any of the three previous calendar years. The new investigations, many of which are ongoing, revealed and disrupted firearms trafficking rings tied to specific Mexican drug trafficking organizations, such as the Gulf Cartel and Los Zetas. During the surge, the GRITs learned that many of these rings operate by recruiting teams of straw purchasers who accumulate numerous firearms by buying them from multiple FFLs and gun shows. Then, traffickers smuggle the guns into Mexico. In many cases the GRITs have traced the guns used in criminal activity in Mexico to these firearm trafficking rings.

In the course of these investigations, the GRITs seized almost 450 illegal firearms and our state and local partners here in South Texas seized approximately 170 more based on leads developed by the GRITs. The GRITs also took significant amounts of illegally possessed ammunition and drugs off the streets.

The leads and investigations developed during this surge have disrupted firearms traffickers and will undoubtedly result in prosecutions. And their impact goes farther: they gathered invaluable intelligence regarding the sources of the cartels' illegal firearms, the methods used to traffic them, trafficking routes, smuggling methods, purchasing strategies, and recruiting strategies for straw purchasers. This intelligence will help solve future firearms crimes, detect illegal firearms traffickers, and reduce the international movement of illegal guns.

The surge has also sent a strong message to FFLs in this key region that they must be vigilant in keeping track of their inventory, performing background checks, keeping

accurate records, and paying careful attention to any suspicious behavior by their customers.

The surge represented by this Houston GRIT initiative now concludes as these added personnel return to vital duties elsewhere in the country. I want to thank each of them for the Attorney General, the Department, and this country for their hard work these last 120 days. They leave behind a better situation and leave us with a much clearer picture of the illegal firearms trafficking activity that we face. Armed with the intelligence that they have developed, the Houston Field Division is much better equipped to continue toward its goal of keeping U.S. firearms out of the hands of the Mexican drug cartels.

Many of the personnel who return to other duties are being replaced by new personnel. Again, this is thanks to the Recovery Act which provided Project Gunrunner with \$10 million to hire special agents, industry operations investigators and others to staff new offices to target the trafficker that places the gun into the hands of the violent criminal.

The first 20 new special agents graduate from the ATF Training Academy on October 15th.

These agents – along with 17 other Recovery Act funded ATF employees – will play an important role in our efforts to stem the flow of illegal firearms to the drug trafficking organizations in Mexico. They are being added to ATF's resident core of agents and other personnel who continue the vital work of Project Gunrunner, as well as teams from FBI, DEA, ICE, CBP, and our State and local partners, who form our team along the border.

The Department of Justice and its U.S. Attorneys are committed to working with that team, as well as our Mexican partners, to prosecute defendants charged with acts of violent crime, drug and human trafficking, the illegal smuggling of cash and financial instruments, and the trafficking of firearms.

Together we are determined to make a difference in the safety of our Southwest Border and throughout our country. Thank you.

From: [REDACTED] Per ATF b6, 7C
Sent: Friday, December 04, 2009 2:08 PM
To: Chait, Mark R.; Hoover, William J.
Subject: FW: Weapons seizures in Mexico

FYI -- I have a call into Lanny Breuer's office and I'm looking at Wednesday, 12/16 at 11:30 a.m. I will keep everyone posted. Thank you.

From: Melson, Kenneth E.
Sent: Friday, December 04, 2009 12:27 PM
To: [REDACTED] Per ATF b6, 7C
Subject: FW: Weapons seizures in Mexico

Per ATF b6, 7C
Would you set up a meeting with Mr. Breuer. Billy, Mark, and [REDACTED] should go too. Thanks.

From: Breuer, Lanny A. [REDACTED] Per CRM b6
Sent: Friday, December 04, 2009 10:18 AM
To: Melson, Kenneth E.
Cc: Siskel, Edward N. (ODAG) (SMO); Hoover, William J.; Weinstein, Jason; Rosen, Paul; Raman, Mythili; Fogell, Steven
Subject: RE: Weapons seizures in Mexico

Ken,

We think this is a terrific idea and a great way to approach the investigations of these seizures. Our Gang Unit will be assigning an attorney to help you coordinate this effort. Please let us know who will be the POC at ATF on this, and we'll have the Gang Unit folks reach out to that person. I would love to see you to discuss this further and other issues or common interest. I hope you are well.

Best,

Lanny

From: Melson, Kenneth E. [REDACTED] Per ATF b6
Sent: Thursday, December 03, 2009 5:46 PM
To: Breuer, Lanny A.
Cc: Siskel, Edward N. (ODAG) (SMO); Hoover, William J.
Subject: Weapons seizures in Mexico

Lanny: We have decided to take a little different approach with regard to seizures of multiple weapons in Mexico. Assuming the guns are traced, instead of working each trace almost independently of the other traces from the seizure, I want to coordinate and monitor the work on all of them collectively as if the seizure was one case. Using the traces as intelligence, and compiling the information from each trace investigation, we can connect the purchases, identify the traffickers and use more serious charges against them. The intelligence analysis and linking of trace data and

[REDACTED] Per ATF b7E

[REDACTED] Per CRM b5

[REDACTED] We should meet again just to catch up on where we are in our gun trafficking issues and we could talk about the above idea as well. Let me know what you think. Thanks. Ken.

From: Goldberg, Stuart (ODAG) | [REDACTED] b6
Sent: Wednesday, March 09, 2011 11:04 PM
To: Melson, Kenneth E.
Subject: Re: Firearms Trafficking

Got it. Thanks.

From: Melson, Kenneth E. (ATF)
Sent: Wednesday, March 09, 2011 08:31 PM
To: Goldberg, Stuart (ODAG); Monaco, Lisa (ODAG)
Subject: FW: Firearms Trafficking

Just for info, USATX sent out this email to all his SACs, and our SAC sent it to the SWB ATF SACs. As I said, we learned of this before the DAG's call by way of this email. Ken.

From: Hoover, William J.
Sent: Wednesday, March 09, 2011 8:18 PM
To: Melson, Kenneth E.
Subject: FW: Firearms Trafficking

As information!

Billy

William J. Hoover
Deputy Director
Bureau of Alcohol, Tobacco, Firearms & Explosives

[REDACTED] b6

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

From: Webb, J. Dewey
Sent: Wednesday, March 09, 2011 8:01 PM
To: Chait, Mark R.; McMahon, William G.; Hoover, William J. Per ATF b6 & b7C
Cc: Champion, Robert R.; Newell, William D.; Torres, John A. [REDACTED]
Subject: Fw: Firearms Trafficking

FYI,

THE US ATTORNEY IN THE SOUTHERN DISTRICT SENT OUT THE BELOW MESSAGE AFTER A DOJ CONFERENCE CALL TODAY. PLEASE SEE MY BELOW RESPONSE TO HIM AND ALL THE AGENCY HEADS ON HIS EMAIL STRING.

