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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

BRUCE A. COHEN, *Chief Counsel and Staff Director*
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December 19, 2012

Via Electronic Transmission

The Honorable Michael E. Horowitz
Inspector General
Office of the Inspector General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Inspector General Horowitz:

Your office recently completed a review of ATF's Operation Fast and Furious (OIG report). That review specifically assessed the performance of each of the Department of Justice (Department) employees who were most involved in Fast and Furious.

One of those Department employees was former Phoenix ATF Assistant Special Agent in Charge George T. Gillett, Jr. Gillett oversaw Fast and Furious from October 2009 until April 2010. The OIG report "found Gillett's supervision and judgment in Fast and Furious seriously deficient."¹ I understand from public reports that Mr. Gillett, along with other Department employees, is currently under review by ATF's Professional Review Board (PRB) due to the OIG report.

While ATF's PRB continues their review, other issues involving Mr. Gillett have come to my attention. My office recently obtained documentation that is troubling and raises many questions regarding Mr. Gillett's actions during his time in Phoenix, Arizona.

Specifically, documentation appears to indicate that during Operation Fast and Furious, Mr. Gillett made multiple firearm purchases at a Federal Firearm Licensee (FFL) in Phoenix. According to the forms, Mr. Gillett appears to have purchased weapons on December 15, 2009,² January 5, 2010,³ and January 7, 2010.⁴ Documents

¹ Department of Justice, Office of the Inspector General, "A Review of ATF's Operation Fast and Furious and Related Matters" (Sep. 2012), at 435.

² ATF eTrace Multiple Sales Details, Multiple Sales Number M2009021390 (Dec. 16, 2009) [Attachment 1].

³ ATF eTrace Multiple Sales Details, Multiple Sales Number M20110004046 (Jan. 6, 2011) [Attachment 2].

show the residence listed on the Firearms Transaction Record (Form 4473) for two of the gun purchases was the local Phoenix ATF office. For the third purchase, Gillett listed a commercial shopping center in Phoenix as his residence.⁵ Clearly, the addresses on the forms do not accurately and truthfully reflect Gillett's actual residence in Phoenix.

Lying on a Form 4473 is a felony and can be punished by up to five years in prison, in addition to fines. Many individuals who were arrested in Fast and Furious were charged for lying on the Form 4473. Jaime Avila, Jr. recently plead guilty to a variety of charges, including making false statements in connection with the acquisition of a firearm, and his initial arrest just after Border Patrol Agent Brian Terry's murder was for giving a false address on Form 4473.

One of the most troubling aspects of this new information is that one of the weapons listed as having been purchased by Gillett was recently recovered in Sinaloa, Mexico, the same weekend and in the same area as a shootout between the Mexican military and drug cartel members in Sinaloa, Mexico.

The January 7, 2010, purchase included an FN Herstal 57 Caliber pistol. According to documents, this weapon was recently recovered in an attempted homicide in between Caitime and Mocorito in the Guamuchil area of Sinaloa, Mexico.⁶ Mexico's CENAPI requested the trace from ATF's National Tracing Center on November 29, 2012, and an initial trace was completed on December 4, 2012.⁷ Another trace on the weapon was completed on December 10, 2012, indicating that the purchaser of the weapon was the former ASAC of ATF's office in Phoenix, George Gillett.⁸

Further, this weapon was recovered in the same area and on the same weekend as an AK-47 purchased by Uriel Patino was recovered in Ciudad Guamuchil, Sinaloa, Mexico.⁹ Patino was the most prolific straw purchaser in Fast and Furious, and records indicate that he purchased the AK-47 on March 16, 2010 from the FFL in Phoenix, Arizona referred to in your report as "FFL #1."¹⁰

On the same weekend these two weapons were recovered in the Ciudad Guamuchil area, ABC News reported on a gunfight in the same area between Sinaloa drug cartel members and the Mexican military. The gunfight claimed five lives, including a member of the Mexican military and a Sinaloa beauty queen, Maria Susana

⁴ ATF eTrace Firarm Trace Details, Trace Number T20120323644 (Dec.10, 2012) [Attachment 3].

⁵ The December 15, 2009, and January 7, 2010, purchases listed "201 E WASHINGTON APT 940, PHOENIX, AZ 85004." The January 5, 2010, purchase listed "7000 N 16TH ST, PHOENIX, AZ 85020."

