

**Southwest Border Initiative
(Project Gunrunner)**

Biweekly Update

January 11, 2010

The following is a biweekly update on significant events related to the Southwest Border Initiative. The information is collected from the different ATF offices involved in this initiative and intended for ATF use only.

FIELD OPERATIONS

DALLAS FIELD DIVISION

Investigations:

El Paso Field Office

781035-09-0059 El Indio/Paulino Firearms Trafficking Organization: Bureau of Immigration and Customs Enforcement has approved [ATF] to identify members of a firearms trafficking ring engaged in firearms smuggling into Mexico.

781035-09-0058 [ATF] On 12/17/2009, [ATF] plead guilty to 18 USC 922(g)(5)(B) – non immigrant alien in possession of ammunition.

781035-08-0050 [ATF] and Associates: On 1/05/2010, SAs [ATF] seized an ATF F 4473 filled out by [ATF] a suspected straw purchaser. SA [ATF] is preparing to submit [ATF] for prosecution after she provided false statements during a proffer interview.

781035-09-0061 Stray Bullet: SA [ATF] through, ATF IO [ATF] is attempting to get ordering and shipment records from cheaperthandirt.com for [ATF] a B1/B2 visa holder believed to be supplying firearms parts, accessories and ammunition to the Beltran Leyva DTO.

Fort Worth Field Office

Update as of 01/07/2010 Fire and Ice Investigation:

(Both INVs: 781040-08-0110 and 781040-09-0021 are tied together and the 09-0021 investigation is a spin-off investigation from the 08-0110 investigation. The

below cited information is applicable to both ongoing investigations).

One of the defendants who was arrested on October 21, 2009, as part of the operation entitled "Project Coronado," [ATF] was convicted on January 5, 2010, by a federal jury in Fort Worth of firearms and ammunition smuggling. "Project Coronado" was part of a nationwide crackdown on the violent drug cartel, La Familia, which resulted in the arrest of more than 300 individuals nationwide, and approximately 100 individuals locally.

[ATF] of Fort Worth, faces a maximum statutory sentence of 10 years in prison and a \$250,000 fine. He is scheduled to be sentenced by U.S. District Judge John McBryde on April 30, 2009.

The seven below-named defendants were indicted with [ATF] on firearms smuggling and related charges. [ATF] remains a fugitive; the remainder have pleaded guilty to their roles in the conspiracy, and are awaiting sentencing.

[ATF]

[ATF] of Fort Worth

[ATF] of Fort Worth

[ATF] of Fort Worth

[ATF] of Fort Worth

[ATF] of Arlington, Texas

[ATF] of Fort Worth

[ATF] would purchase firearms to export them to [ATF] and the La Familia Drug Trafficking Organization in Mexico. So as to avoid drawing undue suspicion to himself, [ATF] recruited other individuals to purchase firearms on his behalf, paying them for purchasing the guns and turning them over to him.

After [ATF] had a falling out with La Familia, [ATF] assumed leadership responsibilities from [ATF]. When [ATF] had firearms ready to be taken to Mexico, he would drive his vehicle to a public location, and once there, the vehicle would be driven away by other members of the conspiracy to a ranch in Cleburne, Texas. This five-acre property was surrounded by a fence, with an interior privacy fence, and occupants of the ranch conducted frequent patrols of the property. Once the weapons were taken to the ranch, they were unloaded to await shipment to Mexico. [ATF] vehicle was then returned to him.

The government presented evidence at trial that the La Familia Drug Trafficking Operation was having firearms smuggled to Mexico in order to arm their personnel in Mexico. On December 20, 2008, [ATF] and others drove in a car caravan toward the Mexican border. Approximately 25 miles from the border, they were stopped by law enforcement. A search of a 1999 Chevrolet van that was part of the caravan revealed 33 firearms concealed inside the lining of the van's walls and ceiling and approximately 9,000 rounds of ammunition.

Assistant U.S. Attorneys Joshua T. Burgess and J. 2

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Michael Worley are in charge of the prosecution.

The ATF Fort Worth Field Office SWB investigations remain a priority for this office. As referenced in the last update, ATF and DEA personnel are working together and sharing information. An investigative team has been formed and consists of ATF, Fort Worth Police Department, DEA, and the Texas Department of Public Safety Criminal Division. The Ad Hoc Task Force will focus its resources on identifying and dismantling of the remaining members of La Familia, a Mexican Drug Cartel organization that is responsible for the illegal trafficking of firearms/narcotics, violent crimes committed within our area of jurisdiction and who remain active in the North Texas area.

