

From: Cunningham, Patrick (USAAZ)
To: Axelrod, Matthew (ODAG) (SMO)
CC: Burke, Dennis (USAAZ); Scheel, Ann (USAAZ); Hernandez, Rachel (USAAZ); Weinstein, Jason; Morrissey, Mike (USAAZ)
Sent: 4/6/2011 4:06:02 PM
Subject: RE: Questions re **ATF** Emails and Reports

Yes, the investigation is closed. SA **ATF** was authorized to dispose of the property and close the case in the ATF system in December. For some reason he did not do so and ATF has not moved forward with formal closure because the ROIs appeared in the Grassley letter. We never opened in LIONS because ATF never tendered the case to us for review. PJC

From: Axelrod, Matthew (ODAG) (SMO)
Sent: Wednesday, April 06, 2011 8:51 AM
To: Cunningham, Patrick (USAAZ)
Cc: Burke, Dennis (USAAZ); Scheel, Ann (USAAZ); Hernandez, Rachel (USAAZ); Weinstein, Jason (CRM); Morrissey, Mike (USAAZ)
Subject: RE: Questions re **ATF** Emails and Reports

Pat,

Thanks again for sending these. One follow-up question on your #4 below. I understand that the case may not yet be closed in LIONS, but if it's pending property distribution, am I correct in assuming that it's no longer an ongoing investigation? From my perspective, the case's technical status in LIONS (i.e., "open" or "closed") isn't important. What matters is whether there is or is not an ongoing investigation related to **ATF**. Thanks much.

Matt

From: Cunningham, Patrick (USAAZ)
Sent: Tuesday, April 05, 2011 7:23 PM
To: Axelrod, Matthew (ODAG)
Cc: Burke, Dennis (USAAZ); Scheel, Ann (USAAZ); Hernandez, Rachel (USAAZ); Weinstein, Jason (CRM); Morrissey, Mike (USAAZ)
Subject: Questions re **ATF** Emails and Reports

Matt: Answers in Bold. Enjoy. PJC

1. What happened to the six firearms that **ATF** Were they ever recovered?

ATF

2. **ATF** proposal includes a sentence that states "[t]his request is predicated on ATF's previous authorization of allowing firearms to be trafficked ('walked') in furtherance of investigations which target FTO's as opposed to individuals." Do you know what "previous authorization" **ATF** referring to?

We have no idea what **ATF** is referring to in this sentence. There was no previous authorization in this case and there is no general authorization for ATF to conduct these kinds of undercover operations in existence either nationally or in the Phoenix Division. These operations are assessed and authorized on a case by case basis.

ATF

ATF

3. Also, do you know whether [ATF] (or anyone else who saw this proposal) ever asked [ATF] what he meant by that sentence?

No, no one questioned [ATF] over what he meant by the statement.

4. Is the [ATF] investigation still pending?

The case is not yet closed and is [ATF]

From: Axelrod, Matthew (ODAG) (SMO)
Sent: Tuesday, April 05, 2011 2:04 PM
To: Cunningham, Patrick (USAAZ)
Cc: Burke, Dennis (USAAZ); Scheel, Ann (USAAZ); Hernandez, Rachel (USAAZ); Weinstein, Jason (CRM); Morrissey, Mike (USAAZ)
Subject: RE: [ATF] mails and Reports

Great. Thanks a ton. One additional question – is the [ATF] investigation still pending?

From: Cunningham, Patrick (USAAZ)
Sent: Tuesday, April 05, 2011 4:14 PM
To: Axelrod, Matthew (ODAG)
Cc: Burke, Dennis (USAAZ); Scheel, Ann (USAAZ); Hernandez, Rachel (USAAZ); Weinstein, Jason (CRM); Morrissey, Mike (USAAZ)
Subject: RE: [ATF] Emails and Reports

Matt: I am working with ASAC Jim Needles to get the answers. Thanks PJC

From: Axelrod, Matthew (ODAG) (SMO)
Sent: Tuesday, April 05, 2011 12:47 PM
To: Cunningham, Patrick (USAAZ)
Cc: Burke, Dennis (USAAZ); Scheel, Ann (USAAZ); Hernandez, Rachel (USAAZ); Weinstein, Jason (CRM); Morrissey, Mike (USAAZ)
Subject: RE: [ATF] Emails and Reports

Pat,

Thanks again for finding and sending these. I have a few follow-up questions, which I'll ask of ATF as well, as I imagine they are probably the ones with the greatest knowledge in this area.

One, what happened to the six firearms that [ATF] Were they ever recovered?

And two [ATF] proposal includes a sentence that states “[t]his request is predicated on ATF’s previous authorization of allowing firearms to be trafficked (‘walked’) in furtherance of investigations which target FTO’s as opposed to individuals.” Do you know what “previous authorization” [ATF] is referring to? Also, do you know whether [ATF] (or anyone else who saw this proposal) ever asked [ATF] what he meant by that sentence?

Matt

From: Cunningham, Patrick (USAAZ)
Sent: Tuesday, April 05, 2011 2:26 PM
To: Axelrod, Matthew (ODAG)
Cc: Burke, Dennis (USAAZ); Scheel, Ann (USAAZ); Hernandez, Rachel (USAAZ); Weinstein, Jason (CRM); Morrissey, Mike (USAAZ)

Subject: ATF Emails and Reports

Matt and Colleagues: enclosed are the two ATF emails I spoke of last week on our call regarding the Issa letter, now subpoena.

In the ATF Email of May 27 at the bottom of page 3, ATF seeks authority to “walk” guns and specifically states, “The logic employed is that by authorizing the “walking” of a small amount of firearms that, ultimately we can cease the trafficking of a significant number. (i.e. walking 4 to 6 – prevent hundreds from being trafficked.)” The target in this

ATF

As we discussed last week, this kind of cooperation was never planned or executed in Fast and Furious, yet somehow an ROI from the ATF case made it into a Senator Grassley letter.

DP

What do you think? PJC