I HAVE CC'D THE OTHER SWB SACS, IN CASE THEIR USA'S ARE SENDING OUT SIMILAR MESSAGES.

NOTICE: This e-mail message and any attached files are intended solely for the use of the addressee(s) named above in connection with official business. This communication may contain Sensitive But Unclassified information that may be statutorily or otherwise prohibited from being released without appropriate approval. Any review, use, or dissemination of

HOCR ATF - 002057

this e-mail message and any attached file(s) in any form outside of the Bureau of Alcohol, Tobacco, Firearms & Explosives or the Department of Justice without express authorization is strictly prohibited.

From: Webb, J. Dewey
To: Moreno, Angel (USATXS); 'Robert.Rutt [b6]'; 'TEHinojosa [b6]'; Powers, Richard C. (FBI); 'ESaenz [b6]'; 'Rodney.Clark [b6]'; 'JERRY.ROBINETTE [b6]'; Nelson, Cory B. (FBI)
Sent: Wed Mar 09 19:57:46 2011
Subject: Re: Firearms Trafficking

ANGEL,

AS FAR AS I KNOW, WE HAVE NEVER LET ANY FIREARMS WALK TO MEXICO IN THIS DIVISION. AND WHILE WE HAVE DISCUSSED CONTROLLED DELIVERIES TO MEXICO IN OUR JOINT CASES WITH ICE, WE HAVE NEVER MADE CONTROLLED DELIVERIES OF FIREARMS TO MEXICO.

OUR POLICY HAS ALWAYS BEEN. WE MAKE EVERY EFFORT TO STOP ALL FIREARMS AND AMMUNITION THAT WE ENCOUNTER IN OUR INVESTIGATIONS.

THANKS,

NOTICE: This e-mail message and any attached files are intended solely for the use of the addressee(s) named above in connection with official business. This communication may contain Sensitive But Unclassified information that may be statutorily or otherwise prohibited from being released without appropriate approval. Any review, use, or dissemination of this e-mail message and any attached file(s) in any form outside of the Bureau of Alcohol, Tobacco, Firearms & Explosives or the Department of Justice without express authorization is strictly prohibited.

From: Moreno, Angel (USATXS)
To: Rutt, Robert P ; Hinojosa, Thomas E (DEA-US) ; Powers, Richard C. (FBI); Webb, J. Dewey; Saenz, Elizabeth (USMS) ; Rodney.Clark [b6] ; Robinette, Jerry ; Nelson, Cory B. (FBI)
Sent: Wed Mar 09 19:08:36 2011 [b6]
Subject: Firearms Trafficking

Lady and Gents,

I just got off a telephone conference call with Deputy Attorney General James Cole and the other SWB U. S. Attorneys. DAG Cole asked us to relay to all of our agency heads the Department's position on firearms trafficking. He pointed out that he thinks we have all been doing a wonderful job and that this is a high priority for the United States. He said that there have been many issues raised recently in the press and in Congress about gun trafficking, and he wanted to make sure there was no confusion about DOJ's position. This is not a new stance, but he wanted to eliminate any doubts.

If there are going to be any operations, including undercover investigations, these WILL NOT include the firearms crossing the border into Mexico. In addition, he asked that if we became aware of any firearms going into Mexico from other operations, that we STOP them. No guns should cross into Mexico as part of one of our operations. He thanks you for your support and hard work.

If you have any question, please let me know. Thanks,

José Angel Moreno

United States Attorney

HOCR ATF - 002058

Southern District of Texas

HOGRAF - 002059

From: Newell, William D.
Sent: Tuesday, October 27, 2009 12:00 PM [Per ATF b6 & b7C]
To: Gillett, George T. Jr.; [REDACTED] Needles, James R.
Subject: FW: Southwest Border Strategy Group Meeting
Attachments: cartel.strategy2.wpd
Importance: High

Please read and we will discuss. I have a conference call with HQ on this.

Bill Newell
Bureau of ATF
Special Agent in Charge
Phoenix Field Division
Office [REDACTED] [b6]

[Per ATF b6 & b7C]

From: [REDACTED]
Sent: Tuesday, October 27, 2009 8:22 AM
To: Torres, John A.; Webb, J. Dewey; Newell, William D.; Golson Sr., Michael A.; Champlon, Robert R.
Subject: FW: Southwest Border Strategy Group Meeting
Importance: High

FYI. Not sure anyone forwarded this document to you. It is the Department's new strategy for combating Mexican drug cartels. A component of the strategy is the reduction of the flow of firearms from the U.S. to Mexico. You may want to take a look prior to our conference call. It is my belief that our enforcement strategies should be aligned with this DOJ strategy.

Thanks,

[REDACTED] [Per ATF b6 & b7C]

From: [REDACTED] [Per ATF b6 & b7C]
Sent: Monday, October 26, 2009 1:50 PM [Per ATF b6 & b7C] [Per ATF b6 & b7C]
To: Chait, Mark R.; McMahon, William G.; [REDACTED] Stucko, Audrey M.; McDermond, James E.; [REDACTED]
[REDACTED] Ford, Larry W.; Goddard, Valerie J.
Cc: Michalic, Vivian B.; Hoover, William J.
Subject: FW: Southwest Border Strategy Group Meeting

[Per ATF b6 & b7C]

As discussed at staff. Please find attached the proposed DOJ Cartel Strategy, which will be run by the DAG's Southwest Border Strategy Group. Please let me know if you have any comments or questions.

