

---

**From:** Miller, Matthew A (SMO)  
**To:** **Attorney General**  
**Sent:** 5/3/2011 7:24:55 PM  
**Subject:** RE: Statement

They already have this statement up.

DP

DP

### **Tactics in Gun-Trafficking Probes Under Fire**

Wall Street Journal – Evan Perez

May 3, 2011

WASHINGTON—Lawmakers pressed U.S. Attorney General Eric Holder to explain how federal agents came to use investigative tactics that appear to have allowed guns bought in the U.S. to enter Mexico.

Weapons recovered near the scene of a December shooting in Arizona that killed a U.S. Border Patrol agent were traced to a suspect who, according to documents released by congressional investigators, was already under investigation by the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Mr. Holder, at a House hearing Tuesday, said the Justice Department's policy is to stop weapons from being trafficked to Mexico. "Under no circumstances should guns be allowed to be distributed in an uncontrolled manner," Mr. Holder said, describing his instructions to ATF and other agencies under his charge.

At issue is an ATF investigation to search for top gun traffickers who are believed to funnel weapons bought in Texas, Arizona and other border states to Mexican drug cartels. The traffickers often depend on a network of buyers who are paid to buy guns in small quantities.

Iowa Sen. Chuck Grassley, the top Republican in the Senate Judiciary Committee, has said he has information from whistleblowers who allege that ATF agents in Phoenix leading a 2010 operation dubbed "Fast and Furious" failed to stop buyers from acquiring as many as 1,700 weapons and then lost track of the some of the weapons. Some of the guns are believed to have ended up in Mexico.

Two weapons recovered near the scene of the border agent's shooting were among the guns tracked in the Fast and Furious case, according to ATF documents released by Mr. Grassley. The weapons were bought in January 2010, at a time ATF was tracking the man who later was arrested and charged with purchasing weapons for cartel use. It isn't known whether the weapon that killed the agent was also from the case.

At a House hearing Tuesday, California Rep. Darrell Issa, a Republican who is leading his own investigation on the

ATF operation, said to Mr. Holder: "There are dead Americans as a result of this failed and reckless program."

Mr. Issa asked whether Mr. Holder or top lieutenants were aware of the tactics. Mr. Holder declined to discuss who signed off on the program or how high the approval went, and said he became aware of Fast and Furious only in recent weeks. Mr. Holder was expected to face similar questions Wednesday from Mr. Grassley at a Senate hearing.

Tracy Schmalzer, Justice Department spokeswoman, said Mr. Holder took the lawmakers' concerns seriously and has ordered an investigation by the Justice Department's inspector general.

Messrs. Issa and Grassley have also raised questions about ATF's work in another case that later was linked to the death of a U.S. agent. In recent weeks, ATF agents traced the firearm used in February to kill an Immigration and Customs Enforcement agent in Mexico to a suspect who was under ATF investigation. The suspect purchased the weapon in October 2010, ATF investigators later found. In November, ATF investigators began an undercover probe targeting the same suspect.

---

**From:** Attorney General  
**Sent:** Tuesday, May 03, 2011 7:24 PM  
**To:** Miller, Matthew A (SMO)  
**Subject:** Re: Statement

What's the Journal planning to write?

---

**From:** Miller, Matthew A (SMO)  
**Sent:** Tuesday, May 03, 2011 07:22 PM  
**To:** Attorney General  
**Cc:** Grindler, Gary (OAG)  
**Subject:** FW: Statement

Fyi. This is not something that I think needs to rise to you, but I'm sending it your way in case you hear from Lanny tonight (he has been quite exercised about it).

---

**From:** Miller, Matthew A (SMO)  
**Sent:** Tuesday, May 03, 2011 7:17 PM  
**To:** Breuer, Lanny A. (CRM)  
**Cc:** Schmalzer, Tracy (SMO); Grindler, Gary (OAG)  
**Subject:** Statement

Lanny-- DP

DP

**DP**

---  
Matthew Miller  
Director, Office of Public Affairs  
United States Department of Justice  
202.616.2777 (office)  
matthew.a.miller@usdoj.gov