Dallas Group III

781015-08-0011 The FN Connection: Grand Jury is scheduled for 1/12/10. Seven are to be indicted.

HOUSTON FIELD DIVISION

Investigations:

Houston IX

782095-09-0004 [ATF] admitted to straw purchasing 14 Fabrique Nacional (FN) 5.7X28mm pistols for [ATF] a Houston based narcotics dealer. [ATF] admitted to purchasing cocaine from [ATF] and agreed to assist ATF. A consent search was conducted at [ATF] residence and resulted in the seizure of 5 additional firearms, 55 rounds of ammunition, \$4,900.00 in U.S. currency, 5 kilograms of packaged cocaine and 12.3 grams of crack cocaine. [ATF] is cooperating with ATF/DEA on his firearm and narcotics trafficking organization.

Laredo Field Office

782080-10-0020 [ATF] On Sunday, December 27, 2009, Agents with ATF were contacted by Officers with LPD to assist in the investigation of [ATF] a previously convicted felon who was found to be in possession of RG .22 caliber revolver Model RG 14. [ATF] a previously convicted felon and member of the Mexican Mafia, was booked in on state charges pending federal indictment.

782080-10-0019 [ATF] On Monday, December 28, 2009, Agents were contacted by Deputies in Zapata County to assist in the investigation of [ATF] a previously convicted felon and illegal alien who was found to be in possession of a .40 caliber Glock pistol, Model 23, SN# FPM735. [ATF] admitted to agents that he was a member of the Mexican Mafia and had entered back into the United States illegally.

782080-10-0021 [ATF] On Wednesday, December 30, 2009, Agents responded with the U.S. Marshals to 1752 Tiara Trail, Laredo, TX. The Marshals were attempting to locate an ATF defendant identified as [ATF] a previously convicted felon who was found to be in possession of three sets of stolen body armor. [ATF] admitted to Agents that he was attempting to sell the body armor.

782080-10-0022 [ATF] et al: On Wednesday, December 30, 2009, Agents with ATF went with U.S. Marshals to [ATF] in an attempt to locate ATF fugitive [ATF] a previous convicted felon and member of the Sinaloa Drug Cartel. Once inside the residence, Agents arrested [ATF] and another individual identified as [ATF] a suspected illegal alien. Agents recovered three firearms as well as plastic cellophane where money had been wrapped, cocaine and marijuana.

San Antonio II (IO)

782065-2010-0068 PSWBI Lazar Enterprises: While conducting a firearms compliance inspection at Lazar Enterprises, dba, Handy Super Pawn a referral was generated for subject [ATF]. Three purchases made by subject [ATF] in August and September 2009 were noted as out of character purchases. The two .223 receivers (DPMS, A15) and one Para, GI Expert, .45 pistol, were purchased via the internet and bought through the subject FFL. A third receiver purchase was cancelled by subject [ATF] when FFL owner [ATF] questioned her and told her that manufacturing without a license and/or straw purchases were against the law. A refund of the \$20 transfer fee was offered over the phone to buyer [ATF] but she declined it. This issue was conveyed to Waco LE by phone. A/S [ATF] had recently received an e-mail from S/A [ATF] about an active duty Army soldier named [ATF] who was under investigation for manufacturing .223 rifles in the Killeen area. Subject [ATF] told FFL employees that [ATF] was active duty Army.

LOS ANGELES FIELD DIVISION

No new updates provide for this period.

PHOENIX FIELD DIVISION

Investigations:

Phoenix Group I

785041-09-0015 [ATF] This Phoenix based organization is purchasing AK 47s and trafficking them to San Luis, Mexico. Per an ATF source of information, members of this organization traffic the weapons into Mexico by "zip tying" them to the undercarriage of vehicles. ATF has purchased three of the trafficked firearms in the Yuma area through [ATF]. The firearms recovered have had less than a two week time to crime. [ATF] has been identified as the ring leader of this organization. To date, six suspected straw purchasers working for [ATF] have also been identified.

