

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051  
MINORITY (202) 225-5074  
<https://oversight.house.gov>

April 28, 2022

Mr. Gary M. Restaino  
Acting Director  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
99 New York Avenue, N.E.  
Washington, D.C. 20226

Dear Mr. Restaino:

I am writing regarding the Committee's ongoing investigation into gun violence and law enforcement efforts to address this crisis. Since the Committee launched this investigation more than two years ago, America's epidemic of gun violence has only grown worse with a rising tide of gun sales and gun deaths. Information obtained by the Committee reveals a troubling pattern of gun sales in which a handful of dealers have sold thousands of guns that were then used in crimes, potentially including murders, robberies, and assaults. One dealer in Georgia, for example, sold more than 6,000 guns from 2014 to 2019 that were later recovered at crime scenes—equivalent to roughly 10% of the guns sold by that dealer. The Committee's analysis also found that dealers in states with lax gun laws are selling large numbers of guns used in crimes in neighboring states, including more than 1,000 guns sold in Indiana that were used in crimes in Illinois. In light of these alarming findings, the Committee needs additional information—including information the Committee previously requested from the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) under the prior Administration—to understand the causes of our country's gun violence epidemic and the steps that can be taken to prevent more violence.

### **The Committee's Investigation**

Last Congress, the Committee on Oversight and Reform launched an investigation into gun violence in the United States. At the time, the nearly 40,000 gun deaths per year was the highest in at least 50 years.<sup>1</sup> Since then, gun deaths have continued to rise. In 2020, more than 45,000 people were killed by guns, a nearly 15% increase over the previous year.<sup>2</sup> Tragically,

---

<sup>1</sup> *Nearly 40,000 People Died from Guns in U.S. Last Year, Highest in 50 Years*, New York Times (Dec. 18, 2018) (online at [www.nytimes.com/2018/12/18/us/gun-deaths.html](http://www.nytimes.com/2018/12/18/us/gun-deaths.html)).

<sup>2</sup> Giffords, *Press Release: 2020 CDC Data Shows Record Number of Gun Deaths, Makes Clear the Need for Immediate Action to Address Gun Violence in America* (Oct. 6, 2021) (online at [www.giffords.org/press-release/2021/10/2020-cdc-data-shows-record-number-of-gun-deaths/](http://www.giffords.org/press-release/2021/10/2020-cdc-data-shows-record-number-of-gun-deaths/)).

firearm-related deaths have now surpassed car accidents as the leading cause of death among American children.<sup>3</sup>

The Committee's previous letter sought related information from ATF, including information on the five gun dealers in each state responsible for the most guns recovered in connection with a crime in each year from January 2014 through August 2019.<sup>4</sup> A study conducted by ATF in 2000 found that slightly more than 5% of gun dealers are responsible for nearly 90% of guns recovered at crime scenes.<sup>5</sup>

Although the Committee has now obtained limited anonymous data on these gun dealers, as well as firearm inspection records, these materials do not allow the Committee to definitively identify the gun dealers in each state with records of selling large numbers of guns used in crimes. In particular, the inspection reports have limited value without the requested information regarding the top gun dealers in each state.

The Committee respects the rights of law-abiding Americans under the Second Amendment, and the Committee's investigation is squarely focused on addressing the sale and trafficking of guns that are used in violent crimes. The Committee is also sensitive to concerns that transparency into the sale of guns used in crimes may discourage some gun dealers from voluntarily collaborating with ATF, and the Committee has expressed willingness to work with your office to protect the integrity of ATF's investigations. However, the information the Committee is seeking is critical to evaluate the practices of gun dealers that sell large numbers of guns used in crimes, to assess the effectiveness of law enforcement efforts to curb gun trafficking and gun violence, and to consider potential legislation to address these issues.

### **Committee Analysis**

The Committee's preliminary analysis of ATF gun tracing data obtained in this investigation raises significant concerns about certain gun dealers that appear to be responsible for large numbers of guns used in crimes and further supports the Committee's need for additional information about gun dealers responsible for selling a disproportionate number of crime guns.

The chart below shows 12 examples of gun dealers that demonstrate especially troubling gun sales patterns from 2014 through mid-2019. The Committee selected these dealers based on two factors. First, these dealers have a high overall number of guns used in crimes traced back to their businesses ("crime gun traces") compared to other dealers. Second, these dealers have a

---

<sup>3</sup> Lois K. Lee, et al., *Crossing Lines—A Change in the Leading Cause of Death among U.S. Children*, *New England Journal of Medicine* (Apr. 16, 2022) (online [www.nejm.org/doi/full/10.1056/NEJMp2200169](http://www.nejm.org/doi/full/10.1056/NEJMp2200169)).

<sup>4</sup> Letter from Chairman Elijah E. Cummings, Committee on Oversight and Reform, to Acting Deputy Director Regina Lombardo; Bureau of Alcohol, Tobacco, Firearms, and Explosives (Aug. 9, 2019) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2019-08-09.EEC%20to%20Lombardo-ATF%20re%20Gun%20Tracing.pdf>).

<sup>5</sup> Bureau of Alcohol, Tobacco, and Firearms, *Commerce in Firearms in the United States* (Feb. 2000) (online at [www.hsdl.org/?abstract&did=1624](http://www.hsdl.org/?abstract&did=1624)).

high percentage of traces that occurred within five years of the gun sale—that is, the gun was used in a crime, or its “time to crime,” was within five years of when the dealer sold the gun. The Committee also compared the average monthly traces from January 2014 to August 2019 to the average number of guns these dealers sold per month during an overlapping six-year period.