[b6]
From: Brinkley, Winnie [mailto:[REDACTED]@usdoj.gov] On Behalf Of Ooden, David W. (ODAG)
Sent: Friday, October 23, 2009 6:03 PM [Per ATF b6 & b7C]
To: Ruemmler, Kathryn (ODAG); Delery, Stuart F. (ODAG); Siskel, Edward N. (ODAG); Osuna, Juan (CIW); Torrez, Raul; Breuer, Lanny A. (CRM); Raman, Mychill (CRM); Melson, Kenneth E.; [REDACTED] Hoover, William J.; Leonhart, Michele M. (DEA-US); Mueller, Robert S. III (FBI); Harrington, T. J. (FBI); Perkins, Kevin L. (FBI); Carlin, John (FBI); Clark, John (USMS) DIR; Fahey, Sean (USMS); Lappin, Harley G. (BOP); Dalius, William (BOP); Dodrill, D. Scott (BOP); Jarrett, Marshall (USAEO); Derden, Terry (USAEO); Nash, Stuart (ODAG); Burke, Dennis (USAAZ); Hewitt, Karen

HOGR ATF - 001449

(USACAS); Fouratt, Greg (USANM); Johnson, Tim (USATXS) 7; Murphy, John E. (USATXW); Jones, Todd (USMS)
Cc: Bianco, Kenneth (CRM); Weinstein, Jason (CRM); Swartz, Bruce (CRM)
Subject: RE: Southwest Border Strategy Group Meeting

On behalf of DAG Ogden,

Earlier today you received notice from Ed Siskel of the inaugural meeting of the Southwest Border Strategy Group next Monday. One of the items that will be on the agenda for that meeting is discussion, and, if possible, adoption, of the Department's Strategy for Combating the Mexican Cartels. I am attaching hereto a draft copy of the strategy. It reflects a great deal of discussion with, and contributions from, many of your components over the past several months. The DAG asks that you come prepared with any specific suggestions or recommendations you may have related to this document.

And here is the document to attach:

<<cartel.strategy2.wpd>>

Winnie Brinkley

From: Brinkley, Winnie On Behalf Of Ogden, David W. (ODAG) Per ATF b6 & 7C
Sent: Thursday, October 22, 2009 6:32 PM
To: Ruemmler, Kathryn (ODAG); Delery, Stuart F. (ODAG); Siskel, Edward H. (ODAG); Osuna, Juan (CIV); Torrez, Raul; Breuer, Lanny A. (CRM); Raman, Myhill (CRM); Halsey, Kenneth E. (ATF); Hoover, William J. (ATF); Leonhart, Michelle M. (DEA-US); Mueller, Robert S. III (FBI); Harrington, T. J. (FBI); Perkins, Kevin L. (FBI); Carlin, John (FBI); Clark, John (USMS) DIR; Fahey, Sean (USMS); Lappin, Harley G. (BOP); Dalius, William (BOP); Dodrill, D. Scott (BOP); Jarrett, Marshall (USABO); Derden, Terry (USARO); Nash, Stuart (ODAG); Burke, Dennis (USAAZ); Hewitt, Karen (USACAS); Fouratt, Greg (USANM); Johnson, Tim (USATXS) 7; Murphy, John E. (USATXW); Jones, Todd (USMS)

Cc: Bianco, Kenneth (CRM); Weinstein, Jason (CRM); Swartz, Bruce (CRM)
Subject: Southwest Border Strategy Group Meeting
When: Monday, October 26, 2009 11:30 AM-12:30 PM (GMT-05:00) Eastern Time (US & Canada)
Where: Main RPK Bldg., Room 4111

Call in telephone # [b6] and Pass Code #: [b6]

Briefing materials in binder -- Tab #3.

Attendees: Kathryn Ruemmler, Stuart Delery, Ed Siskel, Juan Osuna, Raul Torrez, AAG Lanny Breuer/CRM, Myhill Raman/CRM

Per ATF b6 & 7C

- Ken Melson, Director, ATF, [b6] William Hoover
- Michelle Leonhart, Administrator, DEA
- Robert Mueller, Director, FBI, T.J. Harrington, Kevin Perkins, John Carlin
- John Clark, Director, USMS, Sean Fahey
- Harley Lappin, Director, BOP, William Dalius, Scott Dodrill attending on behalf of Mr. Lappin
- Marshall Jarrett, Director, EOUSA, Terry Derden
- Stuart Nash, Director, OCDETF
- Dennis Burke, U.S. Attorney, District of Arizona by telephone
- Karen Hewitt, U.S. Attorney, Southern District of California
- Greg Fouratt, U.S. Attorney, District of New Mexico
- Tim Johnson, U.S. Attorney, Southern District of Texas by telephone
- John Murphy, U.S. Attorney, Western District of Texas
- Todd Jones, Chair, Attorney General's Advisory Committee ("AGAC")

DEPARTMENT OF JUSTICE STRATEGY FOR COMBATING THE MEXICAN CARTELS

It is a priority of the Department of Justice to stem the growing violence and associated criminal activity perpetrated by the Mexican drug cartels, along the Southwest Border and throughout the nation. In order to maximize the efficacy of its limited resources, which are spread through numerous components of the Department, it is necessary that the Department deploy those resources pursuant to a single, coherent strategic plan.

An essential aspect of the DOJ plan must be ensuring a productive partnership with the government of Mexico, as well as with our state and local law enforcement counterparts. Equally important, we must avoid wasteful overlap and duplication with the activities of our other federal partners, particularly the law enforcement agencies at the Department of Homeland Security.

The following document sets forth the policy considerations that will guide the Department in this process.

The Strategy

The Department will implement its Strategy for Combating the Mexican Cartels under the supervision of the newly-created Southwest Border Strategy Group.

Operationally, the strategy will be executed through the proven mechanism of prosecutor-led, multi-agency task forces, using the Organized Crime Drug Enforcement Task Forces (OCDEF) Program as the primary coordinating platform. The Strategy's key objectives are to:

- Increase the safety and security of U.S. citizens throughout the United States by enforcing violations of federal law along the Southwest Border.
- Reduce the flow of narcotics and other contraband entering the United States.
- Reduce the flow of illegal weapons, ammunition, explosives, and currency exiting the United States and entering Mexico.
- Strengthen Mexico's operational capacities and enhance its law enforcement institutions.
- Increase bilateral cooperation between Mexico and the United States on fugitive capture and extradition activities.
- Increase intelligence and information sharing to achieve focused targeting of the most significant criminal organizations.

- Improve case building through interagency coordination, leveraging the expertise and authority of each investigative and prosecutorial agency.
- Maximize the effectiveness of prosecution by locating, arresting, extraditing, and trying all levels, including most importantly the leadership, of these criminal organizations, and disrupting and dismantling the organizations' domestic transportation and distribution cells.

Division of Responsibilities with DHS

Addressing the Southwest Border threat has two basic elements: policing the actual border to interdict and deter the illegal crossing of undocumented persons or contraband goods, and confronting the large criminal organizations operating simultaneously on both sides of the border.

Given its statutory mission and the resources it can bring to bear at the border, DHS clearly bears primary responsibility for the policing function. DOJ fully supports DHS in that endeavor by sharing relevant intelligence and by prosecuting the most egregious offenders DHS arrests in the course of its policing function. The Department of Justice prosecutes tens of thousands of these reactive law enforcement cases in federal court every year.

