

April 20, 2011

Ranking Member Cummings's statement on threats of contempt charges by Chairman Issa to the Bureau of Alcohol, Tobacco and Firearms: "Our Committee has a responsibility to investigate allegations of waste, fraud and abuse. However, despite my repeated requests, Chairman Issa has refused to meet with the Department of Justice to ensure that his actions do not compromise ongoing investigations and prosecutions, including a trial of 20 individuals that is scheduled to begin in June."

Read Congressman Cummings' [letter to Chairman Issa on April 1st](#) , indicating the danger of interfering with the Department of Justice's ongoing criminal investigation.

Read Department of Justice's (DOJ) [letter to Chariman Issa on April 13th](#) , stating their concerns about compromising current investigations and prosecutions.

Read [Politico](#) coverage of Congressman Cummings's opposition to Chairman Issa's unilateral subpoena.

Background Information:

- The Chairman issued a letter, including 11 attachments that disclose information related to at least three ongoing criminal investigations. The Chairman took this action despite pleas from DOJ to consider the potential ramifications of his subpoena and the release of sensitive law enforcement documents on the Department's prosecutions.

- In an April 13, 2011 letter to the Chairman, DOJ once again reiterated their concerns that these subpoenaed records would jeopardize criminal investigations of a murder investigation and international narcotics traffickers that has resulted in a 53 count indictment of at least 20

individuals. DOJ stated: “Your subpoena encompasses records that would identify individuals who are assisting in the investigation and whose cooperation may never become public... Disclosure of these types of information may present risks to individual safety in the violent environment of firearms trafficking activities. Disclosure also may prematurely inform subjects and targets about our investigation in a manner that permits them to evade and obstruct our prosecutorial efforts.”

- On April 1st Ranking Member has requested that the Chairman join him in meeting with DOJ officials to fully understand the potential ramifications of the subpoena. To date, the Chairman has not responded. The Chairman’s letter on April 20th was once again issued unilaterally, without consultation with the Ranking Member or the full Committee.

- The Ranking Member reiterates his request for the Chairman to join him in a personal meeting with the Department of Justice so that we can develop a plan for the Committee to conduct its legitimate oversight function without jeopardizing the safety of cooperating government witnesses or potentially imperiling ongoing criminal prosecutions.