

PRIVACY PROTECTIONS AND THE SECOND
AMENDMENT: EXAMINING ATF'S
RELATIONSHIP TO THE TIAHRT AMENDMENT

HEARING

BEFORE THE

SUBCOMMITTEE ON FEDERAL LAW
ENFORCEMENT

OF THE

COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED NINETEENTH CONGRESS

SECOND SESSION

MAY 14, 2026

Serial No. 119-63

Printed for the use of the Committee on Oversight and Government Reform



Available on: [govinfo.gov](https://www.govinfo.gov), [oversight.house.gov](https://www.oversight.house.gov) or [docs.house.gov](https://www.docs.house.gov)

U.S. GOVERNMENT PUBLISHING OFFICE

63-745 PDF

WASHINGTON : 2026

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

JAMES COMER, Kentucky, *Chairman*

JIM JORDAN, Ohio	ROBERT GARCIA, California, <i>Ranking Minority Member</i>
MIKE TURNER, Ohio	
PAUL GOSAR, Arizona	ELEANOR HOLMES NORTON, District of Columbia
VIRGINIA FOXX, North Carolina	STEPHEN F. LYNCH, Massachusetts
GLENN GROTHMAN, Wisconsin	RAJA KRISHNAMOORTHY, Illinois
MICHAEL CLOUD, Texas	RO KHANNA, California
GARY PALMER, Alabama	KWEISI MFUME, Maryland
CLAY HIGGINS, Louisiana	SHONTEL BROWN, Ohio
PETE SESSIONS, Texas	MELANIE STANSBURY, New Mexico
ANDY BIGGS, Arizona	MAXWELL FROST, Florida
NANCY MACE, South Carolina	SUMMER LEE, Pennsylvania
PAT FALLON, Texas	GREG CASAR, Texas
BYRON DONALDS, Florida	JASMINE CROCKETT, Texas
SCOTT PERRY, Pennsylvania	EMILY RANDALL, Washington
WILLIAM TIMMONS, South Carolina	SUHAS SUBRAMANYAM, Virginia
TIM BURCHETT, Tennessee	YASSAMIN ANSARI, Arizona
LAUREN BOEBERT, Colorado	WESLEY BELL, Missouri
ANNA PAULINA LUNA, Florida	LATEEFAH SIMON, California
NICK LANGWORTHY, New York	DAVE MIN, California
ERIC BURLISON, Missouri	AYANNA PRESSLEY, Massachusetts
ELIJAH CRANE, Arizona	RASHIDA TLAIB, Michigan
BRIAN JACK, Georgia	
JOHN MCGUIRE, Virginia	
BRANDON GILL, Texas	
RICHARD MCCORMICK, Georgia	

MARK MARIN, Staff Director
JAMES RUST, Deputy Staff Director
RYAN GIACHETTI, Chief Counsel
ALEX RANKIN, Counsel
EMILY ALLEN Professional Staff Member
MALLORY COGAR, Director of Operations and Chief Clerk
CONTACT NUMBER: 202-225-5074

ROBERT EDMONSON, Minority Staff Director
CONTACT NUMBER: 202-225-5051

SUBCOMMITTEE ON FEDERAL LAW ENFORCEMENT

CLAY HIGGINS, Louisiana, *Chairman*

PAUL GOSAR, Arizona	SUMMER LEE, Pennsylvania, <i>Ranking Member</i>
ANDY BIGGS, Arizona	YASSAMIN ANSARI, Arizona
NANCY MACE, South Carolina	WESLEY BELL, Missouri
SCOTT PERRY, Pennsylvania	LATEEFAH SIMON, California
LAUREN BOEBERT, Colorado	AYANNA PRESSLEY, Massachusetts
BRIAN JACK, Georgia	

C O N T E N T S

OPENING STATEMENTS

	Page
Hon. Clay Higgins, U.S. Representative, Chairman	1
Hon. Summer Lee, U.S. Representative, Ranking Member	3

WITNESS

The Honorable Robert Cekada, Director, Bureau of Alcohol, Tobacco, Firearms and Explosives	
Oral Statement	5
<i>Written opening statements and bios are available on the U.S. House of Representatives Document Repository at: docs.house.gov.</i>	

INDEX OF DOCUMENTS

- * Article, *CNN*, “Gun Crime Cases Fall As Agents Shift to Immigration Crackdown”; submitted by Rep. Ansari.
- * Article, *AZ Family*, “Arizonans Sheltering In Place After Cartel Violence”; submitted by Rep. Biggs.
- * Article, *Breitbart*, “AZ Gun Dealer Facing Terrorism Charges for Alleged Sales to Cartels”; submitted by Rep. Biggs.
- * Article, *Phoenix New Times*, “AZ Guns are Fueling A Drug Cartel War in Mexico”; submitted by Rep. Biggs.
- * Article, *USA Carry*, “Gun Owners of America Battles AFT ‘Gag Order’”; submitted by Rep. Biggs.
- * Article, *AOL*, “Mexican National Sentenced in Major Middle East-Mexico-AZ Smuggling Scheme”; submitted by Rep. Biggs.
- * Article, *Breitbart*, “RPG Launcher Tube, Rifles Hidden in Lexus Headed to Mexico”; submitted by Rep. Biggs.
- * Letter to ATF, dated January 15, 2026; submitted by Rep. Burlison.
- * Letter to ATF, dated February 14, 2025; submitted by Rep. Cloud.
- * Letter from DOJ re Tiahrt, dated February 13, 2026; submitted by Rep. Higgins.
- * Letter to Dep Director Cekada, dated January 28, 2026; submitted by Rep. Higgins.
- * Letter to Dep Director Cekada re follow-up, dated April 6, 2026; submitted by Rep. Higgins.

The documents listed above are available at: docs.house.gov.

ADDITIONAL DOCUMENTS

- * Questions for the Record: Hon. Robert Cekada; submitted by Rep. Crane.
- These documents were submitted after the hearing, and may be available upon request.*

PRIVACY PROTECTIONS AND THE SECOND AMENDMENT: EXAMINING ATF'S RELATIONSHIP TO THE TIAHRT AMENDMENT

THURSDAY, MAY 14, 2026

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
SUBCOMMITTEE ON FEDERAL LAW ENFORCEMENT
Washington, D.C.

The Subcommittee met, pursuant to notice, at 10:01 a.m., in room 2154, Rayburn House Office Building, Hon. Clay Higgins [Chairman of the Subcommittee] presiding.

Present: Representatives Higgins, Gosar, Biggs, Perry, Boebert, Jack, Lee, Ansari, Bell, and Pressley.

Also present: Representatives Cloud, Burlison, Crane, Clyde, and Frost.

Mr. HIGGINS. The Subcommittee on Federal Law Enforcement will come to order.

Welcome everyone. We welcome our audience. We ask that you observe all principles of polite decorum today, but we are happy to have you here.

Without objection, the Chair may declare a recess at any time.

I recognize myself for the purpose of making an opening statement.