Phoenix Group VII

785115-10-0004 [ATF] et al: This case is a large scale conspiracy that includes fifteen straw purchasers of firearms. Since September 2009, the group has purchased over 650 firearms; most of which are the AK-47 variant 7.62 assault rifles and or the F.N. 4

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Herstal 5.7 mm pistols. To date, approximately 53 crime guns have been recovered in Mexico or near the United States/Mexico Border. The time-to-crime on recovered firearms is consistently short with some surfacing in only one day. ATF special agents continue to coordinate with the DEA regarding their current T-III as it affects this investigation. Phoenix Group VII is working with the U.S. Attorney's Office to secure an ATF sponsored T-III targeting conspirators within this group. ATF special agents served grand jury subpoenas to MySpace and authored Pen Registers on target telephones. Toll records analyzed reveal members of this group have high frequency calls to/from one another and to various FFLs.

Tucson Group I

786065-10-0021 [ATF] On December 21, 2009, Tucson Field Group I discovered two Tucson gang members traveled to Glendale, Arizona to purchase four AK-47 pistols from [ATF] Trading Company. [ATF] were located and interviewed. [ATF] informed special agents that his residence was burglarized and his pistols were stolen. [ATF] had not reported the burglary to the Tucson Police Department. [ATF] told agents that his AK-47 pistols were at [ATF] residence, which is the address he used on his ATF Form 4473. Follow-up at [ATF] residence disclosed [ATF] hadn't lived with them for more than one year. The morning following his claim that the pistols were stolen, [ATF] revealed he "found" his pistols. [ATF] was contacted by telephone to arrange a meeting with special agents. Unknowingly, [ATF] forgot to hang up his telephone properly and electronic surveillance recorded his subsequent conversation with [ATF] where they discussed what story they would tell ATF about the pistols. Special Agents seized the four AK-47 pistols pending further investigation. On their respective ATF F 4473, [ATF] [ATF] This case will be presented to the U.S. Attorney's Office for prosecution.

Tucson Group II

785065-09-0010 [ATF] Since October 2009, ATF has been working to develop information received that [ATF] is trafficking firearms to the San Carlos Marina, in San Carlos, Mexico. He is suspected of using boats temporarily parked at Marco Crane & Rigging in Tucson, Arizona that are awaiting transportation into Mexico. It is alleged that during the night, Mexican nationals secrete firearms in those boats. The boat owners might not be aware their boats are being used in this firearm trafficking scheme. It is suspected that drugs are being smuggled when the boats return from Mexico into the United States. These boats are all transported by tractor trailers. [ATF] in November has documented, at least, six boats moving through Marco Crane. To date, no movement of firearms has been observed. Surveillance is being worked jointly between ATF and ICE.

785085-09-0040 [ATF] Analysis of trace results on a March 12, 2009 seizure in Caborca, Sonora, Mexico of seven AK-47 type rifles, four AR-15 type rifles, one .50 caliber machine gun, one Browning pistol and three Beretta pistols led Tucson II special agents to [ATF] and, later, [ATF] [ATF] Both suspects reside in Tucson and have strong ties to Mexico. [ATF] has a home on the coast in Mexico and is affiliated with the [ATF] in Guaymas, San Carlos, Mexico. Surveillance and further investigation disclosed links between [ATF] to several crime figures and political figures in Mexico. Both have made multiple purchases of firearms from various Arizona FFLs. Connections are being explored that have surfaced between this case and the [ATF] Case, as well as investigations currently underway in the ICE office in Nogales.

OFFICE OF STRATEGIC INTELLIGENCE AND INFORMATION

Significant Events Occurring This Period:

On December 24, Mexico City El Universal reported that according to Tabasco Attorney General Rafael Gonzales Lastra, the massacre of the family of fallen marine [ATF] who died in the shootout with [ATF] was a concerted effort between the Zetas, who had an agreement with the Beltran Leyva Cartel, and police officers. Four suspects have been arrested.

On December 24, Mexico City El Universal reported that nine months after his appointment, President Felipe Calderon dismissed Jorge Tello Peon as executive secretary of the National Public Security System. This position will now be occupied by Juan Miguel Alcantara Soria, an attorney and former federal deputy for the National Action Party (PAN). Tello Peon played a key role in the creation of the Center for Investigation and National Security (Cisen), the Center for Planning in the Fight Against Drugs (Cendro), and the Federal Preventive Police (PFP), although he has been criticized for failing to prevent the prison break of drug trafficking kingpin [ATF]

On December 25, Nogales El Diario de Sonora reported that two grenades were tossed at the Eighth District Court Office in Ciudad Obregon, Sonora on the night of December 24. The attack left one dead and two wounded, caused structural damage to the building and damaged nearby vehicles.