However, the root cause of the explosion of violence along the Southwest Border is the conflicts within and among a limited number of sophisticated, transnational criminal organizations. These hierarchical, Mexico-based cartels are responsible for smuggling into the United States most of our nation's illegal drug supply. While the cartels' primary business is drug trafficking, they also sponsor a panoply of other crimes that support their illegal operations. These other crimes include extortion, torture, murder, corruption of public officials, sheltering of wanted fugitives, kidnapping and human smuggling, laundering of illicit criminal proceeds through the existing financial system and through bulk cash smuggling, and the illegal acquisition, trafficking, and use of firearms and explosives.

It is in taking down these organized, multi-faceted criminal enterprises that DOJ plays the primary role and brings to bear its special expertise. DOJ's success in this endeavor assists, in turn, DHS in the performance of its policing and enforcement function, by disrupting the operations of the cartels, thereby decreasing the pressure on the border. For its part, DHS, and in particular ICE, provides invaluable assistance to the attack on these criminal organizations, by bringing to bear its unique expertise on cross-border transit of contraband.

Border policing and interdiction, and the resulting prosecutions, are key elements of the U.S. government's overall border security strategy. However, the investigation, apprehension, extradition, and prosecution of key cartel leaders and their associates, and the deprivation through forfeiture of their ill-gotten gains, is the most effective means by

which we can move past merely addressing the symptoms of our problems along the Southwest Border and attack, instead, the underlying causes.

Deployment of Resources

The Department's view - based on its decades of experience in investigating, prosecuting, and dismantling organized criminal groups, such as the Mafia, international terrorist groups, and domestic and transnational gangs - is that the best way to fight large scale criminal organizations is through intelligence-based, prosecutor-led, multi-agency task forces that blend the strengths, resources, and expertise of the complete spectrum of federal, state, local, and international investigative and prosecutorial agencies. Through their participation in such task forces, the Department's prosecutors, together with its component law enforcement agencies - DEA, ATF, FBI, and USMS - give the Department the capacity to carry out the full range of activities necessary to succeed against these organizations.

The Department has embraced a model to achieve these comprehensive goals that is proactive, in which we develop priority targets through the extensive use of intelligence. This intelligence is obtained from law enforcement sources, as well as through the careful and disciplined use of classified information from intelligence community agencies to provide unclassified leads. Sharing information, we build cases, coordinating long-term, extensive investigations to identify all the tentacles of a particular organization. Through sustained coordination of these operations, we are able to execute a coordinated enforcement action, arresting as many high-level members of the organization as possible, disrupting and dismantling the domestic transportation and distribution cells of the organization, and seizing as many of the organization's assets as possible, whether those assets be in the form of bank accounts, real property, cash, drugs, or weapons. Finally, we prosecute the leaders of the cartels and their principal facilitators, locating, arresting, and extraditing them from abroad as necessary. In this effort, we coordinate closely with our Mexican counterparts to achieve the goal: destruction or weakening of the drug cartels to the point that they no longer pose a viable threat to U.S. interests and can be dealt with by Mexican law enforcement in conjunction with a strengthened judicial system and an improved legal framework for fighting organized crime.

The principal platform for the support and oversight of these prosecutor-led, multi-agency task forces is the OCDETF Program. In most places, along the border and throughout the country, OCDETF provides an effective mechanism for law enforcement agencies from within DOJ, from elsewhere in the federal government (including DHS and Treasury), and state and local law enforcement, to combine with federal prosecutors to form a "virtual task force" for the purpose of investigating and prosecuting a particular high-value drug trafficking organization. In certain key locales, OCDETF has established actual, brick-and-mortar Co-Located Strike Forces, for the pursuit of the highest level traffickers of drugs, guns, and money. For instance, the San Diego Major Mexican Traffickers Task Force has been responsible for coordinating the U.S. government's successful efforts against the Arellano-Felix Organization. The Houston

OCDETF Strike Force has directed our most damaging blows against the Gulf Cartel. And in the first several months of its existence, the Arizona OCDETF Strike Force has been responsible for the indictment of a leader and other members of a major Mexican cartel and the seizure of over \$43 million in cartel assets.

The Department will use the OCDETF Strike Force concept to target all the organized crime activities of the drug cartels – not just those crimes directly related to the drug trade. By further leveraging and coordinating the investigative expertise and jurisdiction of law enforcement agencies outside the drug enforcement area, the Department will task the Strike Forces to disrupt and dismantle every area of the cartels' infrastructure and undermine their ability to operate successfully in any illegal activity.

On a local level, each Strike Force co-locates law enforcement resources that are supplemented by one or more on-site Assistant United States Attorneys. Retaining the current Strike Force structure, specifically the co-location and intensive and early prosecutorial involvement, ensures that the Department capitalizes upon the proven synergy of these Strike Forces to maximize the effectiveness of long-term investigations of these organizations.

In those locations where they currently exist, DOJ will make the OCDETF Co-Located Strike Forces the focal point for interagency efforts against the Mexican criminal organizations.¹ Elsewhere along the border, and throughout the nation, DOJ will seek to replicate, to the extent possible, the OCDETF Strike Force model, in particular the characteristics of interagency cooperation, information sharing, and strategic, intelligence-based targeting that have been embodied in these Strike Forces. Depending on local conditions, existing institutions, such as HIDTA task forces, Southwest Border Initiative Groups, VICIT teams, or Safe Streets Task forces may serve as the appropriate focal point for this interagency cooperation in locations that do not have OCDETF Strike Forces.

The OCDETF Strike Force is a proven law enforcement strategy with a proven history of success in combating the major drug trafficking organizations. The synergy created by co-locating the diverse expertise of federal, state, and local law enforcement agencies with prosecutors from the U.S. Attorney's Office, has had demonstrable success against major criminal organizations operating throughout the country.

Supplementing the regional operations of the Strike Forces with a comprehensive national policy and coordination body run out of the Office of the Deputy Attorney General, will give the Department a unified and comprehensive vehicle through which the United States government can disrupt the influence of the cartels. This unified and coordinated approach to law enforcement is not only the best way to use the formidable resources of the United States government, but also the most effective way to decrease the influence of these violent criminal enterprises while enhancing the public safety.

¹ OCDETF Co-Located Strike Forces are currently located in San Diego, Phoenix, El Paso, Houston (with satellites in Laredo and McAllen), Tampa, San Juan, Atlanta, New York, and Boston.