OPENING STATEMENT OF CHAIRMAN CLAY HIGGINS REPRESENTATIVE FROM LOUISIANA

Today, the Subcommittee on Federal Law Enforcement convenes to conduct critical oversight of the Agency charged with executing our Nation's firearms laws: the Bureau of Alcohol, Tobacco, Firearms, and Explosives, or ATF. We are honored to be joined by ATF's newly confirmed Director, Robert Cekada. Director Cekada has decades of experience and distinguished service within ATF and law enforcement. Director Cekada's deep expertise and his respect for the law and constitutional rights should give us optimism about ATF's future posture toward law-abiding gun owners and the Second Amendment.

Strong, principled leadership at ATF is all the more important now given the Agency's troubling disregard of Second Amendment rights over the past several years. One prominent example has been ATF's repeated failure to abide by a Federal law prohibiting the dissemination of firearms trace data known popularly as the Tiahrt Amendment. Firearms trace data is information about the

chain of gun ownership and sale beginning from point of manufacture, maintained by the ATF's National Tracing Center, or NTC. Part of a 2003 Department of Justice Appropriations bill, the Tiahrt Amendment precludes ATF from sharing this data with anyone other than prosecutors or law enforcement agencies in connection with criminal investigations. The purpose of this law is clear. Failure to abide by the Tiahrt Amendment exposes informants, undercover officers, and lawful Federal firearm licensees, or FFLs, whose safety could be endangered by revelations in violation of Tiahrt.

Despite Tiahrt's obvious importance to police and public safety, recent history has shown that ATF has sometimes disregarded the law. Some violations of Tiahrt have seemed unintentional, associated with accidental data disclosures while responding to FOIA requests. However, other violations clearly stem from the political and ideological opposition that some ATF bureaucrats have for the Tiahrt Law. There are several glaring recent examples, particularly during the Biden Administration.

To begin, the Biden ATF assisted gun control groups in creating a map of gun shops, including those owned by some Members of Congress, by providing Tiahrt-protected data as part of a FOIA request. That is how this map was created. ATF's release of this data was a clear violation of Federal law and seemed intended to help anti-Second Amendment groups. Separately, the Biden ATF inadvertently disseminated Tiahrt-protected data as part of a FOIA request from the group, Gun Owners of America, also known as GOA. ATF subsequently secured a gag order to prevent GOA from sharing the data. GOA, supported by several First Amendment groups, sued to retain access to the data by virtue of First Amendment press freedoms. Dishearteningly, this disregard for the law has not been limited to the Biden Administration. After the Biden ATF's inadvertent disclosure of Tiahrt-protected trace data to GOA, the DOJ under Pam Bondi re-released that same data, possibly purposefully, to make moot GOA's ongoing litigation against the ATF gag order. So, rather than protecting the public by preventing sensitive firearms trace data from falling into the wrong hands, the ATF has defied both the letter and the spirit of the law.

ATF's approach to Tiahrt can serve as a window into the Agency's successes and failures upholding the Second Amendment and ensuring protections on sensitive law enforcement data. The Biden Administration, in particular, took a variety of troubling actions in this regard. Under President Biden, ATF's "zero tolerance enforcement policy," which threatened to close firearm businesses over even small, non-material paperwork and clerical errors, increased reliance on inspection records and compliance data to revoke firearms licenses. The Biden Administration ATF used bureaucratic complexities to prey upon legally operating firearms dealers and license holders. Furthermore, Biden-era regulatory changes and enforcement guidance expanded who is considered "engaged in the business of dealing firearms," potentially implicating unsuspecting, everyday Americans as federally regulated gun dealers and subjected them to severe penalties for noncompliance, including criminal prosecution.

I have faith that the current Administration will continue to roll back the Biden ATF's most destructive regulations. A recently announced batch of ATF proposed rulemakings seem to do just that, and I encourage that action. However, ATF's improper treatment of Tiahrt-protected data demonstrates that rigorous, ongoing congressional oversight of the Agency is necessary regardless of which party controls the White House. I thank you, my friend, Director Cekada, for joining us today to discuss this crucial subject along with other Second Amendment issues. I look forward to today's hearing.

I now recognize the Ranking Member of the Subcommittee, Ms. Summer Lee of Pennsylvania, for the purpose of making in an opening statement.

**OPENING STATEMENT OF RANKING MEMBER SUMMER LEE
REPRESENTATIVE FROM PENNSYLVANIA**

Ms. LEE. Thank you, Mr. Chair, and I also look forward to and am excited to have a hearing existing. I do have to wonder, though, what it will take to actually get my Republican colleagues to take action to prevent gun violence because Columbine was not enough, and Sandy Hook was not enough, Las Vegas was not enough, and Parkland was not enough, and Pulse Nightclub was not enough. Even your President being shot at multiple different times was not enough.

Last year, according to a tracker by Everytown, there were 38,368 incidents of gun violence in the United States, resulting in 13,926 deaths, 21,686 injuries. Gun violence remains the leading cause of death for children in the United States of America. Mr. Chair, your home state of Louisiana had the highest gun violence death rate. Just last month, there was a mass shooting at a mall in Baton Rouge and another shooting in Shreveport where eight children were killed, yet this hearing with the new Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives is not about reducing gun violence. It is about privacy protections for gun dealers. Trump and Republicans have shown again and again that they do not care about this epidemic of gun violence. After a shooting, they at most post online thoughts and prayers, and then they go back to vehemently defending the Second Amendment. Sometimes they even mock these tragedies by wearing little assault gun rifle pins.

Eighteen days after he took office, President Trump signed an executive order on protecting Second Amendment rights, which seems to be the only constitutional right that they care about. Falling in line with this executive order, Director Cekada recently announced new rules, none of which do anything to reduce gun violence. Among these proposed changes are a narrowing of the "engaged in business rule," which generally ensures that for-profit gun sellers must obtain a Federal firearms license. He has also moved to deregulate bump stocks like the one used in a 2017 Las Vegas mass shooting that led to 60 deaths.

Trump and Republicans are not just making sure gun dealers and owners remain unregulated and unburdened. He has also attacked efforts to get to the root causes of gun violence. Trump closed the Office of Gun Violence Prevention, which helped hun-

dreds of Americans and countless communities by offering the first-ever Federal response to mass shootings and gun violence. It responded to crises when they happened and connected local governments and municipalities with resources to help victims and survivors.

Last year, the DOJ also abruptly terminated about \$50—excuse me—\$500 million in Federal grants to more than 200 organizations and local governments working on community safety and justice issues. One of the things these organizations do is work to combat street violence and connect people with mental health services, and they get results. Studies have shown that community violence intervention programs reduce violence in communities and have contributed to lowering homicide rates. It is why I launched the Community Safety Caucus to prioritize this work. Real community safety means making holistic investments in people to root out the systemic challenges that perpetuate this cycle of harm, yet due to Trump’s policies, many of these organizations doing this crucial work have had to roll back services or have had to close entirely.