On December 26, Mexico City El Universal reported that in the last decade, Mexico's drug-trafficking business became organized under six large criminal organizations that work in every state in the country. According to information from PGR, SSP and Sedena, those organizations are as follows: the Arellano Felix Cartel (or the Tijuana Cartel), the Juarez Cartel (or La Linea), the Sinaloa Cartel (or the Pacific Cartel), the Beltran Leyva brother's cartel, the Gulf Cartel and its armed Zeta group and La Familia Michoacana. The Arellano Felix Cartel is currently experiencing internal disputes; the Sinaloa and Juarez Cartels are at war; and so are the Zetas and La Familia Michoacana. The Gulf Cartel and La Familia are on another scale than the other cartels. The Gulf Cartel adopted paramilitary tactics—former military personnel made up the Zetas group and have now practically taken over the organization. La Familia Michoacana is a union of criminal groups untied in the name of deep-rooted tradition, family and religion. La Familia is unlike the other cartels and has become one of the most dangerous organizations in existence.

On December 29, Nogales El Diario de Sonora reported that Federal Police officers found a tunnel near the Dennis DeConcini international border crossing in Nogales. A few days earlier, U.S. authorities had found and closed the other end of the tunnel, which has presumably been used to transport drugs and illegal migrants to the U.S. The tunnel, which began in Mexico's sewage system, is 10 meters long and reaches 7 meters into U.S. territory. There were no arrests.

On December 31, PGR reported that [ATF] has been indicted and will remain in custody pending trial for possession of 20 grenades on the Reynosa-Pharr International Bridge in Reynosa. The grenades were found in a 1993 Chevrolet Suburban (Tamaulipas plates 660-TMV-8) driven by the

suspect.

On January 1, Mexico City El Universal reported that 2009 was the most violent year of the decade, with 7,724 deaths related to the federal government's war on drug trafficking and the war among cartels for control of territory. In December 2009, there were 842 murders—it was the most violent month in the last five years. The Army deploys 48,750 troops on average, monthly, to fight drug trafficking. In Chihuahua alone in 2009, there were 3,250 murders, most of them in Ciudad Juarez.

On January 1, Madrid EFE reported that Mexican drug traffickers in 2009 stepped up grenade attacks on police stations and military bases and armed attacks on police patrols, resulting in the deaths of 137 federal police officers.

On January 3, Ciudad Juarez Diario reports that Ciudad Juarez's agreement with the U.S.-based Crime Stoppers program went into effect at noon on January 2. The toll-free system allows callers to report crime or suspicious activity anonymously. The Spanish-language calls are received by operators in Toronto, Miami or Houston in an effort to maximize anonymity of Ciudad Juarez callers.

On January 4, Mexico City El Universal reported that [ATF] was placed in preventative custody for 40 days to investigate him for organized crime, money laundering, bearing a firearm that is exclusively for the use of the Army, and any other charges that may arise. According to SIEDO, [ATF] was an important component in the [ATF] organization, but he does not appear in the list of rewards that was published last year, a lists that only includes his brothers [ATF] currently at large, and [ATF] killed in a shootout with special Navy forces on December 16.

On January 4, Mexico City El Universal reported that since the death of [ATF], the cartel has restructured itself around [ATF] who took command two weeks ago after the death of [ATF]. [ATF] According to a Federal Police report, [ATF] has the complete support of [ATF] [ATF] the main individuals in charge of the organization and trusted confidants of [ATF]

On January 7, Madrid EFE reported that Federal Police arrested a top lieutenant of drug lord [ATF] [ATF] was picked up on January 4. [ATF] has been linked to the killings of at least 40 members of the [ATF] organization as part of a purge ordered by the late kingpin, [ATF]

Significant Seizure Events This Period:

The Mexican Secretary of Defense released 2009 seizure statistics for calendar year 2009. According to the report, they made 8,392 arrests, freed 501 kidnap victims, **seized 24,197 firearms**, 718 tons 582kg of marijuana, 2 tons 557 kg of cocaine, 71kg of heroin, 664 of opium paste, \$52,352,132 USD, \$96,403,385 Mexican pesos, 177 clandestine laboratories, 6,920 land vehicles, 110 aircraft and 26 vessels.