⁶ ATF eTrace Firarm Trace Details, Trace Number T20120323644 (Dec.10, 2012) [Attachment 3].

⁷ ATF Firearms Trace Summary, Trace Number T20120323119 (Dec. 4, 2012) [Attachment 4].

⁸ ATF eTrace Firarm Trace Details, Trace Number T20120323644 (Dec.10, 2012) [Attachment 3].

⁹ ATF Firearms Trace Summary, Trace Number T20120323178 (Nov. 29, 2012) [Attachment 5].

¹⁰ ATF Suspect Gun Summary, Suspect Gun Number S20100000386 (Mar. 19, 2010) [Attachment 6].

Flores Gamez. According to ABC News, near Gamez's body, authorities found an AK-47 assault rifle and 60 shell casings.¹¹

In addition to my staff immediately contacting your office about these revelations, they have reached out to ATF as well. I request that you initiate an investigation into these matters and that you specifically examine whether Mr. Gillett was the purchaser as indicated by these documents, why the forms list multiple, inaccurate residential addresses while purchasing the weapons, and how the weapon purchased on January 7, 2010 ended up in Mexico. I have attached the referenced documentation to assist you in your investigation.

This information's implications and its ability to undermine public confidence in the integrity of ATF operations cannot be overstated. Your office needs to work swiftly. There must be a thorough, independent, and public explanation of these circumstances as quickly as possible.

Should you have any questions regarding this request, please contact Brian Downey of my Committee staff at (202) 224-5225. Thank you for your attention to this matter.

Sincerely,



Charles E. Grassley
Ranking Member

Attachments

cc: The Honorable Eric H. Holder, Jr., Attorney General
U.S. Department of Justice

The Honorable B. Todd Jones, Acting Director
U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives

The Honorable Robert S. Mueller, III, Director
Federal Bureau of Investigation

The Honorable Patrick Leahy, Chairman
U.S. Senate, Committee on the Judiciary

The Honorable Darrell E. Issa, Chairman
U.S. House of Representatives, Committee on Oversight and Government Reform

¹¹ Randy Kreider, *Bad Company: Mexican Beauty Queen Killed During Drug Flight*, ABC News (Nov. 27, 2012), available at <http://abcnews.go.com/Blotter/cartel-military-firefight-kills-mexican-beauty-queen/story?id=17820408>.

Attachment 1



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- [Create a Trace Request](#)
- [Search for Transactions](#)
- [Generate Statistical Reports](#)
- [Lead Reports](#)
- [Contact Us](#)
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MULTIPLE SALES DETAILS

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[Back](#)

Multiple Sale Contact Information

THIS REPORT IS THE RESULT OF A MULTIPLE SALES TRANSACTION THAT WAS REPORTED TO THE ATF NATIONAL TRACING CENTER. IF YOU HAVE ANY QUESTIONS ABOUT THIS REPORT OR REQUIRE ADDITIONAL INFORMATION, PLEASE CONTACT THE LAW ENFORCEMENT SUPPORT BRANCH AT (800) [REDACTED].

Multiple Sales Number: **M20090215390** Entry Date: 12/16/2009

Dealer Information

Dealer:

FFL Number: [REDACTED]

Business Name: [REDACTED]

Licensee Name: [REDACTED]

Address: [REDACTED]

Country: UNITED STATES

Phone: (602) [REDACTED]

Purchaser Information

Purchaser Name: GILLET, GEORGE THOMAS

Purchase Date: 12/15/2009

Address: 201 E WASHINGTON APT 940
 PHOENIX, AZ 85004

Country: UNITED STATES

Identification:

Sex: M Race: WHITE Height:
Primary ID #: [REDACTED] Type: DRIVER'S LICENSE State: AZ
Primary ID #: [REDACTED] Type: State:

Birth:

DOB: [REDACTED] POB: [REDACTED] Weight:
US

Firearm Information

Firearm: 1

Manufacturer: COLT Serial Number: 945120
Model: DETECTIVE SPECIAL Caliber: 38
Type: REVOLVER
Importer: Country of Origin: UNITED STATES
Multiple Sale Note:

