

Issa Continues Conspiracy Theory That FBI is Hiding Third Weapon

Washington, DC (Oct. 20, 2011) – Today, Rep. Elijah E. Cummings, the Ranking Member of the House Oversight and Government Reform Committee, issued a statement expressing serious concern with a letter sent by Committee Chairman Darrell E. Issa to FBI Director Robert Mueller demanding documents relating to a potential third weapon Issa alleges was recovered from the scene of Agent Brian Terry’s murder and is being hidden from the Committee.

In response to Issa’s letter, Cummings stated:

“Frankly, I am shocked that Chairman Issa would continue to spin this conspiracy theory—that the FBI is hiding a third weapon—even after his recent allegations proved false. Rather than acknowledging this embarrassing mistake and apologizing for making false accusations about the FBI, Chairman Issa’s letter is an unprecedented attack on the integrity and credibility of law enforcement that could seriously jeopardize the ongoing prosecution.”

On Sunday, Issa told [Face the Nation](#) host Bob Schieffer that he suspected the FBI had recovered a third gun at the scene of the murder, but was hiding that evidence to protect a confidential informant.

Issa based his erroneous claim on supposed flaws in the FBI’s evidence-marking procedure. Two firearms recovered at the scene were marked “K2” and “K3.” Issa suggested on Sunday that a firearm labeled “K1” must be missing: “when you have tickets that are numbered two and three and there’s no ticket one, in other words, the weapon – one weapon has a two, one has a three on it, there’s no one.” He claimed that it is “weapon number one that appears to be missing.”

In a press statement on Monday, the Department of Justice stated: “Unfortunately, this most

recent false accusation not only maligns the dedicated agents investigating the murder of Agent Terry, it mischaracterizes evidence in an ongoing case.” The statement continued: “According to the FBI, the item that Chairman Issa refers to as ‘K1’ is a blood sample from Agent Terry, not a firearm.”

In his letter today, Issa acknowledged that the FBI had informed his staff during a closed briefing that no third gun was recovered at the scene. This briefing occurred on October 5—11 days prior to Issa’s appearance on [Face the Nation](#) . Members of both the Majority and Minority staffs of the Oversight Committee and the Senate Committee on the Judiciary met with senior officials from FBI, DEA, and ATF, and the FBI’s Assistant Director for Criminal Investigative Division unequivocally stated that the FBI had not recovered a third potential murder weapon at the scene of Agent Terry’s murder. He further stated that the FBI was offended by the allegation that FBI had tampered with evidence or was involved in a cover-up.

Issa’s letter makes 16 requests for information regarding the details of the murder investigation and asks for extensive emails from 9 FBI agents, including the case agent handling the Terry murder investigation.