On December 29, the Mexican Army arrested the Gulf Cartel's accountant [ATF] [ATF] who answered directly to [ATF] [ATF] one of the principal leaders of the cartel. Two men and two women were also arrested along with [ATF] Two Uzis, one AK-47, a custom 7

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pistol, a Hummer and a Chrysler 300C were all seized.

On December 29, five men were arrested as they tried to run from a road block with 2 rifles, 2 pistols and more than 700 bullets. Various military and law enforcement uniforms were found in their vehicle in Mesa de Otay, Tijuana, Baja California.

On December 30, Federal Police arrested [ATF] in Culiacan, Sinaloa. Authorities seized 1 .45 caliber handgun, 1 .308 caliber handgun, 4 magazines, 62 rounds of ammunition of various calibers, several means of communication devices, and drugs.

On January 3, the Mexican Military arrested [ATF] on Augustin Lara St. in the Center neighborhood in the town of Cerralvo in Nuevo Leon. Montemayor is presumed to be the plaza boss in Sabinas Hidalgo, Nuevo Leon. A .223 rifle, magazine and 24 .223 rounds were seized, along with marijuana and rock cocaine. [ATF] was driving a Chevrolet Silverado with Texas plates. He was turned over to PGR.

On January 4, Mexico State Police arrested [ATF] head of security, [ATF] [ATF] two other men, three minors, three loaded pistols, drugs, and cell phones in Mexico City.

On January 9, elements with the Direccion General de Seguridad Publica del Estado (DGSPE), arrested the alleged leader of "Los Zetas," responsible for the attack against state police on January 7, 2010, along with two minors and seized an arsenal in Puerto Vallarta, Jalisco. Authorities seized 1 grenade launcher, 1 AR-15 type rifle, 1 AK-47 type rifle, 3 .38 Super caliber handguns, 3 9mm handguns, 1 .25 caliber handgun, 1 8mm handgun, several rounds of ammunition, magazines, cellular telephones, drugs, currency and vehicles.

This reporting period:

- 7 Mexican seizure details provided for Suspect Gun Recovery
- 49 Mexican seizures identified in Open Sources/Seizure Files Open

(Contact EPIC for details on the above information.)

Trace Requests for Mexico Recoveries:

FY 10 Trace Requests Thus Far:

There were 30,089* trace requests submitted involving Mexico recoveries between October 1, 2009 and January 4, 2010, of which 3,495 are pending

completion. The break down by agency is as follows:

- Total Trace Requests by ATF 194
- Total Trace Requests by DHS 198
- Total Trace Requests by Mexico 29,697
- Total Trace Requests From Other Agencies 0

*These numbers do not include 11,144 duplicate traces.

INTERNATIONAL AFFAIRS OFFICE

Mexico City

Liaison, Training, Media, and Other SWB Interaction:

On December 28, MCO personnel met with U.S. Defense Attaché Colonel Daniel Alabre, to discuss the overall relationship between ATF and the Mexican Military. Colonel Alabre said that the Defense Attaché Office (DAO) thinks ATF is doing a great job in assisting the Mexican Military in regards to explosives/firearms recoveries and identification. Col. Alabre suggested that ATF publicize their successes to the Government of Mexico (GOM) more often.

On January 5, MCO personnel, along with Immigration and Customs Enforcement (ICE) Secretary Assistant Tracy Bardoff, met with ATF the new SSP International Affairs Director, and personnel from SSP International Affairs. ATF topics discussed included reviewing eTrace information in Plataforma Mexico, the U.S. 2nd Amendment, straw purchasers, and firearms purchased at gun shows. ICE topics included the judicial issues concerning testimony in U.S. courts on firearms seized in Mexico. SSP topics included ATF and ICE liaisons and points of contact for SSP as well as training and equipment for the SSP Scientific Police laboratory.