Firearm: 2

Manufacturer: RUGER Serial Number: 372-79029
Model: LCP Caliber: 380
Type: PISTOL
Importer: Country of Origin: UNITED STATES
Multiple Sale Note:

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[Back](#)

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Attachment 2



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MULTIPLE SALES DETAILS

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[Back](#)

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Multiple Sales Number: **M20110004046** Entry Date: 01/06/2011

Dealer Information

Dealer:

FFL Number: [REDACTED]

Business Name: [REDACTED]

Licensee Name: [REDACTED]

Address: [REDACTED]

PHOENIX, AZ 85015

Country: [REDACTED]

UNITED STATES

Phone: [REDACTED]

(602) [REDACTED]

Purchaser Information

Purchaser Name: GILLETT, GEORGE THOMAS JR

Purchase Date: 01/05/2010

Address: 7000 N 16TH ST
PHOENIX, AZ 85020

Country: UNITED STATES
Identification:
Sex: M Race: WHITE Height:
Primary ID #: [REDACTED] Type: DRIVER'S LICENSE State: AZ
Primary ID #: [REDACTED] Type: State:
Birth:
DOB: [REDACTED] POB: [REDACTED] Weight:
US

Firearm Information

Firearm: 1

Manufacturer: SMITH & WESSON Serial Number: 9K1693
Model: 19 Caliber: 357
Type: REVOLVER
Importer: Country of Origin: UNITED STATES
Multiple Sale Note:

Firearm: 2

Manufacturer: KIMBER Serial Number: KU138633
Model: ULTRA CDP Caliber: 45
Type: PISTOL
Importer: Country of Origin: UNITED STATES
Multiple Sale Note:

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- [Create a Trace Request](#)
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Firearm Trace Details

[View the Referral Lists associated with this trace](#)

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[Back](#)

Trace Reference

Trace Number:	T20120323644	Request Date:	11/29/2012
Status:	Completed	eTrace User:	[REDACTED]
Completion Date:	12/10/2012		

Summary of Results

THIS FIREARM WAS TRACED TO A PURCHASER. FOR ANY QUESTIONS, PLEASE CONTACT ATF NATIONAL TRACING CENTER, FIREARMS TRACING BRANCH AT 1-800-[REDACTED].

The information in this report must be validated prior to use in any criminal proceedings.

Firearm Information

Manufacturer:	F.N. (FN HERSTAL)	Type:	PISTOL
Caliber:	57		
Model:	FIVE-SEVEN		
Serial Number:	386179913	Country of Origin:	BELGIUM
Barrel:		Ballistics No.:	
Finish:			
Importer:	[REDACTED]		
Obliterated?	No	Removal Code:	
Restored:		Drill Size:	

Identifying Marks:
Images Attached: 0

Requestor Information

Law Enforcement Agency
MMSN00001
PGR DELEGACIÓN ESTATAL
MEXICO
CULIACAN , 80140
SINALOA, MEXICO

Officer Last Name: [REDACTED]
Officer Suffix:
Officer First Name: [REDACTED]
Officer Badge No.:

Agency Case No.:

Recovery Information

Firearm Recovered
Recovery Date: 11/24/2012
Address: CAITIME

MOCORITO,
SINALOA
MEXICO

Time to Crime: 1052 days
Vehicle Year:

Vehicle Make:

Vehicle Model:
Vehicle Tag Number:
Vehicle Tag State:
Vehicle Tag Country:

Location Type: ON PERSON

Dealer Information

Dealer: 1

Business Name:
Licensee Name: [REDACTED]
Address: [REDACTED]

FFL Number: [REDACTED] Last Inspection:
Contact Name: Phone: (800) [REDACTED]
Invoice Number: Transaction Date:

Dealer: 2

Business Name:
Licensee Name: [REDACTED]
Address: [REDACTED]

FFL Number: [REDACTED] Last Inspection: [REDACTED]

Contact Name:
Invoice Number:

Phone: (972) [REDACTED]
Transaction Date: 03/13/2009

Dealer: 3

Business Name:
Licensee Name:
Address:

[REDACTED]
[REDACTED]
[REDACTED]

FFL Number:
Contact Name:
Invoice Number:

[REDACTED]
[REDACTED]
[REDACTED]

Last Inspection:

[REDACTED]