So, under this Administration, you cannot regulate guns, and you cannot have programs that address the violence in other ways. You cannot say that the money is not there. Surely we can take some of the \$1 billion proposed for the Trump ballroom bunker and put it toward some of these violence reduction programs. Republicans want to control what books you read, what history you learn, how you identify, who you can love, our bodies. They want to control everything except the very thing that could prevent deaths of children and students and worshippers and shoppers in the only country on earth where this is a problem. It seems that they think those thoughts and prayers do enough, but that we, one of the most powerful body in this country, can do no more. I thank you, and I yield back.

Mr. HIGGINS. The gentlelady yields.

Without objection, Representatives Eric Burlison of Missouri, Michael Cloud of Texas, Andrew Clyde of Georgia, Eli Crane of Arizona, and Maxwell Frost of Florida are waived on to the Subcommittee for the purpose of questioning the witness at today’s hearings.

I am pleased to welcome today’s witness. Robert Cekada is the Director of Bureau of Alcohol, Tobacco, Firearms, and Explosives. Confirmed by the Senate on April 29, Director Cekada brings with him over three decades of law enforcement and public service experience. Mr. Cekada’s law enforcement career began with the New York City Police Department where he served from 1992 to 2000. He joined ATF as a special agent in 2005 in the Baltimore Field Division. His successes in a variety of field assignments led to his promotion to ATF headquarters, where he has served in multiple senior leadership positions prior to his appointment as Director. Most recently he served as Deputy Director beginning in April 2025.

I personally welcome Director Cekada for being here, and I would like to note that the gentleman made me a promise a few months ago that he would appear before this Committee at his first available day on his calendar after confirmation. He called me immediately after confirmation, very quickly, and advised me he in-

tended to honor that promise, and here he sits today. Thank you for honoring your word, Mr. Cekada.

Pursuant to Committee Rule 9(g), the witness will please stand and raise your right hand, sir.

Do you solemnly swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CEKADA. I do.

Mr. HIGGINS. Let the record show that the witness answered in the affirmative. Thank you, sir. You may take a seat.

We appreciate you being here today, and I look forward to your testimony. We all do. Let me remind the witness that we have read your written statement, and it will appear in full in the hearing record. Please limit your oral statement to 5 minutes, sir. As a reminder, please press the button on the microphone in front of you so that it is on and Members can hear you. When you begin to speak, the light in front of you will turn green. After 4 minutes, it will turn yellow. When the red light comes on, your 5 minutes has expired. We ask you to please wrap up at that point.

I now recognize Director Cekada for his opening statement.

**STATEMENT OF HON. ROBERT CEKADA
DIRECTOR, BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES**

Mr. CEKADA. Thank you, sir. Good morning, Chairman Higgins, Ranking Member Lee, and Members of the Subcommittee. Thank you for the invitation to appear before you to discuss privacy protections and the Second Amendment.

ATF is the only Federal law enforcement Agency whose primary mission is combating violent crime. We arrest violent criminals, disrupt firearm trafficking networks that arm gangs and cartels, investigate bombings and arson, and deliver world-class forensic and intelligence services to state and local partners, all while protecting the Second Amendment and all rights of law-abiding Americans. We are a small Federal Agency with roughly 4,600 employees, but we are mighty, and our actions speak for themselves.

Since January 20, 2025, ATF has arrested just over 8,700 criminals and seized nearly 44,000 illegal firearms, approximately 5,100 of which were being interdicted with the intention to traffic them to Mexico, just over 2.7 million rounds of ammunition, and more than 28,300 illegal explosives. We have also made historic gains in eForm processing. By the end of May, we will have processed many eForm 1 and 4 applications in 2026 as we did in the entirety of 2023. We have done all of this while cutting eForm processing times from 47 days to 42 days, and cutting eForm processing times from 230 days in 2023 to just 12 days today.

Although I know this is not an appropriations hearing, I would be remiss if I did not point out that ATF's budget has suffered tremendously in the recent years. Congressional support for the President's Fiscal Year 2027 budget is, therefore, paramount to ensuring that ATF can continue to make gains in all of these areas this Subcommittee cares about, including tracing, ballistic evidence, and forensic laboratory examinations involving firearms, arson, and explosives, and reducing The National Firearms Act (NFA) eForms

processing times. Given the compounded ATF cuts ATF has already absorbed, anything else would lead to catastrophic results in all of these efforts.

The right to keep and bear arms is a constitutional guarantee, and ATF is committed to protecting and preserving it. As I said during my confirmation hearing, effective law enforcement and respect for civil liberties are inseparable obligations, and that is why ATF has entered a new era of reform to rebuild trust with the industry, the Federal firearms licensees, lawful gun owners, and the public while still prioritizing our efforts on public safety. Some of the specific actions I have taken include establishing a Senior Industry Partnership Advisor position to address industry concerns and foster proactive engagement with the regulated community; revoking the enhanced regulatory enforcement policy, sometimes referred to as a zero tolerance policy, and replacing it with a new policy that emphasizes fairness and transparency while recognizing that FFLs are often the first line of defense against gun crime; and I also implemented regulatory reforms last month where ATF issued 34 notices of final and proposed rulemaking following the comprehensive review that was conducted in compliance with the executive order on protecting the Second Amendment rights. The aim is simple: clearer regulations that do not compromise public safety. I encourage all of you and your constituents to submit comments on these proposed rules. We want to make sure that we get these right.

ATF complies with all laws enacted by Congress. We do not have an illegal firearms registry, and we are committed to upholding the Second Amendment rights of law-abiding citizens and to protect their privacy, including and especially as it relates to the Tiahrt Amendment, the Demand Letter 2 Program, amongst others. Firearms trace data exists to support criminal investigations, full stop. Any decision to share trace data with anyone for any reason requires explicit legal justification to my office for awareness. Under my leadership, that standard is firmly in place. To the extent that Congress wishes to strengthen these or any other privacy protections, ATF and the Department stand ready to work with you.

Mr. Chairman and Members of the Subcommittee, thank you again for the opportunity to appear before you today. ATF is a law enforcement Agency in the truest sense. We enforce the law, we follow the law, and we protect the rights the law guarantees. Through crime gun intelligence, forensic analysis, and relentless investigation, we identify and arrest violent offenders and gang members, dismantle trafficking networks, and sever the supply chains arming cartels, prohibited persons, and terrorist organizations, all while safeguarding lawful commerce and upholding the Constitution of the United States. Thank you again, and I look forward to your questions.

Mr. HIGGINS. I thank the gentlemen for his opening statement, and I recognize myself for 5 minutes for questioning.

Director Cekada, we are going to try to drill down in 5 minutes here regarding the Tiahrt violations that have been well documented in modern history, driven for whatever purpose, accidentally or purposefully, by ATF. And perhaps we can concur, as you and I have discussed and others from your Agency have discussed,

the root cause of why this is happening, and what Congress can do, driving more clarified, standalone legislation that will enforce the understanding of the Tiahrt policies that have been codified in appropriations riders for many years. But I think we can have more robust congressional action to more clearly lead not only your ATF, sir, but the ATF of generations yet to come.