While the prosecutor-led, intelligence-driven, multi-agency task force model is a key component of the Department's Southwest Border Strategy, it will not be the only component. We must also recognize and support the important daily work performed by our investigators and prosecutors in stopping and seizing the flow of massive amounts of narcotics, firearms, and bulk cash from flowing across the border in both directions. These more reactive narcotics cases are important to the overall cartel strategy, because in the process we are seizing millions of pounds of drugs, thousands of firearms, and millions of dollars in bulk cash as they enter and exit the country. In addition, these commodity-focused cases yield significant intelligence that is then fed into the Special Operations Division (SOD), the OCDETF Fusion Center (OFC), and the El Paso Intelligence Center (EPIC) for use in supporting more proactive, intelligence-driven investigations that are designed to attack all of the cartels' diverse lines of illegal business. Therefore, the Department's Strategy for Combating the Mexican Cartels must include an assessment of the resource needs of all our components, and a plan for how they intend to achieve the stated goals of the Strategy in light of the specific cartel activity impacting their jurisdictions.

Intelligence

Law enforcement agencies must have the ability to access, link, and interpret voluminous intelligence information from as wide a community as possible. We use this shared information to identify and target the most significant organizations, so that we can achieve the greatest impact with our finite resources. We also use shared information to develop coordinated, multi-jurisdictional investigations of those high-impact targets, making sure that investigations are mutually reinforcing, without duplicating or jeopardizing other investigations targeting overlapping organizations.

Several multi-agency endeavors are particularly important to the provision of tactical intelligence and operational support in targeting the largest and most dangerous Mexican cartels.

The Attorney General's Consolidated Priority Organization Target (CPOT) List

The CPOT list of international "Most Wanted" drug kingpins will be used to help focus our critical resources on the greatest threats from the Mexican cartels. Of the 59 worldwide cartels currently on the list, 25 of them are Mexico-based.

The El Paso Intelligence Center (EPIC)

EPIC is a DEA-led multi-agency organization that provides case-specific tactical intelligence, focusing specifically on the Southwest Border. The ATF Firearms Intelligence Analysis Team is a specialized component of EPIC that serves as a central point of analysis and repository for all Southwest Border firearms-related intelligence. FBI recently created the Southwest Intelligence Group (SWIG), a clearinghouse of all FBI activities involving Mexico, and it is in the process of moving that clearinghouse to

EPIC. EPIC houses the National Seizure System, which collects and maintains data on seizures of drugs, guns, and money by law enforcement agencies throughout the nation.

The Special Operations Division (SOD)

SOD is a DEA-led multi-agency coordination center that targets the communication devices the criminal organizations' leaders use to communicate with each other. SOD actively supports multi-jurisdictional, multi-national, and multi-agency electronic surveillance investigations, coordinating overlapping investigations and ensuring that tactical and operational intelligence is shared between law enforcement agencies.

The OCDETF Fusion Center (OFC)

The OFC is a comprehensive, multi-agency data center containing drug and related financial data from DEA, ATF, FBI, ICE, CBP, IRS, USMS, EPIC, USMS, the U.S. Coast Guard, the Financial Crimes Enforcement Network, the State Department's Bureau of Consular Affairs, and other key agencies. It conducts cross-agency and cross-jurisdictional integration and analyses to create comprehensive pictures of targeted organizations and to pass usable leads through SOD to participants in the field.

Current Areas of Focus

Pursuant to the principles articulated above, DOJ is pursuing initiatives in the following areas:

1. Ramping up Establishment and Use of Vetted Units in Mexico

An important aspect of case building in Mexico involves U.S. cooperation with specially vetted Mexican law enforcement units. DOJ law enforcement agents work in an advisory capacity to develop elite vetted units of Mexican federal police officers, training them to conduct law enforcement operations that lead to the discovery and seizure of drugs, guns, explosives, money, and documentary evidence to support bilateral investigations and prosecutions. The Mexican units also arrest active members of the cartels, who may eventually become either cooperating witnesses, defendants, or both. These units are essential to our operations. In order to properly leverage and support these crucial operations, the Department must expand their number, to include more drug trafficking units, a firearms trafficking unit, a money-laundering/financial unit, and a fugitive apprehension unit.

2. Continued Focus on Attacking Cartel Finances

A particular point of emphasis in recent years has been the dismantlement of the financial infrastructure of the drug trafficking organizations. These efforts have been hampered by the fact that financial cases are complex and time-consuming, and the pool of experienced financial investigators is finite. Since the curtailment of IRS involvement

in drug investigations in 2005, ATF, DEA, FBI, and USMS have hired additional financial investigators and forfeiture specialists. OCDETF has established the Financial Investigative Contractor (FIC) Program to bring additional experienced financial investigators to bear on the largest cartels, and has buttressed the analytical and document exploitation capabilities of its Co-Located Strike Forces in San Diego, Phoenix, El Paso, Houston, and Atlanta. DEA has implemented Financial Investigation Teams (FITs) in its field divisions to target the financial assets of drug traffickers. Analysts and attorneys in the U.S. Attorney's Offices and in the Department's Asset Forfeiture and Money Laundering Section have also stepped up their efforts to assist. In addition, Southwest Region federal agencies are working with state and local law enforcement agencies on an OCDETF bulk currency initiative that targets the highest level drug cartels and their transportation routes in the Southwest. These efforts must be supported and expanded.

3. Attacking the Southbound Flow of Firearms

Addressing the flow of weapons into Mexico from the United States is also a primary focus of our efforts. ATF's intelligence has shown that the prevalence of firearms and explosives trafficking into Mexico has a direct nexus to the cartels' national domestic drug distribution network. Thus, given the national scope of this issue, merely seizing firearms through interdiction will not stop firearms trafficking to Mexico. We must identify, investigate, and eliminate the sources of illegally trafficked firearms and the networks that transport them. Since 2006, Project Guarumier has been ATF's comprehensive strategy to combat firearms-related violence perpetrated by the drug cartels along the Southwest Border. Increasingly close collaboration between ATF and the efforts of the multi-agency drug task forces along the border, including, most particularly, the OCDETF co-located Strike Forces, ensures that scarce ATF resources are directed at the most important targets.

4. Increased Focus on Locating and Apprehending Fugitives



Department maintain its commitment to support and expand these international fugitive apprehension efforts.