Phone:

(602) [REDACTED]

Transaction Date:

[REDACTED]

Purchaser Information

Name: GEORGE THOMAS GILLETT
Last Known Address: 201 E WASHINGTON ST APT 940
PHOENIX, AZ 85004

Criminal History? N/A
Race: WHITE

Purchase Date: 01/07/2010

Sex: M
Height: [REDACTED]
Weight: [REDACTED]

DOB:
POB:

[REDACTED]
[REDACTED]
UNITED STATES

ID 1: AZ DRIVER'S LICENSE
Country 1: UNITED STATES
ID 2:
Country 2:
Alias Name:

#: [REDACTED]
#:
Alias
DOB:

Administrative Information

Priority: ROUTINE
NCIC Crime Code: 0900
Special Instructions:
Gang Name:

[REDACTED]
HOMICIDE - ATTEMPTED

Admin Labels: PREVIOUS INQUIRY OFFICE Value: AP/SIN/GUAM/277/2012/M-U
4856/2012

OPERATING
AUTHORITY
ALIAS

AMPF

This report does not constitute a fulfillment of the Interstate Nexus requirement in any Federal, State or Administrative legal process or litigation. That expert testimony or Interstate Nexus determination is made through trained experts who must be contacted at the local ATF Field Office or Field Division Directorate.

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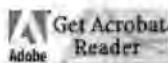
Back

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Attachment 4

DEPARTMENT OF JUSTICE
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES



NATIONAL TRACING CENTER

Phone:(800) [REDACTED] Fax:(800) [REDACTED]

FIREARMS TRACE SUMMARY

Trace Number: T20120323119 Request Date: November 29, 2012 Completion Date: December 04, 2012

[REDACTED]
CIUDAD JUAREZ FIELD OFFICE

TX
PHONE: (915) [REDACTED] Ext:

Badge No:
Investigation No:

PARIS FIGUEROA
CENAPI
PASEO
MEXICO, DF
MEXICO

Badge No:
Investigation No:

FIREARM INFORMATION

Manufacturer: F.N. (FN HERSTAL)
Model: FIVE-SEVEN
Caliber: 57
Serial Number: 386179913
Type: PISTOL
Country: BELGIUM
Importer: UNKNOWN IMPORTER
Obliterated:
Identifying Marks:
NIBIN:
Gang Name:

RECOVERY INFORMATION

Recovery Date: 11/23/2012
Time to Crime:

CIUDAD GUAMUCHIL
MUNICIPIO DE SALVADOR ALVARADO, SL
MEXICO
Possessor:
DOB:
POB:

ADMINISTRATIVE INFORMATION

OPERATING AUTHORITY: PGR SINALOA MEXICO
EXPEDIENTE: AP/SIN/GUAM/277/2012/M-U
FOLIO: 6595

SUMMARY OF RESULTS

THIS FIREARM HAS NO KNOWN NEXUS TO THE UNITED STATES. THE FIREARM IS NOT MANUFACTURED IN THE U.S., NO U.S. IMPORT MARKINGS WERE PROVIDED, NOR WAS IT RECOVERED IN THE U.S. PLEASE RE-EXAMINE THE FIREARM AND PROVIDE ANY U.S. IMPORTER MARKINGS ALONG WITH ANY OTHER MARKINGS AND SUBMIT A RE-OPEN REQUEST THROUGH ETRACE OR VIA FAX TO 1-800-[REDACTED] IF YOU REQUIRE ASSISTANCE IN IDENTIFYING THIS FIREARM PLEASE CONTACT ATF'S NATIONAL TRACING CENTER, LAW ENFORCEMENT SUPPORT BRANCH AT 1-800-[REDACTED] OR 001-[REDACTED]

Additional Remarks:

The information in this report must be validated prior to use in any criminal proceedings.

Trace: T20120323119
FOR OFFICIAL USE ONLY



Attachment 5

DEPARTMENT OF JUSTICE
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
NATIONAL TRACING CENTER



FIREARMS TRACE SUMMARY

Trace Number: T20120323178 Request Date: November 29, 2012 Completion Date: December 07, 2012

CIUDAD JUAREZ FIELD OFFICE

TX

PHONE: (915) Ext:

Badge No:

Investigation No:

PARIS FIGUEROA

CENAPI

PASEO

MEXICO, DF

MEXICO

FIREARM INFORMATION

Manufacturer: ROMARM/CUGIR

Model: GP WASR 10/63UF

Caliber: 762

Serial Number: 1969BP1194

Type: RIFLE

Country: ROMANIA

Importer: CENTURY ARMS INC (CAI),
ST...