So, we are going to talk about this, but with an agreed purpose that we are going to continue to work together to address the Tiahrt concern and ultimately fix it between Article I authorities and Article II concurrence. Is that correct? Does that sort of summarize our——

Mr. CEKADA. Yes, sir.

Mr. HIGGINS. Okay. So, we have established that the Tiahrt Amendments are fundamentally a law protecting privacy. It is meant to protect law enforcement officers and the citizenry. Is that correct?

Mr. CEKADA. That is correct.

Mr. HIGGINS. Okay. So, on multiple occasions in recent years, protected firearms trace data was disseminated in contravention of the Tiahrt Amendment. This sometimes was done seemingly inadvertently, and other times it appeared to be intentional. Do you think ATF has strategically utilized Freedom of Information Act requests—FOIA requests—and disclosure as a means of sidestepping Tiahrt?

Mr. CEKADA. Sir, I do not believe that I am aware of any incident that it was done intentionally. I can tell you that, for certain, the one incident you mentioned that involved the Gun Owners of America, that was an inadvertent mistake attributed to two things, to be frank, nonetheless, a problem and a big mistake. It was attributed, A, to a lack of staffing and B, the software that we were using to redact information in an effort to respond to FOIA. The folks in our FOIA office in their review process selected the information set to be redacted, and the system had a clunky way of finalizing those redactions, and that was never done appropriately. No excuse. It was wrong. It should not have been released.

The second release involving that same response did involve the DOJ, and I will not speak on their behalf, but as far as what ATF did after that, we did purchase new software——

Mr. HIGGINS. Right.

Mr. CEKADA [continuing]. To ensure that we actually do not have any sort of human error in the future.

Mr. HIGGINS. So, you feel confident that, based upon the existing culture of compliance with Tiahrt and the examples, that under your leadership, ATF accepts responsibility for and intends to learn from moving forward. You have been dealing with Tiahrt as an appropriations rider, unknown if it would be renewed year by year. It is expected to be renewed, but until it is done, it is not done. So, for 20 years, that has been the culture you have had to deal with, and we intend to pass permanent Tiahrt legislation, standalone legislation. Would that help, like, within the procedures and policies and cultures of the ATF to be more solid in compliance with Tiahrt?

Mr. CEKADA. If I may, sir, I think—I can tell you for certain during my time and under my watch, ATF completely respects Tiahrt.

We will make sure there are no releases. Where there is a challenge, and I look forward to working with this Committee to help give Tiahrt the strength it needs to protect the eTrace data that we use, in particular because that data, as you stated, is used to protect our communities. Our law enforcement officers, our undercover operations, we use that information to identify and target violent criminals for our criminal investigations. That data is misused at times through different leadership in the local communities who compel our state and local partners to turn over that data.

The only mechanism ATF has to hold them accountable is to cut a particular law enforcement off of eTrace. That is not a good solution for us. It is tough for us when that is the only option because if I cut that law enforcement agency off of eTrace, I am also, thereby, putting public safety at risk because that same police department is now not able to conduct their investigation.

Mr. HIGGINS. Well, we want to work with you to stabilize that process and ATF policies. We are going to deliver you a more permanent fix there, sir.

Without objection, I would like unanimous consent to enter into the record a letter from our office to the ATF dated January 28 of this year in reference to this topic; another letter from my office to Director Cekada, Deputy Director at the time, dated April 6, 2026; and a response from the Department of Justice to letters that we directed to them on this topic from just a couple of days ago.

Without objection, so ordered.

I now recognize the Ranking Member, Ms. Lee, for her questioning.

Ms. LEE. Thank you, Mr. Chair. I would like to start by acknowledging the eight children who were shot and killed recently in the first of two horrific mass shootings in Louisiana. One of them was only three years old. Children should not face this kind of violence. They should not have to learn active shooter drills at schools. They should not have to worry about any of this. They should be living and playing and just being kids.

I represent Western Pennsylvania, which includes communities that are still healing from the Pittsburgh Synagogue shooting, the deadliest antisemitic attack in American history. In my district, gun violence is not abstract. It is mass shootings, hate-fueled violence, and the daily community violence that devastates families. One of the few Agencies tasked with helping reduce gun violence is the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the ATF. So, I want to start with debunking some myths about the basic tools used by ATF central to all of this: gun tracing.

Director Cekada, could you briefly explain in simple terms how gun tracing works?

Mr. CEKADA. Sure. First of all, good morning. Thank you for your question. So, the trace starts from the point of where the firearm was manufactured, and in most cases, a firearm goes from the manufacturer to a distributor and from a distributor to a wholesaler or a retailer. ATF uses that trace data to identify who the first purchaser was, and in some cases, the first purchaser could have been just a few days prior. In many cases, there is a period of time in between, and it varies from firearm to firearm.

Basically, what our agents do is, when the trace is conducted, if it turns out to be in our out-of-business records at the National Tracing Center, we are able to query to see if that serial number is in the out-of-business records. If it is not in the out-of-business records and we have access through the eTrace system to the manufacturer's systems, we can identify, okay, which manufacturer was it. We contact them. They are all very cooperative. They tell us when it was manufactured, who it went to.

Ms. LEE. Right.

Mr. CEKADA. And our investigators go out and interview folks—

Ms. LEE. Thank you.

Mr. CEKADA [continuing]. To determine where that firearm first entered the public market.

Ms. LEE. Yes. Thank you so much for that. So, gun tracing helps law enforcement figure out trafficking patterns, it helps to determine how a gun got to the crime scene, and it gives us viable information to stop the spread of illicit firearms. Director Cekada, ATF's gun tracing database is not the same as a searchable national registry of law-abiding gun owners, correct?

Mr. CEKADA. There is no searchable gun database for American gun owners.

Ms. LEE. Thank you. So, because Federal law already prohibits a national gun registry, these rules are not in place to villainize gun owners. They are here to keep us safe. I emphasize this because Republicans have convened this hearing today around the Tiahrt Amendments, which are a cluster of riders to spending bills that limit how ATF and the FBI can use the data they collect to trace and track gun trafficking. These riders do not even really protect gun owners. They protect the gun industry.

Now, Director Cekada, I would also like to ask you about the 34 rules you recently proposed either deregulating firearm requirements or streamlining processes to ease the burden on federally licensed firearm dealers. In announcing these rules, you were surrounded by representatives of firearm industry groups. Just yes or no, did you consult with gun industry-affiliated groups, such as the National Rifle Association (NRA), Gun Owners of America, the National Shooting Sports Foundation (NSSF), which is the Firearm Industry Trade Association, in formulating and drafting the rulemakings?

Mr. CEKADA. No, we did not.

Ms. LEE. Did you consult with any victims and survivors of gun violence?

Mr. CEKADA. No, we did not.

