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**From:** Burke, Dennis (USAAZ)  
**Sent:** Tue 3/22/2011 1:13:12 PM  
**Subject:** Re: Rep. Poe's Hill blog.....

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**From:** [redacted ATF] (ATF)  
**Sent:** Tuesday, March 22, 2011 08:23 AM  
**To:** Burton, Faith (SMO); Weich, Ron (SMO) <Ron.Weich@SMOJMD.USDOJ.gov>; Moran, Molly (OAG) (SMO); Axelrod, Matthew (ODAG) (SMO); Burke, Dennis (USAAZ); Gaston, Molly (SMO); Weinstein, Jason (CRM); Sullivan, Bill (JMD); McDermond, James E. (ATF); Melson, Kenneth E. (ATF); Hoover, William J. (ATF); [redacted ATF] (ATF); [redacted ATF] (ATF); Sarnacki, Jeffrey P. (ATF)  
**Subject:** Rep. Poe's Hill blog.....

Rep. Poe's assignments:

#### Committees

- [House Committee on the Judiciary](#)
  - Subcommittee on Crime, Terrorism, and Homeland Security
  - Subcommittee on Immigration Policy and Enforcement
  - Subcommittee on Intellectual Property, Competition, and the Internet

- [House Committee on Foreign Affairs](#)
  - Subcommittee on Europe and Eurasia
  - Subcommittee on Terrorism, Nonproliferation, and Trade
  - Subcommittee on Oversight and Investigations

#### Caucuses

- Congressman Poe is the proud founder and co-chair of the [Victim's Rights Caucus](#)
- Congressman Poe is the co-chair of the Congressional Caucus on the European Union
- Congressman Poe is a member of the [Anti-Terrorism Caucus](#)
- Congressman Poe is a member of the [Immigration Reform Caucus](#)
- Congressman Poe is a member of the Port Security Caucus
- Congressman Poe is a member of the Conservative Caucus [RSC](#)
- Congressman Poe is a member of the RSC [10th Amendment Task Force](#)
- Congressman Poe is a member of the [Israel Allies Caucus](#)



#### **Stop putting guns into hands of 'narco-terrorists'**

The Hill (Blog)

By Rep. Ted Poe (R-Texas) - 03/21/11 03:06 PM ET

The United States/Mexico border is a lawless warzone controlled by violent drug cartels. More than 34,000 people have been murdered in Mexico since the narco-terrorists began their reign of terror in 2006. Drugs and people are smuggled north into the United States and guns and money are flowing south, enabling the drug cartels to continue to

wage their violent war.

Weapons from the United States reach the outlaws in Mexico, mostly because Mexico does not protect its own border any better than we do. Recent whistleblower allegations claim that tactics of the United States government, through the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), may be contributing to the problem of delivering weapons to the criminals in Mexico, rather than trying to fix it. I am deeply concerned about this.

Part of ATF's mission is to protect American communities from "the illegal use and trafficking of firearms." Put simply, part of ATF's duty is to make sure guns don't end up in the hands of the bad guys. Through the program "Project Gunrunner," ATF uses electronic tags to trace gun movements on both sides of the border. What has been alleged, however, is that while the program has been successful in apprehending weapons and criminals, too many guns have been intentionally let go into the hands of Mexican drug lords when it is almost guaranteed that the guns will be used in violent crimes.

We know about these allegations through a whistleblower, an ATF agent who recently came forward with troubling allegations that he was ordered by his superiors not to intercept weapons that were sold to "suspicious characters," including well-known gun suppliers for Mexican drug cartels. And that's not all -- the whistleblower alleges that ATF's Phoenix Field office knowingly allowed and facilitated the sale of over 2,500 firearms in 'straw man purchases' destined for Mexico. According to these allegations, one well-known trafficker, Jaime Avila, was allowed to purchase 3 assault weapons in Glendale, Arizona on January 16, 2010. It is also alleged that at least one of the gun dealers tried to stop selling to Avila; however, ATF asked him to continue selling guns to this criminal.

What happened next is deeply troubling. Avila went back to Mexico with the guns he had purchased and sold them to the drug cartels. The weapons travelled freely through the streets of Mexico for nearly a year. During that time, Avila continued to purchase more weapons, sending them from the United States into Mexico. We have since learned that 2 of the 3 weapons purchased by Avila were recovered at the murder scene of U.S. Border Patrol Agent Brian Terry. Apparently ATF let 2 guns get sent down into Mexico, and as a result an American citizen and federal government employee was murdered.

The murder of Brian Terry is concrete proof that ATF's system is flawed and dangerous. While Jaime Avila was arrested the day after Brian Terry's murder, the question is, why wasn't he apprehended during the 11 months before when we knew he was up to no good? Project Gunrunner is a sting operation with no sting. Guns are handed to the criminals when we know they will be used for harm. It seems that the ATF just sits back and waits to see what happens.

If these allegations are true, we have much cause for concern. It is my understanding that ATF has denied these allegations. Senator Grassley of Iowa has requested more information from the various agencies involved in investigating Agent Terry's murder. I've been told that one letter that the Senator received back denied that ATF "knowingly allowed the sale of assault weapons to a straw purchaser" and stated that ATF makes "every effort to interdict weapons that have been purchased illegally and prevent their transportation into Mexico." However, the documentation provided to Senator Grassley, including copies of ATF's national tracing center records, seem to tell a different story.

As this investigation continues, we are left with a murdered Border Patrol Agent and his grieving family who is searching for answers. Carolyn Terry, mother of Brian Terry said, "I truly feel that our son's death is a cover-up and they hope that we will go away. That will not happen. We want to know who allowed the sale of that gun that murdered our son." The Terry family deserves to know the truth. As members of Congress, it is our job to demand a full investigation of this murder since the Department of Justice is blissfully silent about whether or not they will investigate the ATF. Agent Terry is one of many unsolved American murders in the ongoing Drug War along the Third Front, the border.

The Judiciary Committee should look into this matter to see if the ATF is contributing to the gunrunning problem in Mexico or not. Congress needs some answers. One murdered agent is one too many. In my opinion, the ATF is playing with fire.

And that's just the way it is.

Congressman Poe was a chief felony prosecutor and felony court judge in Houston, Texas for over 30 years. He currently serves on the House Judiciary and Foreign Affairs Committees as well as the Subcommittee on Immigration and Border Security

**ATF**

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