



Congress of the United States
House of Representatives
Washington, DC 20515

April 6, 2026

Deputy Director Robert Cekada
Bureau of Alcohol, Tobacco, Firearms and Explosives
99 New York Ave NE
Washington, D.C. 20226

Deputy Director Cekada,

I previously sent a letter dated January 28, 2026, regarding the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) alleged violation of the Tiahrt Amendment's prohibition on public dissemination of firearm trace data, which includes sensitive information on gun owners. In that letter, I requested detailed responses to several specific questions no later than February 6, 2026. That deadline has long passed, and ATF has failed to respond.

It has since come to my attention that, during oral arguments in *Gun Owners of America v. BATFE*, No. 25-5309 (D.C. Cir.), Circuit Judge Bradley Garcia questioned government counsel regarding ATF's "intentional" disclosures in the case. In response, counsel appeared to defend the release of protected information in violation of the Tiahrt Amendment. Specifically, the government claimed that an inadvertent disclosure of FOIA materials, including Tiahrt-protected data, places that information in the public domain, thereby stripping the agency of its ability to assert FOIA exemptions. This position is deeply concerning.

The government's response during questioning represents a stark departure from its prior claims on this issue. Given ATF's failure to respond to my initial inquiry, its apparent disregard for the Tiahrt Amendment, and the need for proper congressional oversight, I intend to pursue this matter further.

As Chairman of the Oversight Subcommittee on Federal Law Enforcement, I will exercise the full authority of my office to safeguard sensitive firearm trace data. This information must remain protected for legitimate law enforcement purposes and to shield the privacy and safety of law-abiding gun owners and federal firearms licensees, consistent with the clear intent of the Tiahrt Amendment.

Respectfully,

A handwritten signature in blue ink that reads "Clay Higgins".

Clay Higgins
Member of Congress