Ms. LEE. Did you consult with any gun violence prevention organizations?

Mr. CEKADA. We did not.

Ms. LEE. Are you familiar with the concept of industry capture? What would you say to those who look at the announcement and the process for crafting these rules and see that ATF is, or might perceive ATF to be, influenced by the very firearm industries it is meant to police?

Mr. CEKADA. Did you say, "industry capture?" I am sorry, I did not hear you properly.

Ms. LEE. Yes, sir.

Mr. CEKADA. Yes. Did you say—

Ms. LEE. I asked if you are familiar with the concept of industry capture.

Mr. CEKADA. Well, the first time I heard that was reading a news article, I believe, today, this morning, and so, I can tell you ATF is not captured by anyone. We are focused on doing our job and following the law. I purposely did not meet with anyone. We took the information that we have noticed over the years. Again, I have been doing this 34 years and working in the most violent cities in the United States and risking my life, along with the lives of all of our partners around the country, to try to make America's communities better. There is ambiguity in the law, and I think it is important for people to be able to follow the law, to understand the law, and when Federal agents do not understand the law themselves, that leaves all of us at risk. There should not be any room there.

So, no, and again, people were upset at me from both sides because we did not include anyone, but in order to try and make changes, we had to do it in the way we did so that we can now discuss this through the Notice of Proposed Rulemaking (NPRM) process. Everyone—your constituents, everyone's constituents—in this room will have the opportunity to comment. We will take those comments seriously.

Ms. LEE. Okay. Thank you, and I look forward to that. And I will be sending you a letter with additional concerns and questions that I have around this rulemaking process, and I urge you to consider these regulations and remember your mission: to keep Americans safe. As it stands, Americans are not safe, and there is a deep perception and reality that there are certain lobbyists—the gun industry—that have influence over our processes, they have influence over policymaking, and it is important that we root that out and that we are honest about that. I thank you for your time, and I yield back.

Mr. HIGGINS. The gentlelady yields. I recognize Mr. Gosar for 5 minutes of questioning.

Mr. GOSAR. Thank you, Chairman Higgins. The Firearm Owners Protection Act bans the Federal Government from creating a national gun owner database, and the Tiahrt Amendment prevents the ATF from sharing firearm records of law-abiding Americans. My bill, H.R. 7678, the GRIP Act, goes further by blocking Federal funds from helping states or local governments create similar databases. I introduced the GRIP Act in response to several unconstitutional disclosures of private information and firearms.

In 2012, *The Journal News* published the names and addresses of gun permit holders in New York. In 2022, the California Department of Justice released the personal information of nearly 192,000 concealed carry applicants. And in 2024, the ATF released the firearm records to *USA Today* despite those records being protected under the Tiahrt Amendment. Later that same year, the ATF also released firearm data to the far-left magazine known as *The Trace* in violation of Federal law. My bill, the GRIP Act, makes sure that Federal tax dollars are never used to support state recordkeeping systems that put Americans' privacy at risk.

Director Cekada, does the Federal Government maintain any Federal firearm databases?

Mr. CEKADA. Sir, the closest thing to what I would call a database is the National Firearms and Transfer Record, which applies to NFA firearms. As it applies to any other firearms that are under the Gun Control Act (GCA), there is no database.

Mr. GOSAR. Okay. So, in 2021, a memo leaked by Gun Owners of America revealed that the ATF does have a Federal firearm database containing over 50 million out-of-business records of gun dealers. Is this not a firearm database maintained by the Federal Government?

Mr. CEKADA. It is not a firearms database. Again, sir—I am sorry—I will explain what the out-of-business records are, and the out-of-business records are, under law, as well, once a Federal firearms licensee goes out of business, they are required to turn over their records to ATF within 30 days. ATF's National Tracing Center ends up processing these records that come in all shapes and forms—ripped, torn, old, moldy, et cetera—and they scan these forms into our system there.

In the system, the only thing that is actually searchable is a serial number, and most manufacturers' serial numbers are repeated. Even when, for example, a police officer tries to determine if a firearm is stolen, you have to include make, model, and serial number to be able to determine which firearm you are actually referring to. Those records are completely separate from every active Federal firearms licensee that is operating in the United States. So, if we try to conduct a trace and we try those initial out-of-business records, which we are required to maintain by law, and we strike out, we do not have anything, we have to try to determine when it was manufactured from the manufacturer, then we get to that Federal firearms licensee, and then it is a phone call where they actually have to go through all their files and find the individual 4473 if they are using a paper system. A lot of the FFLs today use a digital system that we do not have access to.

So, they are able to tell us in short order, if we call them late at night that, Madam Proprietor, hey, there was a shooting, we are trying to track down who may have had this firearm, they have to go through their records to provide us that information. We do not have access to it. And ultimately, for court, we would go and obtain an original copy, provide them with the receipt, and then return the original copy once we were done with the case.

Mr. GOSAR. So, has the ATF ever violated the Tiahrt Amendment?

Mr. CEKADA. As I said, we have, what I am aware of, inadvertently. I am not aware of any intentional releases done by anyone on my staff during my time that I have been in a leadership position.

Mr. GOSAR. So, you said that it has been violated, right?

Mr. CEKADA. Say it again, sir?

Mr. GOSAR. The Tiahrt Amendment was violated, right?

Mr. CEKADA. It was, and as I answered Chairman Higgins, that there was an inadvertent leak that I am aware of—not a leak—an inadvertent failed attempt to redact information that was respon-

sive to GOA, and that resulted in information being released that should not be released. So, you are correct.

Mr. GOSAR. Okay. Well, I am strongly opposed to any gun owners database. Congress must pass my bill to defund state registries and eliminate all Federal gun owner registries. Whether it lasts 60 years, 30 years, 20 years, and ten years, a registry is still a registry. Congress has always rejected the idea of government keeping a list of firearm owners. Thank you. I yield back.

Mr. HIGGINS. The gentleman yields. Mr. Bell is recognized for 5 minutes for questioning.

Mr. BELL. Thank you, Mr. Chair. First, it is really good to see the Moms Demand Action t-shirts in the crowd. I should have expected that, but it is certainly a pleasant surprise to see you all there. I say it all the time, if you want to know my policies on commonsense gun safety laws, look at their website.

Mr. Cekada, unlike many of this Administration's appointees, you actually have experience in this field, and so that is actually refreshing to see. But as a former prosecutor, which I am sure you have been involved in many of these investigations like myself, I have learned a simple reality, and that is most guns used in crimes started somewhere legal. They are manufactured, sold by a licensed dealer and a background check is completed, and that is where the paper trail begins and, too often, where it ends. But what happens next is the real problem, simple but yet profound, and that is guns move. Guns move from licensed dealers into the secondary market. They move through unlicensed sellers who are not running background checks, are not keeping records, and are not accountable to anyone, and they end up at crime scenes. And too often I have shown up at crime scenes and seen not only people being harmed, but children as well, both of which are tragic.