5. Expanded Use of the Extradition Process

[REDACTED]

6. Continued Pursuit of Corrupt Public Officials Who Facilitate the Drug Trade

[REDACTED]

7. Merida

[REDACTED]

Subject: Updated: Southwest Border Strategy Group Meeting
Location: Main RFK Bldg., Room 4111

Start: 1/19/2010 11:30 AM
End: 1/19/2010 12:30 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Required Attendees: Grindler, Gary (ODAG); Delery, Stuart F. (ODAG); Siskel, Edward N. (ODAG); Torrez, Raul; Vogel, Miriam (ODAG); Osuna, Juan (CIV); Breuer, Lanny A. (CRM); Raman, Mythili (CRM); Blanco, Kenneth (CRM); Weinstein, Jason (CRM); Swartz, Bruce (CRM); Rosen, Paul (CRM); Bies, John; Garland, James; Melson, Kenneth E.; Leonhart, Michele M. (DEA-US); Clark, John (USMS) DIR; Lappin, Harley G. (BOP); Jarrett, Marshall (USAEO); Nash, Stuart (ODAG); Burke, Dennis (USAAZ); Hewitt, Karen (USACAS); Fouratt, Greg (USANM); Johnson, Tim (USATXS) 7; Murphy, John E. (USATXW); Jones, B Todd (USAMN); [REDACTED]

Per DHS
b6 & b7C

Per USMS b6 & b7C

Per ATF b6 & b7C

Per DHS b6 & b7C

Optional Attendees:

Per FBI b6 & b7C

Per FBI
b6 & b7C

[REDACTED]; Clayton, Marla (BOP); Im, [REDACTED]

Per USMS b6 & b7C

Per USMS
b6 & b7C

[REDACTED]; [REDACTED]; [REDACTED]

Per DHS b6 & b7C

Per USMS b6 & b7C

Resources: Main RFK Bldg., Room 4111

When: Tuesday, January 19, 2010 11:30 AM-12:30 PM (GMT-05:00) Eastern Time (US & Canada).

Where: Main RFK Bldg., Room 4111

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

b6

b6

Note: Telephone conference call-in number [REDACTED] Pass Code [REDACTED]

<<Agenda SWB Strategy Group Mtg 1-19-10.doc>>

ODAG Attendees: Gary Grindler, Stuart Delery, Edward Siskel, Raul Torrez
Attendees: Juan Osuna/Civil, AAG Breuer/CRM, Mythili Raman/CRM, Ken Blanco/CRM, Jason Weinstein/CRM, Bruce Swartz/CRM, Paul Rosen/CRM, John Bies/OAG, James Garland/OAG

- * Ken Melson, Director, ATF
- * Michelle Leonhart, Administrator, DEA
- * Robert Mueller, Director, FBI
- * John Clark, Director, USMS
- * Harley Lappin, Director, BOP
- * Marshall Jarrett, Director, EOUSA
- * Stuart Nash, Director, OODETF
- * Dennis Burke, U.S. Attorney, District of Arizona
- * Karen Hewitt, U.S. Attorney, Southern District of California
- * Greg Fouratt, U.S. Attorney, District of New Mexico
- * Tim Johnson, U.S. Attorney, Southern District of Texas
- * John Murphy, U.S. Attorney, Western District of Texas
- * Todd Jones, Chair, Attorney General's Advisory Committee
- * Alonzo Pena attending for John Morton, ICE / DHS
- * Alan Bersin, Assistant Secretary, Inter Affairs/DHS

HOCR ATF - 002032

- * Alfonso Aguilar, Acting Deputy Commissioner
- * Mike Fisher, Border Patrol Chief / DHS
- * Thomas Winkowski, Assistant Commissioner for Field Operations
(Customs)
- * Michael Kostelnik, Assistant Commissioner for Air and Marine /
DHS

From: Newell, William D.
Sent: Thursday, March 10, 2011 5:18 PM
To: Needles, James R.; Gillett, George T. Jr.
Subject: Fw: Follow Up From Conference Call

This is what Dewey's e-mail to his people referred to. This is now DOJ policy.

NOTICE: This e-mail message and any attached files are intended solely for the use of the addressee(s) named above in connection with official business. This communication may contain Sensitive But Unclassified information that may be statutorily or otherwise prohibited from being released without appropriate approval. Any review, use, or dissemination of this e-mail message and any attached file(s) in any form outside of the Bureau of Alcohol, Tobacco, Firearms & Explosives or the Department of Justice without express authorization is strictly prohibited.

From: Burke, Dennis (USAAZ)
To: Newell, William D.
Cc: Cunningham, Patrick (USAAZ)
Sent: Thu Mar 10 07:26:05 2011
Subject: Fw: Follow Up From Conference Call
Did this come to you through your Headquarters?

I was not on the call.

From: Cole, James (SMD)
Sent: Wednesday, March 09, 2011 08:21 PM
To: Moreno, Angel (USATXS); Murphy, John E. (USATXW); Burke, Dennis (USAAZ); Gonzales, Kenneth (USANM); Duffy, Laura (USACAS)
Subject: Follow Up From Conference Call

Dear USAs:

Thank you for your time this evening, I wanted to send this just to summarize our telephone conversation and inform those of you who were unable to participate.

First, thank you for the work you do to fight gun trafficking. It is very important.

As I said on the call, to avoid any potential confusion, I want to reiterate the Department's policy: We should not design or conduct undercover operations which include guns crossing the border. If we have knowledge that guns are about to cross the border, we must take immediate action to stop the firearms from

crossing the border, even if that prematurely terminates or otherwise jeopardizes an investigation.

We know you have difficult jobs to do and we fully support and appreciate your efforts to stop the flow of firearms through the apprehension and prosecution of all responsible parties.

As I said on our call, please make sure the SACs in your districts understand the policy.

Jim

Chait, Mark R.

From: Chait, Mark R.
Sent: Wednesday, July 14, 2010 4:17 PM
To: Siskel, Edward N. (ODAG) (SMO)
Cc: Hoover, William J.
Subject: Fw: SIR

Ed - this was one of two seizures last evening by our GRIT in Phoenix.
I will also send you the other.

Mark R. Chait
Assistant Director
Field Operations

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

----- Original Message -----
From: Significant Activity Report
To: SAR/SIR Message Delivery
Sent: Wed Jul 14 14:16:48 2010
Subject: FW: SIR

From: [REDACTED] Per ATF b6 & b7C
Sent: Wednesday, July 14, 2010 2:16:45 PM
To: Needles, James R.; Newell, William D.; [REDACTED] Per ATF b6 & b7C
Subject: Significant Activity Report
SIR
Auto forwarded by a Rule

DEPARTMENT OF JUSTICE - BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND
EXPLOSIVES SIGNIFICANT INFORMATION REPORT

DATE: July 14, 2010

HOCR ATF - 001175

FROM: Phoenix Field Division
FIELD OFFICE: Phoenix VII Field Office

CASE INFORMATION

CASE NUMBER: 785115-10-0004
CASE TITLE: [REDACTED] et al
SPECIAL AGENT: [REDACTED]
TELEPHONE NUMBER: [REDACTED]

SYNOPSIS OF INCIDENT/ACTIVITY:

Recovery of 73 firearms and 250 AK-47 drum magazines.

