

Congress of the United States

Washington, DC 20515

April 19, 2007

The Honorable Alan Mollohan
Chairman
Subcommittee on Commerce, Justice, Science, and Related Agencies
House Appropriations Committee
Room H-310, The Capitol
Washington, DC 20515

Dear Chairman Mollohan:

We are writing to request that language regarding the release of data on gun traces by the Bureau of Alcohol, Tobacco, Firearms and Explosives (BAFTE) not be included in the Fiscal Year 2008 Commerce, Justice, Science, and Related Agencies Appropriations bill. We appreciate the work of the Subcommittee on protecting our children and local communities from gun violence and are hopeful that the Subcommittee will consider this request when drafting the Fiscal Year 2008 Commerce, Justice, Science, and Related Agencies Appropriations bill.

As you know, since Fiscal Year 2003, language has been included in the Justice Appropriations bill that severely limits the releases of data on gun traces. This language blocks the release of this important data to "anyone other than a Federal, State, or local law enforcement agency or prosecutor solely in connection with and for use in a bona fide criminal investigation or prosecution and then only such information as pertains to the geographic jurisdiction of the law enforcement agency requesting the disclosure..."

Previously, information derived from gun trace investigations performed by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) was available to law enforcers, to policy makers and to the public. In fact, for several years, ATF published extremely useful reports on gun tracing performed on all recovered crime guns in 52 cities, under its Youth Crime Gun Interdiction Initiative.

These reports and other available data derived from gun traces were helpful in understanding a number of important issues, including sources of crime guns, trends in illegal gun trafficking, which kinds of guns found their way into the hands of criminals, and much more. It is difficult to see how effective crime gun interdiction and crime suppression programs and associated legislation could be created and maintained without the benefit of this critical information.

Each year has seen even further restrictions imposed as part of the appropriations process, so now not only is public access forbidden, but law enforcers can gain access only to that information pertaining to a particular open criminal case.

This situation, at a time when, according to the FBI, violent crime is rising across the country and virtually all major cities and dozens of towns are damaged by violence perpetrated with illegally trafficked guns, is outrageous. Law enforcers, legislators, opinion makers and the public clearly need information on gun flows to set and maintain public safety policies.

Furthermore, the bulk of the work to collect the information used by BATFE in its gun trace investigations is done by local and state law enforcement organizations, using local and state tax money. It is unfair for local and state taxpayers to bear this essential burden, yet have no access to the information thereby derived, information critical to the public safety.

The mayors of Trenton, Jersey City, Newark and other cities and towns across our state need this data to protect their citizens and craft sound public policy.

Again, we request that language regarding the releases of data on gun traces by the Bureau of Alcohol, Tobacco, Firearms and Explosives (BAFTE) be removed from the Fiscal Year 2008 Commerce, Justice, Science, and Related Agencies Appropriations bill.

Thank you for your consideration of this request to improve the safety of our local communities.

Sincerely,



RUSH HOLT
Member of Congress



ALBIO SIRES
Member of Congress



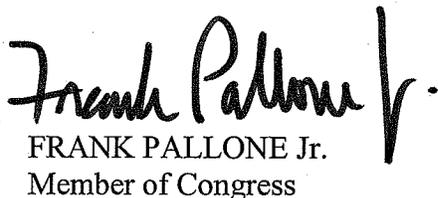
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