The Bipartisan Safer Communities Act addressed the loophole law enforcement had raised concerns about for years. The "engaged in the business" rule created clear standards for when repeated gun sales crossed the line into illegal, unlicensed dealing. But on May 6, 2026, of this year, obviously, ATF published proposed changes that would weaken that rule. Weakening these standards makes it harder to ensure repeat for-profit guns sellers get a Federal license, keep records, and run background checks, and when you roll back these standards, the behavior does not stop. The accountability is what stops. Unlicensed sellers can operate more freely, sell more guns, and do so knowing it will be harder for law enforcement to stop them, and we know how this story ends. Missouri already showed us.

In 2007, Missouri repealed its permit-to-purchase law, and firearm homicides increased by 47 percent in our state. Law enforcement also began recovering much newer guns at crime scenes, a sign that illegal gun trafficking was increasing, but here is what makes this moment especially troubling. We are not just weakening an enforcement tool. We are doing so while this Congress is further threatening our ability to track the impact of these decisions through limits on gun trace data and research.

Director Cekada, I have several questions about how the ATF plans to explain that to the American people. So, how does weakening the engaged in the business rule improve public safety?

Mr. CEKADA. First of all, good morning, and thank you for your question. The “engage in the business” rule did not help public safety at all, to be very frank, so this is not the first attempt that was done in the history that I have been working with ATF.

Mr. BELL. I am going to reclaim my time just because I am short on time, and I want to get as many questions as I can.

Mr. CEKADA. Sure.

Mr. BELL. In this proposal, ATF concedes that weakening this rule may cause some previously deterred sellers to go back to operating without a license. The resulting risk to public safety is described as *de minimis*. Please explain that characterization to this Committee because families impacted by gun violence in my district and across the country might describe those consequences very differently. How did ATF reach that conclusion?

Mr. CEKADA. ATF reached that conclusion because to become a Federal Firearms Licensee (FFL), you have to go through ATF to get a Federal firearms license. We know how many come into business each year and how many go out of business each year. So, we specifically were looking at those numbers and saw a minuscule increase in the number of people who became Federal firearms licensees since the time that the “engaged in the business” (EIB) rule came into effect, and for us, that showed us nothing. It showed a zero impact in helping public safety, but the negative result on ATF, when you compile some of the other things that were put on the Agency, frankly, some of the release of other information, some of the efforts as it was on stabilizing brace and other things, all caused the Agency to receive a negative result on our budget, which I can tell you had a negative impact on public safety.

The “engaged in the business” rule, I can give you an example. Every year, somewhere between 6,000 to 9,000 FFLs go into business. Six thousand to 9,000 go out of business. Kind of like the restaurant business, it is a tough business, and there are folks that have been doing this for decades and they have been following the rules, and those people interact with ATF very much. I will make one comment because you mentioned Bipartisan Safer Communities Act (BSCA). I would like—

Mr. BELL. Well, briefly, because I want to be respectful to the time. The problem is that what we are seeing is the gun violence increasing. You cannot weaken accountability, limit the data used to measure the results, and still claim you are protecting public safety. I yield back.

Mr. HIGGINS. The gentlemen yields. Representative Perry from Pennsylvania is recognized 5 minutes for questioning.

Mr. PERRY. Thank you, Mr. Chairman. Mr. Cekada, thanks for your service to our country and for the work that you do. I am just curious generally about your professional and your position/relationship with the Department of Justice and the Attorney General.

Mr. CEKADA. Well, first of all, good morning—

Mr. PERRY. Good morning.

Mr. CEKADA [continuing]. And thank you again. So, I met the current Acting Attorney General, I think it was February or March of last year. The entire team at the Attorney General’s office is new, so I have only known them through a professional work relationship since that time.

Mr. PERRY. All right. I have got a lot of questions about the DOJ, and I am trying to see how they might pertain to you. So, when the DOJ does things that seem to be in your lane as the Director of the ATF, do you weigh in? Do you have regular meetings? Does your staff question? How does all that go, or is there no conversation whatsoever, they do their thing, you watch from afar, you might agree, disagree? So, I am just wondering about that.

Mr. CEKADA. I think that is a pretty broad question. So, I think in the areas that—we have meetings on a regular basis. We are in phone contact daily: if not once a day, multiple times a day.

Mr. PERRY. Okay.

Mr. CEKADA. But there are things, for example, matters that were in the courts in a legislative area that DOJ was handling. I do not work with them on a daily matter at all. A civil litigation that is being represented by DOJ, they will handle it. They may consult with our Chief Counsel at ATF to ensure that we are in the right lane. But for the most part, they will deal with ATF when it involves, for example, the regulatory package that just went out, any criminal enforcement operations that we have targeting cities that are being impacted by violent crime. I will present, not the minutia, as to what is going on in the operation, but we will lay out the plan for a surge in a number of cities to reduce violent crime.

Mr. PERRY. Okay. Thank you, and I am wondering particularly about actions that DOJ has taken, and I know that you may not have been here as long as some of these things, but the previous Administration accidentally sent GOA unredacted information in a FOIA production. The ATF secured a gag order against the GOA. Now, that was the ATF, secured the gag order against the GOA, which, generally, gag orders are meant to protect those that the government is prevailing upon, not silence them. So, in that regard, what has been your input regarding that particular instance? Are you familiar, or are you not familiar?

Mr. CEKADA. I am, and that is the same case that we were talking about earlier, sir, the case that GOA was involved in, and that did occur in the previous Administration, so I was not personally involved in that, but I am familiar with it. And as I stated, that particular case was an inadvertent release by our employees in the FOIA section.

Mr. PERRY. Right.

Mr. CEKADA. So, as far as ATF's discussion at the time and DOJ's input, I was not involved. I am not aware what the conversations were about that matter.

Mr. PERRY. And allegedly, the same program was used to spy on so-called January 6 defendants and to enforce state so-called assault weapons bans. Are you familiar with that?

Mr. CEKADA. I am not.

Mr. PERRY. Do you know if anybody has been held accountable at ATF for those actions?

Mr. CEKADA. If you can be specific as to which actions you are referring to?

Mr. PERRY. The ones that were used to enforce state assault weapons bans for the—

Mr. CEKADA. I am not familiar with that, and just to be clear, as to the GOA, the inadvertent release, no one has been held ac-

countable because we do not believe that anyone actually did anything intentionally, but we have held ourselves accountable by changing process and purchasing the appropriate application to prevent and eliminate things like that again.

Mr. PERRY. All right. Are you familiar with the DOJ's interpretation of the reconciliation language that was passed in the House and the Senate and signed by the President regarding the zero taxation of short-barreled rifles and suppressors? Are you familiar with the DOJ's interpretation, and do you agree with it?

Mr. CEKADA. I am not familiar with the specific verbiage. I understand our responsibilities that came along with it. Effective January 1, ATF has done everything we could do to the best of our abilities to ensure we are in compliance with that.

