

From: Kelly, Kristen (USAAZ) 6
To: Hurley, Emory (USAAZ)
Sent: 4/26/2011 2:07:08 PM
Subject: RE: Six Smith Questions and Proposed Answers

YOU ROCK!!!!!!

I could not find this!

10 points – Emory.

From: Hurley, Emory (USAAZ)
Sent: Tuesday, April 26, 2011 10:52 AM
To: Kelly, Kristen (USAAZ) 6
Subject: FW: Six Smith Questions and Proposed Answers

This has the available documents attached all in one handy email

From: Cunningham, Patrick (USAAZ)
Sent: Thursday, March 24, 2011 3:42 PM
To: Burke, Dennis (USAAZ); Scheel, Ann (USAAZ); Hernandez, Rachel (USAAZ); Morrissey, Mike (USAAZ); McCormick, Glenn (USAAZ); Hurley, Emory (USAAZ); Kelly, Kristen (USAAZ) 6
Subject: Six Smith Questions and Proposed Answers

Dennis and Friends: DP
ATF
DP ATF

OK to send? pJC

Matt: Below are our proposed answers to the six questions:

DP

DP

ATF

ATF

ATF

From: Axelrod, Matthew (ODAG)

To: [ATF] Burke, Dennis (USAAZ) ; Cunningham, Patrick (USAAZ) ; Melson, Kenneth E.; Hoover, William J.

Sent: Wed Mar 23 21:22:02 2011

Subject: RE: Smith letter response
Tomorrow sometime would be great. Thanks [ATF]

Matt

From: [ATF]

Sent: Wednesday, March 23, 2011 9:20 PM

To: Axelrod, Matthew (ODAG); Burke, Dennis (USAAZ); Cunningham, Patrick (USAAZ); Melson, Kenneth E. (ATF); Hoover, William J. (ATF)

Subject: Re: Smith letter response

Matt

What is the timeline for a response to you?

[ATF]

Acting Chief of Staff

ATF Office of the Director

O: 202-[ATF]

C: [ATF]

From: Axelrod, Matthew (ODAG)

To: Burke, Dennis (USAAZ) ; Cunningham, Patrick (USAAZ) ; Melson, Kenneth E.; Hoover, William J. [ATF]

Sent: Wed Mar 23 21:17:04 2011

Subject: Smith letter response

All,

Thanks for your patience on the response to Congressman Smith. We in ODAG are still working on the letter. No final decision has been made about what the letter will look like, but depending on what folks here decide, [DP]

[DP] I already have a draft paragraph to address Question #5, which I've reprinted below, but I'm not sure of the answers to the remaining ones. Could you please send me the relevant information? Thanks. I've attached the incoming letter for ease of reference.

Matt

DP

<<Untitled.PDF - Adobe Acrobat Pro.pdf>>

Matthew S. Axelrod

Associate Deputy Attorney General

Office of the Deputy Attorney General

U.S. Department of Justice

Desk (202) 305-0273

Cell (202) 532-3087

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DP

DP

Main Justice position on the issue of Sanctioning or encouraging arms sales, the Quote of Assistant Attorney General Ronald Weich in his February 4, 2011 letter:

"At the outset, the allegation described in your January 27 letter-- that ATF "sanctioned" or otherwise knowingly allowed the sale of assault weapons to a straw purchaser who then transported them into Mexico-is false."

B. On the issue of "walking guns" from lawful sales or the timely seizure of guns:

Neither the USAO nor ATF was engaged in an effort "to let guns flow to straw buyers" or to "walk" guns that could have been lawfully seized. No such permission to "walk" a gun ever happened.

Purchasing multiple long guns in Arizona is lawful, transferring them to another is lawful and even sale or barter of the guns to another is lawful unless the United States can prove by clear and convincing evidence that the firearm is intended to be used to commit a crime. (18 USC 924 (d)). In short, the law does not permit agents to take guns away from anyone who buys ten AKs at a time solely because they bought multiple guns. In instances where ATF observed a sale by a FFL to an individual, ATF agents understood that unless the agents observed illegal conduct, agents could not stop a sale. It bears repeating that, at the time of sale by the FFLs, the determination by the FFLs was that a sale was lawful. Seizure of a firearm from a citizen at that

DP

DP

From: Axelrod, Matthew (ODAG) (SMO)

Sent: Wednesday, March 23, 2011 6:17 PM

To: Burke, Dennis (USAAZ); Cunningham, Patrick (USAAZ); Melson, Kenneth E. (ATF); Hoover, William J. (ATF);

ATF

ATF

Subject: Smith letter response

All,

Thanks for your patience on the response to Congressman Smith. We in ODAG are still working on the letter. No final decision has been made about what the letter will look like, but depending on what folks here decide:

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Matt

DP

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