NARRATIVE OF INCIDENT/ACTIVITY:

On July 13, 2010 Phoenix Police Department (PPD) [REDACTED]

Per ATF
b7A

[REDACTED] numerous firearms in a
backroom [REDACTED] being "loaded up." The PPD Detective
was aware of this ongoing ATF firearms trafficking investigation
(Operation Fast and Furious) and coordinated with Phoenix Group VII
agents.

Per
ATF
b7A

[REDACTED] ATF Group VII agents and PPD Detectives went to
business to conduct an interview. They obtained consent and
subsequently recovered [REDACTED]

Per ATF b7A

The traces of the firearms indicate that many are [REDACTED]

Per ATF b3 (Public Law 110-161) and b7C

Per ATF b7A

This recovery adds to the total of 169 firearms recovered in the previous 25 days by Group VII agents and GRIT agents assigned to Group VII as part of Southwest Border Firearms Trafficking investigations.

Logan, Stephanie B (OIP)

From: Siskel, Edward N. (ODAG)
Sent: Friday, October 23, 2009 8:09 AM
To: Ogden, David W. (ODAG)
Cc: Delery, Stuart F. (ODAG)
Subject: FW: Southwest Border Strategy Group

David-- Just sent it out. Here is a copy.

From: Siskel, Edward N. (ODAG)
Sent: Friday, October 23, 2009 8:09 AM Per ATF b6 & b7C
To: Melson, Kenneth E. (ATF); Hoover, William J. (ATF); Leonhart, Michele M. (DEA-US); Harrington, T. J. (FBI); Perkins, Kevin L. (FBI); Carlin, John (FBI); Clark, John (USMS) DIR; Fahey, Sean (USMS); Harley G. Lappin; Dalius, William (BOP); Jarrett, Marshall (USAEO); Derden, Terry (USAEO); Nash, Stuart (ODAG); Jones, B Todd (USAMN); Hewitt, Karen (USACAS); Burke, Dennis (USAAZ); Fouratt, Greg (USANM); Murphy, John E. (USATXW); Johnson, Tim (USATXS) 7
Cc: Delery, Stuart F. (ODAG); Ruemmler, Kathryn (ODAG); Vogel, Miriam (ODAG); Brinkley, Winnie; Williams, Toni (ODAG)
Subject: Southwest Border Strategy Group

Attached please find a memo from the DAG announcing the creation of the Southwest Border Strategy Group -- a senior-level, internal DOJ working group that will provide the vehicle for coordinating policy, resource and operational issues regarding the SWB and our engagement with the Government of Mexico.

The DAG would like to convene an inaugural meeting of the Strategy Group this Monday, October 26th from 11:30 to 12:30 in the DAG's conference room (RFK 4111). Please let me know as soon as possible if you or your designee will be able to attend either in person or by phone. For those who are not in DC, we will be circulating a dial-in number soon. In addition, we will be circulating an agenda in advance of the meeting.



DOJ SWB Strategy
Group (circ L..)

Edward Siskel
Associate Deputy Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC. 20530

(o) [REDACTED] b6
(c) [REDACTED]

FORMATION OF THE SOUTHWEST BORDER STRATEGY GROUP

The Department of Justice has long recognized the magnitude of the law enforcement challenges arising along the Southwest Border and has sought to address those challenges by combining the specialized expertise and authorities of almost every law enforcement component in the Department, as well as partnering with other federal, state, local, tribal, and international law enforcement organizations .

The jurisdictions immediately contiguous to the border find themselves in a particularly difficult position. In addition to pursuing the same range of federal criminal priorities that are faced by jurisdictions throughout the country, the five U.S. Attorneys in the districts immediately adjacent to the border have additional, significant responsibilities – handling tens of thousands of reactive immigration cases and border-related drug cases, enforcing federal law on the vast tracts of Indian reservations within their borders, and bearing the brunt of the violence, corruption, and drug- and weapons-trafficking perpetrated by the Mexican cartels.

Issues related to our Southwest Border are not, however, confined to the border districts. In the drug arena alone, NDIC intelligence reports indicate that Mexican drug trafficking organizations maintain drug distribution networks or supply drugs to distributors in at least 230 U.S. cities in 45 of the 50 states. Immigration enforcement poses a challenge in every one of our jurisdictions, from Arizona to Alaska. Firearms illegally transiting the Southwest Border have been sourced to distribution outlets in nearly every state in the union.

Maintaining Comprehensive Coordination and Oversight

With so many of the Department's law enforcement components involved in so many cooperative and independent efforts relevant to border-related concerns, it is critical that the Department maintain a comprehensive policy and a strategic approach that is effectively coordinated at the highest levels of leadership. To harness all these disparate entities, maximize the effectiveness of each, avoid duplication, conserve scarce Department resources, and ensure optimal coordination, all the Department components must hear, and then speak with, a single voice. They must have a single point of contact for policy development and strategic direction, not only amongst themselves, but also within the Interagency. As cross-cutting issues arise, other federal and state agencies with a role on the Southwest Border must have the same single point of contact through which they may work to maintain a constant, unified, whole-government policy.

Implementation of an effective overall Southwest Border strategy must include an assessment of the resource needs of all the components involved. It must also include a plan for how each component intends to achieve its goals in concert with the activity of every other component. Each component must be sensitive to the effect of its initiatives on the overall mission, taking into consideration the initiatives of other law enforcement components and other agencies (both within and outside DOJ). For example, before unilaterally deploying significant additional personnel resources to a particular locale, an

investigative agency should take into consideration how that will affect the prosecutorial and judicial resource needs in the relevant jurisdictions, as well as the effect on other law enforcement agencies. Similarly, components should consider to what extent their resources may be more efficiently deployed in combination with corresponding deployments by other components in multi-agency task forces.

This unified and coordinated approach to law enforcement within the Department and between the Department and its sister federal, state, local, tribal, and international partners is the best way to use the formidable resources of the United States government. It is also the most effective way to decrease the influence of the violent criminal enterprises operating along and across the U.S.-Mexico border, while enhancing the public safety of the entire region. By coordinating the resources, expertise, and jurisdiction of law enforcement agencies focusing on drug enforcement, firearms and explosives trafficking, fugitive investigation and extradition, bulk cash smuggling, and human trafficking, the Department will maximize its ability to attack every aspect of the criminal activity that undermines the safety and security not only of our Southwest Border communities, but also of the Nation as a whole.