Mr. PERRY. If you have a disagreement with the DOJ regarding their interpretation of that law or any other one, how is that evidenced? Do you send a letter? Do you speak to the Attorney General? How is it evidenced publicly so that we as the elected officials and representatives each of 760,000 bosses—our citizens—how do we articulate any difference of opinion that you might have with the DOJ?

Mr. CEKADA. Sir, I apologize. I am not familiar with the difference of opinion. I believe that ATF and DOJ are in line with ensuring we are in compliance with the zero tax law, and I was preparing from that from the moment it came into place, I believe it was June or July of last summer. It became effective in January, and to be clear, we did that with zero increase to our base. We did that with our own employees looking at the systems that we have, and looking at the process, and making significant changes. All of the reductions in processing time that I mentioned to you was not from us investing in new systems. It was from our people looking at why are things done a certain way and modernizing how we do it.

Prior to zero tax actually coming into effect, I tested the system myself. I never purchased a suppressor before because I could afford to buy one and I do not want to wait 14 months to get one. So, in November when we made the changes, I was happy to see—I did not tell any one of these folks, but I went out and purchased one—I was happy to see within about 48 hours, I was able to get an approval versus what was 14 months not too long prior to that. Those numbers have increased a little bit because on January 1, when it went into effect, the system took a little bit of a shock, but in the meantime, we are still at greatly reduced numbers from where we were in the years before.

Mr. PERRY. My time has along expired. I yield, Mr. Chairman. Thank you.

Mr. HIGGINS. The gentlemen yields, and Ms. Pressley is recognized for 5 minutes for questioning.

Ms. PRESSLEY. Thank you, Mr. Chair. Good morning, Director Cekada.

Gun violence is a public health crisis, and this Administration is failing to meet it with the urgency that it demands. Across our country, including in my district, the Massachusetts 7th, families are bearing the devastating consequences of shootings, trafficking, domestic violence, femicide, suicide, and community trauma. Just

this past Monday, a gunman armed with an assault rifle opened fire on random drivers and pedestrians traveling along Memorial Drive in Cambridge, terrorizing people in broad daylight. Constituents in my district and communities across this country should not have to live with the constant fear that their daily commute could become a mass casualty event. Now, while Massachusetts has some of the strongest gun safety laws in the Nation, more than two-thirds of guns recovered from crimes in our Commonwealth originate from out of state. At the same time, communities are demanding accountability.

Director Cekada, your Agency has weakened oversight of gun dealers by ending the zero tolerance policy for firearm dealers who violate the law. Mr. Director, yes or no, should gun dealers who willfully sell firearms to prohibited individuals be allowed to continue operating? Yes or no.

Mr. CEKADA. Your statement is a violation of the law, and they should be put out of business if they willfully violate the Gun Control Act.

Ms. PRESSLEY. All right. That is right. These dealers are breaking the law and previously would have had their licenses to sell revoked, but your Agency repealed that policy. Accountability should not be a radical concept here. Instead, your Agency has chosen to weaken enforcement while simultaneously defending policies that limit access to data that communities need to combat gun violence. This is bad public policy. This is bad for public safety. This is bad for public health. Survivors of gun violence carry lifelong trauma, especially our children. Increasingly so, a childhood is a privilege instead of a right. Young people are growing up internalizing trauma as a normal part of daily life: active shooter drills, memorials outside of school, parents afraid to allow their children to walk home alone. Now, all the data supports that exposure to gun violence has profound and lasting impacts on childhood development, mental and physical health, and educational attainment.

In the full Oversight Committee, I convened the first ever congressional hearing on childhood trauma. It was illuminating and devastating. Children who witness gun violence are more likely to experience anxiety, depression, and post-traumatic stress disorder (PTSD) well into adulthood. These children and their families are the people you should be centering in your work, Director Cekada. I believe the people closest to the pain should be the closest to the power, but let us look at who you are instead holding close to the power: not the traumatized children, not the grieving mothers, not the classroom educators who every day wonder is today the day that I will have to shield my student from a shooter.

Instead, this is a picture from your signing ceremony announcing over 30 changes to end gun safety protections, and standing directly behind you are the leaders of the gun lobby: the NRA, the National Shooting Sports Foundation, the National Association for Gun Rights, and others who have spent decades obstructing commonsense gun safety measures. The gun lobby is controlling the regulators while our communities are paying the price, burying loved ones, and raising children in fear. The shame and the sham of it all. I yield back.

Mr. HIGGINS. The gentlelady yields. The gentleman from Arizona, Mr. Biggs, is recognized for 5 minutes for questioning.

Mr. BIGGS. Thank you, Mr. Chairman. Director, thank you for being here today, and shortly after you were sworn in, you did announce some rulemaking that you were going to change, and a few of these would do the following: end the Biden-era enhanced regulatory enforcement policy that unfairly targeted lawful firearms dealers unfairly; emphasize public safety while deemphasizing punitive measures for clerical errors; restrict the Agency's National Instant Criminal Background Check System—the NICS system—alerts to Federal gun trafficking violations; improve the Agency's response times to inquiries from FFLs; and ended bans on the importation of dual-use barrels and non-lethal training ammunition. How are you doing in getting those rules passed and implemented, sir?

Mr. CEKADA. Well, good morning, sir. Thank you for your question. So, there are lot of things that you mentioned there that I think people are reviewing now to see what their thoughts are on their perspective. I will tell you that we have heard some initial thoughts from both sides: the gun safety community and from the Second Amendment community. Initially, I think there was a lot of comments as I made the announcement, and there was, I think, two sentences of text out on each reg. I heard that the world was ending on one side, and on the other side I did not do enough.

So, I think as the text is coming out, people are starting to read and doing exactly what I was hoping they would do, is starting to make comments into the process through the rulemaking process. And we hope that they share with us their concerns from the gun safety community and from the 2A community as to, hey, did we hit it—

Mr. BIGGS. Director—

Mr. CEKADA [continuing]. Or did we miss something.

Mr. BIGGS. The 2A community is also a gun safety community.

Mr. CEKADA. I agree. I agree.

Mr. BIGGS. That is important to distinguish that—

Mr. CEKADA. I agree.

Mr. BIGGS [continuing]. And always remember that—

Mr. CEKADA. I agree.

Mr. BIGGS [continuing]. As opposed to the anti-gun community. So, what I want to know, is one of them was firearms electronic recordkeeping, and tell me why is it better to store records the way the rule proposes right now, it is proposed 1140-AA94.

Mr. CEKADA. I am sorry, sir. I did not hear you well. I apologize.

Mr. BIGGS. Yes, I am sorry. The firearms electronic recordkeeping and rulemaking proposal, why is it better to store records that way?

Mr. CEKADA. Well, first of all, it is much easier for us when we work with the FFLs. If they are using an electronic form, the number of errors that they make are greatly reduced because the system helps them check through the processing of the 4473s. In years past, the handwritten 4473s, the FFLs often made a template, kind of like what we went through in school where your teachers would grade your exams, and they were rushing through to do things properly, would make, as you stated, some administrative mis-

takes. So, that, combined with the changes to the 4473 that we proposed, which would make things simpler to be able to answer the important questions without trying to trick anyone. I have had to pause numerous times filling out a 4473 with no concern as to any criminal record, but wanting to make sure that I did not make a mistake, that somehow I was going to get in trouble.

