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September 06, 2011

Mr. Eric H. Holder, Jr.  
Attorney General  
Department of Justice  
950 Pennsylvania Avenue NW  
Washington, DC 20530

Dear Attorney General Holder:

Earlier this summer, I wrote to share with you my deep concern regarding reports that the Department of Justice (DOJ) and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) had participated in multiple acts of "gun walking," allowing firearms to pass from straw purchasers into the possession of criminal and other dangerous third party organizations. Since that time, further reports and developments have only deepened my concerns regarding the activities and conduct of the leadership within the DOJ and ATF.

As a Member of Congress, I strongly support efforts to disrupt criminal syndicates that traffic firearms and drugs, and conduct other illicit and illegal activities. However, when those efforts serve to fuel the operations of criminal enterprises through the provision of firearms, they must be stopped. It is extremely troubling that the United States government would willfully allow weapons to be acquired by dangerous criminal and drug trafficking organizations, in direct contravention of our strategic and national interests.

When I last wrote to you, I raised a number of concerns regarding reports that DOJ's and ATF's gun walking practices may have extended beyond the area of the southwestern United States and our border with Mexico. Having gone unanswered, many of those questions still stand. I therefore still await your answers to the following questions:

1. Can you confirm whether or not ATF field divisions, other than the Phoenix Field Division, and/or any other Department of Justice office participated in gun walking schemes that allowed weapons to be trafficked outside of the United States?
2. If so, does the DOJ or ATF have knowledge of any of these firearms ending up in the possession of criminal gangs?
3. How many firearms were allowed to pass outside of the United States and how many have since been accounted for?
4. Were trafficked weapons subject to any special monitoring processes once they left the United States?

5. Has the DOJ or the ATF established any criteria or guidance pertaining to what is admissible for future operations aimed at preventing firearms from being obtained and used by dangerous foreign criminal organizations in crimes similar to the murder of U.S. Border Patrol Agent Brian Terry?

As I previously noted to you, it is my belief that the ATF and the DOJ operated in an extremely misguided manner in allowing weapons to walk across the border and end up in the possession of dangerous criminal organizations. These actions have resulted in the loss of human life and property. I hope that you would agree that we must not allow flawed programs to continue to operate to the detriment of the safety and security of the United States of America.

It has now been nearly two months since I first expressed my concerns and questions to you regarding these practices and reports. The replacement of ATF leadership and a United States Attorney is a first step towards restoring the public's faith and trust that the DOJ is competently taking actions to ensure the public's safety against foreign and domestic threats and that it will defend the interests of the United States according to the law. However, at its worst, the lack of response and forthrightness to Congressional inquiries regarding troubling reports about the DOJ demonstrates a disconcerting ambivalence towards the representative branch of government. At best, it represents a lost opportunity to put to rest a troubling chapter within the DOJ.

In this regard, I look forward to receiving your response in a timely manner.

Respectfully,



GUS BILIRAKIS  
Member of Congress