The SSP International Affairs Director and four Scientific Police Chiefs would like to visit ATF, FBI and ICE facilities in the Washington, D.C. area in late January or early February. SSP would like to visit the ATF National Tracing Center and the Annandale laboratory as well as FBI and ICE laboratories in the area concerning Internet hacking and Child Exploitation, respectively. After this visit, SSP will identify personnel to receive training by ATF, FBI and ICE beginning in March.

On January 6, MCO personnel attended a meeting on money laundering issues between the United States Government (USG) and the Government of Mexico (GOM). The National Security Council (NSC) has tasked the Treasury Department to improve the method of how the USG and GOM are going to improve the investigation and seizure of money from money laundering activities between the U.S. and Mexico. The meeting was attended by the Post agencies to include: Office of Foreign Assets Control (OFAC), Drug Enforcement (DEA), Customs and Border Protection (CBP), Internal Revenue Service (IRS), ICE, FBI Legal Attaché (LEGAT) and the Narcotics Affairs Section (NAS). Also, the Chief of Mission (COM) and the Deputy

Chief of Mission (DCM) were in attendance.

The COM's observation included the legality of undercover (UC) bank accounts in Mexico. He wants to capture a bigger piece of the monies going between the U.S. and Mexico by using UC accounts and operations to help identify persons and trace money. The COM wants to move from the talking points and implement a real strategy from which to work. He wants to move into the billions of dollars in seizures rather than the millions. Also discussed was the attempt at trying to reform the Mexican money laundering laws. The current laws and the low 2-3% conviction rate do not lend much help in capturing illegal profits. OFAC will be sending out a draft of this issue.

Monterrey

Liaison, Training, Media, and Other SWB Interaction:

The Nuevo Leon State Attorney General Alejandro Garza y Garza has agreed to sign the ATF Spanish eTrace MOU. ATF Monterrey is waiting for the final MOU from the ATF National Tracing Center (NTC) in order to obtain the Attorney General's signature.

On January 4, MCO Monterrey personnel contacted the Monterrey Consulate office to reserve space and request logistical support for eight computers with internet access for the first week of February. ATF Monterrey is tentatively scheduling two days of Spanish eTrace training for the Nuevo Leon State PGJ and PGR personnel during this time period.

Investigative Assistance:

Tijuana

Investigative Assistance:

MCO/Tijuana continues to work with Phoenix agents regarding the straw purchase of approximately 500 AK-47 type firearms (UI# 785115-10-0004) and has linked 47 firearms that were seized in Mexicali, Baja California, on December 10-11 to the Phoenix investigation. Tijuana Field Office Agents are also supporting the Phoenix Field Division case agent who has authored an OCEDTF request for the investigation by providing documentation necessary to link these firearms to the Sinaloa Cartel. Furthermore, the Tijuana Field Office agents are tentatively scheduling a coordination meeting for January 2010 between the Phoenix Field Division case agent and the Mexican Federal Attorneys (Ministerio Publico) in Mexicali and Hermosillo, Sonora. The purpose of this meeting would be to widen the scope of the investigation, assist the sharing of information between ATF Phoenix Field Division and Mexican authorities that could assist in the prosecution, as well as identify additional co-conspirators operating on both sides of the border.

On January 5, MCO Tijuana personnel met in Hermosillo for a coordination meeting regarding a potential gun trafficking investigation involving DEA and ICE in Hermosillo, and ICE and ATF agents from Miami Field Division. The U.S. agents are working Operation Safeguard, an ICE-led Internet operation targeting individuals who may be trying to illegally procure defense articles and munitions. This meeting stemmed from [ATF] [ATF] in Hermosillo who were tasked by the Sinaloa Cartel operating in Sonora and Baja California to procure a firearms

source of supply in the United States to acquire .50 caliber rifles, M-203 grenade launchers and T-II weapons. Agents are going to task [ATF] to convince the suspects to log into an undercover website that was established under Operation Safeguard to lure subjects who are attempting to appropriate defense articles with the intent to unlawfully export them out of the U.S. The agents and [ATF] will attempt to get a “wish list” from the DTO. If this case is successful, agents are going to provide feedback on any telephone numbers, names, and locations they uncover during the investigation and pass it on to the Tijuana Field Office for further exploitation.

OFFICE OF TRAINING AND PROFESSIONAL DEVELOPMENT

No new updates provide for this period.

ENFORCEMENT PROGRAMS AND SERVICES

No new updates provide for this period.