

From: O'Neil, David (ODAG)
To: Reich, Steven (ODAG); Ramirez, Monica (ODAG); Goldberg, Stuart (ODAG)
CC: Axelrod, Matthew (ODAG)
Sent: 7/19/2011 2:18:56 PM
Subject: Re: revised responses

Thanks Steve - you are obviously much more familiar with the facts

DP

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From: Reich, Steven (ODAG)
Sent: Tuesday, July 19, 2011 01:54 PM
To: O'Neil, David (ODAG); Ramirez, Monica (ODAG); Goldberg, Stuart (ODAG)
Cc: Axelrod, Matthew (ODAG)
Subject: RE: revised responses

DP

From: O'Neil, David (ODAG)
Sent: Tuesday, July 19, 2011 1:25 PM
To: Ramirez, Monica (ODAG); Goldberg, Stuart (ODAG)
Cc: Reich, Steven (ODAG); Axelrod, Matthew (ODAG)
Subject: Re: revised responses

DP

From: Ramirez, Monica (ODAG)
Sent: Tuesday, July 19, 2011 01:00 PM
To: Goldberg, Stuart (ODAG); O'Neil, David (ODAG)
Cc: Reich, Steven (ODAG); Axelrod, Matthew (ODAG)
Subject: revised responses

Stuart and Dave – per your request, here are the revised responses to the questions about which you had substantive concerns.

ATF Acting Director

Questions:

A. When did Acting Director Kenneth Melson first become aware of Operation Fast and Furious and the strategy of “allow[ing] the transfer of firearms to continue to take place in order to further the investigation”?

Response:

We have produced and made available to the House Oversight and Government Reform Committee documents that are responsive to this question. We further understand, based on the letter to the Attorney General from Chairman Issa and Senator Grassley dated July 5, 2011, that Acting Director Melson has stated that he was unaware of the specific investigative strategies being employed by ATF until after concerns and questions about Operation Fast and Furious became public.

Deputy Attorney General's Office

Questions:

When and how did any official in the Deputy Attorney General's office first become aware of Operation Fast and Furious or the strategy of "*allow[ing] the transfer of firearms to continue to take place in order to further the investigation*"? Please provide a detailed answer for each official in that office.

DP

Murder Weapon of ICE Agent Jaime Zapata

According to a Justice Department press release from March 1, 2011, one of the firearms used in the February 15 murder of U.S. Immigration and Customs Enforcement (ICE) Agent Jaime Zapata was traced by the ATF to Otilio Osorio, a Dallas-area resident. Otilio Osorio and his brother Ranferi Osorio were arrested at their home, along with their neighbor Kelvin Morrison, on February 28. According to that same press release, the Osorio brothers and Morrison transferred 40 firearms to an ATF confidential informant in November 2010. Not only were these three individuals not arrested at that time, according to the press release their vehicle was later stopped by local police. Yet the criminal indictment in *United States v. Osorio*, filed March 23, 2011, is for straw purchases alone and references no activity on the part of the Osorio brothers or Morrison beyond November 2010.

Questions:

A. Why did the ATF not arrest Otilio and Ranferi Osorio and their neighbor Kelvin Morrison in November?

DP