Although these 12 gun dealers are particularly concerning, they represent only a small portion of the gun dealers that have sold significant numbers of crime guns, and the Committee continues to seek a full accounting of the top crime gun dealers in each state.

<b>Gun Dealer</b>	<b># of Crime Gun Traces (Jan. 2014 - Aug. 2019)</b>	<b>% of Traces with “Time to Crime” Under 5 Years</b>	<b>Average Monthly Traces as % of Average Monthly Sales (Approx.)<sup>6</sup></b>
<b>Alabama - AL01</b>	1,585	76%	1%
<b>Arizona - AZ01</b>	2,411	86%	1%
<b>Florida - FL01</b>	2,655	87%	2%
<b>Florida - FL02</b>	1,886	77%	4%
<b>Florida - FL06</b>	1,046	92%	2%
<b>Georgia - GA01</b>	6,023	84%	10%
<b>Illinois - IL01</b>	1,920	76%	4%
<b>Indiana - IN02</b>	1,838	72%	10%
<b>Michigan - MI01</b>	1,657	91%	7%
<b>Missouri - MO01</b>	2,598	84%	2%
<b>Ohio - OH02</b>	2,248	94%	1%
<b>Virginia - VA02</b>	1,795	79%	4%

One gun dealer in Georgia, coded as “GA01,” produced more than 6,000 traces, the most of any dealer nationwide. This dealer alone accounted for more than half of Georgia’s reported traces. Of those 6,000 traces, more than 5,000 were for guns purchased fewer than five years prior to being used in a crime. This dealer also sold an especially high *percentage* of guns that were later used in crimes. The Committee calculated the monthly average number of guns recovered at crime scenes from January 2014 to August 2019 that were sold by this dealer and the monthly average number of guns sold by the dealer during an overlapping six-year period. GA01’s average monthly gun traces are equivalent to 10% of its average monthly sales. In other words, roughly one in ten of the guns sold by this dealer was later used in a crime. Other gun

---

<sup>6</sup> ATF produced gun sales data to the Committee only for these 12 selected dealers. Trace data provided by ATF includes firearms recovered in the period from January 2014 through August 2019, whereas data provided on total gun sales covers a six-year time period. Gun sales are self-reported by gun dealers to ATF every three years. Figures indicating total gun sales are based on the two reporting periods for each of the 12 gun dealers that most closely overlap with the period from 2014 to 2019. This gun sales data is not audited or verified by ATF and may also include a small number of guns that were disposed of but not sold directly by the dealer.

dealers, including IN02 and MI01, also reported very high percentages of monthly average crime guns recovered compared to monthly average guns sold.

The Committee's analysis of these 12 dealers demonstrates that combining detailed trace and sales data can isolate groups of dealers disproportionately responsible for selling guns used in crimes. In Florida, for example, three dealers in the state combined to sell more than 5,500 guns that were later used in crimes. More than 80% of those traces took place less than five years after the sale. The data also shows that, from January 2014 to August 2019, 100% of out-of-state guns used in crimes in Puerto Rico were sold by Florida dealers. These guns from Florida contribute to gun violence in Puerto Rico, driving the rate of deaths and incidents by firearms in Puerto Rico above the rates in other parts of the United States.<sup>7</sup>

The Committee's analysis also reveals that guns used in crimes cross state lines from states with lax gun laws to states with stricter gun laws with alarming frequency. The border between Illinois and Indiana provides a deadly example. According to information obtained by the Committee, in every year from 2014 to 2019, at least one Indiana dealer ranked among the top five dealers of crime guns recovered in Illinois. In 2016 and 2017, two Indiana dealers ranked among the top five. At least 1,032 crime guns crossed state lines into Illinois from the top gun dealers in Indiana during this period.

However, the limitations of the Committee's analysis—particularly the difficulty in definitively identifying even this small subset of dealers—highlights the need for the Committee to obtain the requested information about the gun dealers in each state with the most crime guns traced to their business. There are other significant limitations to the data obtained by the Committee. For example, the data on the number of guns sold is self-reported by dealers on an aggregate basis every three years and is not verified by ATF.<sup>8</sup> These limitations highlight the urgent need for more comprehensive and transparent data on gun sales. Additional transparency and information will allow Congress to undertake legislative efforts to stem the tide of the gun violence epidemic.

### **Committee Requests**

For all these reasons, the Committee renews Request 1 from its August 9, 2019, letter. Responsive information should be produced for the period from January 1, 2014, to the present. Please produce all responsive information by May 12, 2022, in Excel format where possible.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. An attachment to this letter provides additional instructions for responding to this request. If you have any questions, please contact Committee staff at (202) 225-5051.

---

<sup>7</sup> *Amid Puerto Rico's Political Meltdown, American Guns Are Flooding the Island*, Miami New Times (July 30, 2019) (online at [www.miaminewtimes.com/news/american-guns-are-flooding-puerto-rico-11230295](http://www.miaminewtimes.com/news/american-guns-are-flooding-puerto-rico-11230295)).

<sup>8</sup> Bureau of Alcohol, Tobacco, Firearms and Explosives, *How Much Time Does a Licensee Have to Record the Acquisition and Disposition of Firearms?* (July 15, 2020) (online at [www.atf.gov/firearms/qa/how-much-time-does-licensee-have-record-acquisition-and-disposition-firearms](http://www.atf.gov/firearms/qa/how-much-time-does-licensee-have-record-acquisition-and-disposition-firearms)).

Mr. Gary M. Restaino  
Page 5

Thank you for your prompt attention to this important matter.

Sincerely,

  
Carolyn B. Maloney  
Chairwoman

Enclosure

cc: The Honorable James Comer, Ranking Member