
From: Burke, Dennis (USAAZ)
To: Kroloff, Noah (DHS)
Sent: 4/21/2011 9:43:39 AM
Subject: Re: fyi-

Dept sent them a letter. Obviously, they ignored it. Really disturbing.

From: Kroloff, Noah (DHS)
Sent: Thursday, April 21, 2011 09:39 AM
To: Burke, Dennis (USAAZ)
Subject: Re: fyi-

Are you doing something about it?

From: Burke, Dennis (USAAZ) [mailto:Dennis.Burke@usdoj.gov]
Sent: Thursday, April 21, 2011 09:31 AM
To: Kroloff, Noah (DHS) <[REDACTED]>
Subject: Re: fyi-

Yea, ours -- as in trial witnesses. We will have motions to dismiss filed w Grassley and Issa quotes littered throughout the motions. They are these defendants' best friends. They can't claim they don't realize their impact -- we told them.

From: Kroloff, Noah (DHS)
Sent: Thursday, April 21, 2011 07:58 AM
To: Burke, Dennis (USAAZ)
Subject: RE: fyi-

They're calling witnesses

From: Burke, Dennis (USAAZ) [mailto:Dennis.Burke@usdoj.gov]
Sent: Wednesday, April 20, 2011 9:25 PM
To: Kroloff, Noah (DHS)
Subject: RE: fyi-

He and his staff might as well appear in court sitting at the Defense Table for the 20 gun traffickers we indicted. Seriously, they are creating all kinds of issues and eventually proffered arguments for these defendants. They have been calling our witnesses, misleading and interfering with their cooperation, etc.

But, no, of course, none of that gets any coverage.

From: Kroloff, Noah (DHS)
Sent: Wednesday, April 20, 2011 12:21 PM
To: Burke, Dennis (USAAZ)
Subject: FW: fyi-

From: Peacock, Nelson [mailto:[REDACTED]]

Sent: Wednesday, April 20, 2011 1:53 PM

To: Sandweg, John; Kroloff, Noah; Shlossman, Amy; Smith, Sean; Colburn, Brent; Chandler, Matthew; de Vallance, Brian

Subject: fyi-

Issa Threatens to Begin Contempt Proceedings Against ATF Official

By [Anna Palmer](#)

Roll Call Staff

April 20, 2011, 11:49 a.m.

House Oversight and Government Reform Chairman [Darrell Issa](#) is turning up the heat on the Obama administration after officials declined to comply with a document subpoena. In a letter Wednesday, the California Republican publicly threatened to begin contempt proceedings against Bureau of Alcohol, Tobacco, Firearms and Explosives Acting Director Kenneth Melson if he does not obey the March 31 subpoena.

“The Department’s internal policy to withhold documents from what it labels pending criminal investigations may not deprive Congress from obtaining those same documents if they are pertinent to a Congressional investigation — particularly in a matter involving allegations that reckless and inappropriate decisions by top Justice Department officials may have contributed to the deaths of both U.S. and Mexican citizens,” Issa wrote in his letter to Melson, noting that the panel’s investigation is not concurrent with any Justice Department probes. “We are asking for documents that relate to decisions such officials made. Congress is legally entitled to all of these documents.”

Sen. [Chuck Grassley](#) (R-Iowa), ranking member on the Judiciary Committee, has also had a request in for documents since January.

Issa is investigating Project Gunrunner and Operation Fast and Furious, two operations where ATF allowed American guns to be smuggled into Mexico. ATF officials then tried to track where the illegal weapons were used in crimes.

Assistant Attorney General Ronald Weich responded on behalf of Melson following the April 13 deadline, according to the Issa letter, citing internal Justice Department policy for not releasing more information. The Justice Department did allow four documents be available for an “in camera” review at DOJ headquarters.

“Efforts by the Department of Justice and ATF to stonewall the Committee in its investigation by erroneously, but matter-of-factly, citing an internal department policy as a preventative measure for denying access to documents have only enhanced suspicions that such officials have played a role in reckless decisions that have put lives at risk,” Issa wrote. “The Committee continues to pursue this matter vigorously, in part, because concerned individuals have indicated they do not have confidence in the Department’s ability to review the actions of its own top officials.”

*Nelson Peacock
Assistant Secretary
Office of Legislative Affairs
Department of Homeland Security*

DHS