Obliterated:

Identifying Marks:

NIBIN:

Gang Name:

RECOVERY INFORMATION

Recovery Date: 11/23/2012

Time to Crime: 983 days

CIUDAD GUAMUCHIL

MUNICIPIO DE SALVADOR ALVARADO, SL

MEXICO

Possessor:

DOB:

POB:

Badge No:

Investigation No:

PURCHASER INFORMATION

Purchase Date: 03/16/2010

URIEL NMN PATINO

PHOENIX, AZ 85035

DOB:

POB: AZ UNITED STATES

Race: HISPANIC

Sex: Male

ID 1: AZ DRIVER'S LICENSE:

ID 2: :

Height:

Weight:

DEALER INFORMATION

FFL:

Phone:

Ext:

Ship-To-Date:

Contact the local ATF office for additional information.

ADMINISTRATIVE INFORMATION


OPERATING AUTHORITY: PGR SINALOA MEXICO

EXPEDIENTE: AP/SIN/GUAM/277/2012/M-U

FOLIO: 6595

SUMMARY OF RESULTS

The information in this report must be validated prior to use in any criminal proceedings.

THIS FIREARM WAS TRACED TO A PURCHASER. THE FINAL FEDERAL FIREARMS LICENSEE (FFL) INFORMED ATF'S NATIONAL TRACING CENTER THAT THE PURCHASER ALSO ACQUIRED ADDITIONAL FIREARMS FROM THE FFL. FOR ANY QUESTIONS, PLEASE CONTACT ATF NATIONAL TRACING CENTER, FIREARMS TRACING BRANCH AT 1-800-

Additional Remarks:

Unclassified Controlled Information

The information in this report must be validated prior to use in any criminal proceedings.

Trace: T20120323178
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Attachment 6

**DEPARTMENT OF JUSTICE
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
NATIONAL TRACING CENTER**



SUSPECT GUN SUMMARY

Suspect Gun Number: S20100000386 Entered Date: March 19, 2010

PHOENIX FD GROUP VII

PHOENIX, AZ 85004

Badge No:

Investigation No: 785115-10-0004

DEALER INFORMATION

Business Name:

Licensee Name:

Address:

Phone:

Ext:

FFL Number:

Invoice #:

INDIVIDUAL INFORMATION

Name: URIEL PATINO

Address:

PHOENIX, AZ 85035

DOB:

Race: HISPAN
IC

Sex: Male

Height:

Weight:

Date: 03/16/2010

ID 1:

#:

ID 2:

#:

NOTICE

The firearm(s) listed below was entered into the Firearms Tracing System as a suspect gun. You have requested NTC maintain a lookout for the firearm(s). If any of the suspect guns in this report are traced by another agency and/or individual, your Division's Firearms Trafficking Coordinator (FTC) will be notified in writing by the NTC. The notification will include the identity of the officer and/or agency requesting the trace. It will be incumbent upon the FTC or yourself to contact the firearms trace requestor. The NTC will not release any information concerning your suspect gun(s).

Weapon Summary

Weapon Count: 10

Manufacturer	Model	Caliber	Serial Number	Type	Importer
ROMARM/CUGIR	GP WASR-10	762	1971DF4636	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT
ROMARM/CUGIR	GP WASR-10	762	1968BF1283	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT
ROMARM/CUGIR	GP WASR-10	762	1974DP3429	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT
ROMARM/CUGIR	GP WASR-10	762	1969BM4171	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT
ROMARM/CUGIR	GP WASR-10	762	1968BH2430	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT
ROMARM/CUGIR	GP WASR-10	762	1982ZP5425	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT
ROMARM/CUGIR	GP WASR-10	762	1969BP1194	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT
ROMARM/CUGIR	GP WASR-10	762	1968BI3534	RIFLE	CENTURY ARMS INC (CAI), ST. ALBANS, VT

Suspect Gun: S20100000386

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