The Southwest Border Strategy Group

The Department will be implementing its Southwest Border efforts under the leadership of the Attorney General, with primary oversight by the Deputy Attorney General. To maximize the effective deployment of scarce resources, the Deputy Attorney General will convene a multi-component Southwest Border Strategy Group ("Strategy Group") that will coordinate the priorities and initiatives established by each of the Department components into a coherent, mutually reinforcing whole. As mission requirements may evolve, the Strategy Group will be able to ensure a coordinated response from all Departmental components.

The Southwest Border Strategy Group will assess existing capabilities, identify any gaps, and develop, on an annual basis, a consolidated Southwest Border budget initiative.

The Southwest Border Strategy Group will be given primary responsibility for developing and supervising the implementation of the Department of Justice Strategy for Combating the Mexican Cartels, which is set forth in a separate document attached hereto. The Strategy Group will also be responsible for developing and supervising other essential Departmental strategies along the Southwest Border, such as immigration enforcement, firearms trafficking, money-laundering, and non-cartel-related violence, and coordinating and balancing these Departmental priorities. To the extent that the Department has high-level strategy groups working on aspects of these issues – i.e. the Firearms Trafficking Strategy Group – this new Southwest Border Strategy Group will be the forum to coordinate and reconcile their respective initiatives and recommendations.

The Southwest Border Strategy Group will be chaired by the Deputy Attorney General. The Assistant Attorney General for the Criminal Division will serve as Vice-Chair. In addition, the Strategy Group will consist of the following individuals, or their designees:

- Director, ATF
- Administrator, DEA
- Director, FBI
- Director, USMS
- Director, BOP
- Director, EOUSA
- Director, OCDETF
- U.S. Attorney, District of Arizona
- U.S. Attorney, Southern District of California
- U.S. Attorney, District of New Mexico
- U.S. Attorney, Southern District of Texas
- U.S. Attorney, Western District of Texas
- Chair, Attorney General's Advisory Committee ("AGAC")
- Chair, AGAC Subcommittee on Controlled Substances and Asset Forfeiture
- Chair, AGAC Subcommittee on Border Security

The Strategy Group will have a Steering Committee made up of the following individuals, or their designees:

- Deputy Attorney General
- Assistant Attorney General, Criminal Division
- Chair, AGAC
- Director, ATF
- Administrator, DEA
- Director, FBI
- Director, OCDETF

The full Strategy Group will meet as soon as practicable after its announcement. The Steering Committee will then meet every two weeks with the full Strategy Group meeting on a quarterly basis.

Bishop-Green, Jacob (OIP)

From: Siskel, Edward N. (ODAG)
Sent: Thursday, October 22, 2009 7:02 PM
To: Nash, Stuart (ODAG)
Subject: RE: Southwest Border Strategy Group

[REDACTED] b5

From: Nash, Stuart (ODAG)
Sent: Thursday, October 22, 2009 4:25 PM
To: Siskel, Edward N. (ODAG)
Subject: Re: Southwest Border Strategy Group

Looks fine to me. I've touched base with Karen H. and Marshall J., still waiting to hear back from Clark.

[REDACTED] b5

From: Siskel, Edward N. (ODAG)
To: Delery, Stuart F. (ODAG)
Cc: Ruemmler, Kathryn (ODAG); Verrilli, Donald; Nash, Stuart (ODAG)
Sent: Thu Oct 22 15:50:38 2009
Subject: Southwest Border Strategy Group

Stuart-- Here is a draft of the email announcing the SWB Strategy Group. The date and time has not yet been finalized, but I wanted to get this to the DAG to review the text. Thanks, Ed

Attached please find a memo from the DAG announcing the creation of the "Southwest Border Strategy Group" -- a senior-level, internal DOJ working group that will provide the vehicle for coordinating policy, resource and operational issues regarding the SWB and our engagement with the Government of Mexico.

The DAG would like to convene an inaugural meeting of the Strategy Group this Monday, October 26th from 11:30 to 12:30 in the DAG's conference room. Please let me know as soon as possible if you or your designee will be able to attend. For those who are not in DC, we will be circulating a dial-in number soon. In addition, we will be circulating an agenda in advance of the meeting.

Edward Siskel
Associate Deputy Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC, 20530

(o)
(c)

[REDACTED] b6

Bishop-Green, Jacob (OIP)

From: Siskel, Edward N. (ODAG)
Sent: Friday, October 23, 2009 3:48 PM
To: Nash, Stuart (ODAG)
Subject: Re: Mexican Cartel Strategy

I think if we get it out by COB that should be fine.

I will have to call in for the meeting [REDACTED] b6 [REDACTED] and I have another call that I have to do at 4pm, so I may be calling in late.

From: Nash, Stuart (ODAG)
To: Siskel, Edward N. (ODAG); Delery, Stuart F. (ODAG); Ruemmler, Kathryn (ODAG)
Sent: Fri Oct 23 15:13:22 2009
Subject: RE: Mexican Cartel Strategy

I did not know what time urgency David felt on getting this document out, but if you think it will okay with him, I will run it by him when we meet at 4:00.

From: Siskel, Edward N. (ODAG)
Sent: Friday, October 23, 2009 3:11 PM
To: Nash, Stuart (ODAG); Delery, Stuart F. (ODAG); Ruemmler, Kathryn (ODAG)
Subject: Re: Mexican Cartel Strategy

I am fine with this approach, although we should run by david if possible [REDACTED]

b5

From: Nash, Stuart (ODAG)
To: Siskel, Edward N. (ODAG); Delery, Stuart F. (ODAG); Ruemmler, Kathryn (ODAG)
Sent: Fri Oct 23 14:39:14 2009
Subject: Mexican Cartel Strategy

Ed/Stuart/Kathy:

Ed reports that the DAG would like to distribute the Mexican Cartel strategy this afternoon to the attendees at Monday's SWB meeting.

I will have Winnie do so. I would propose having the e-mail say the following:

Earlier today you received notice from Ed Siskel of the inaugural meeting of the Southwest Border Strategy Group next Monday. One of the items that will be on the agenda for that meeting is discussion, and hopefully adoption of, the Department's Strategy for Combatting the Mexican Cartels. I am attaching hereto a draft copy of the strategy. The DAG asks that you come prepared with any specific suggestions or recommendations you may have related to this document.

b5 [REDACTED]

Ed/Stuart/Kathy, let me know if this strikes the right tone.

Thanks, Stuart