So, we tried to make that a form that answers all the concerns of government and public safety, but also to do it in a way where some of these systems allow for a driver's license to be swiped into the reader, and it fills out all of the information into the electronic form, which, thereby, again, reduces the amount of errors that can be in that form. So, for us and for the consumer and the public, that was the best way to proceed and would allow people to do so.

Mr. BIGGS. One of the things then that I want to ask then, and it kind of follows up with what Rep. Gosar was talking about, is what safeguards and protections of data privacy, protecting from intrusion by both the government and private citizens, does this system have in place, or what you hope and envision being in place?

Mr. CEKADA. Yes. So, again, to be clear, we have zero connection to the system that the Federal firearms licensees use. It does make it much more efficient for a Federal firearms licensee in receiving a phone call from ATF regarding following up on a criminal investigation. Instead of sorting through hundreds or thousands of paper records, they can go through an electronic system, allow them to retrieve what they need, and provide ATF with a specific answer to our questions.

Mr. BIGGS. Thank you. In the last seconds, I am going to pose this question. I do not think you are going to have time to respond to it, but right now in Maricopa County, we still see, in Arizona, a massive amount of drug cartel and criminal cartel activity, and one of the things that is going on is they are sending guns and firearms south of the border. And so, you got drugs coming up, guns going down, cash going down, and 62 percent of the U.S. guns recovered within the Sinaloa drug cartel war have been traced right back and have been trafficked out of Arizona. So, I guess my question is, and you do not have time to answer it, but we will maybe get together afterwards, but I would like to know what your position is on how to—what operations you have taken, in place, to stop southbound trafficking of weapons. And I think that is critical in our relationship with Mexico, but also in the United States.

And so, with that, Mr. Chairman, thank you for indulgence, and I yield.

Mr. CEKADA. I would love to answer that question if I am allowed to, sir.

Mr. HIGGINS. Yes, sir, go ahead.

Mr. CEKADA. I will keep it short.

Mr. HIGGINS. Go ahead and briefly answer the gentleman's question.

Mr. CEKADA. And we can go into further details in the future, but so long story short, under the last Administration under BSCA, there was authorities for firearms trafficking. Sadly, my agents in Arizona specifically tried to present over 250 cases where about that many defendants were identified as being involved in traf-

ficking conspiracies to Mexican cartels, specifically mainly in rifles and belt-fed firearms that were being sourced on behalf of the cartels through straw purchasers and traffickers that were actually cartel members. Sadly, the U.S. Attorney at the time refused to take those charges forward. So, I sat there gaining great concern not only for the community in the United States, but also in Mexico, and living in the past of our fears, I saw Operation Fast and Furious developing again where ATF was tracking firearms that were already sold and no one was doing anything about it, and we were going to be held accountable.

I approached Todd Blanche, who, he and Emil Bove had just started there, and I literally brought a stack to them and said, "Hey, although we had the BSCA, nobody was getting charged. I need some help on this because ATF is not going to sit back and take the blame for cases that should be charged by a Federal prosecutor." They jumped on it. We started working on the highest-priority cases. As a result of the work that my folks are doing, we have charged the first conspiracies involving dirty FFLs. One I will name because it is public, Grips By Larry, who was involved in trafficking large amounts of belt-fed firearms through a series of straws, but also cartel members who recruited these straws. Those people are now charged with providing material support to a terrorist organization.

The goal of that is to serve significant deterrence, and as we talked about, we do not prevent violent crime by threatening gun owners and law-abiding citizens. We prevent violent crime by holding criminals accountable and serving through the courts a significant sentence that serves as a deterrence, and that is what I have seen as the best measure of defense to the public.

Mr. BIGGS. I look forward to more details and meeting with you one-on-one, Director.

Mr. HIGGINS. We appreciate that answer, and I appreciate——

Mr. BIGGS. I have some UCs.

Mr. HIGGINS [continuing]. The indulgence of the Ranking Member.

Mr. BIGGS. Can I do UCs, Mr. Chairman?

Mr. HIGGINS. The gentlemen from Florida, Mr. Frost.

Yes to unanimous consent?

Mr. BIGGS. Yes, if you do not mind. "RPG Launcher Tube, Rifles Hidden in Lexus Headed to Mexico;" "Arizona Gun Dealer Facing Terrorism Charges for Alleged Sales to Cartel;" "Mexican National Sentenced in Major Mid-East Mexico-Arizona Smuggling Scheme;" "Arizona Guns are Fueling a Drug Cartel War in Mexico;" "Arizona Sheltering in Place After Cartel Violence;" and "Gun Owners of American Battles ATF Gag Order Over Secret Surveillance of Legal Guns."

Mr. HIGGINS. Without objection, so ordered.

The gentleman from Florida, Mr. Frost, is recognized, and thank you for your patience, Mr. Frost.

Mr. FROST. Yes.

Mr. HIGGINS. You are recognized.

Mr. FROST. Yes. Thank you, Mr. Chair. Director Cekada, you were sworn in as Director of ATF on April 29. On the same day that you were sworn in, you announced over 30 changes to Federal

firearm regulations with representatives of the gun industry standing behind you, corporate interests, and then published just a few days later on May 9. So, the average person sees and says, well, the way this is supposed to work is you get sworn into a job, you get into the work, you work with your staff, and you figure out what changes you want to make, but the fact that you announced over 30 changes in just a few hours shows us that obviously there was some work done before you were sworn in before you got the actual job, so I have some questions around that, Director. Did you start developing these regulations or these changes under the Biden Administration or the Trump Administration?

Mr. CEKADA. Well, good morning, sir, and thank you for your question. To be clear, when the Biden Administration exited, I was the Executive Assistant Director for Operations at ATF, and I was shortly thereafter promoted to the Deputy Director where I had complete oversight of our Agency's operations since April 2025. So, the work did not start on May 8 or May 1. We have been working as an Agency together for over a year, as we were supposed to under President Trump's Second Amendment Executive Order, to review all policies, regulations, and other items——

Mr. FROST. So——

Mr. CEKADA [continuing]. That may have——

Mr. FROST. Yes, sir. Thank you. Thank you. I appreciate it. So, you have been working on the slew of 30 different deregulatory things. You have been working on it before you were sworn in. You had these ideas before you were getting ready to put them forth, I guess, hoping that one day you might be nominated as a Director.

Mr. CEKADA. No, that is not true. They were going to go forward regardless because ATF was still tasked by the President to proceed with this review, and we were going to push them forward, frankly——

Mr. FROST. So, yes, sir——

Mr. CEKADA [continuing]. Whether I got confirmed or not.

Mr. FROST [continuing]. And thank you. I am going to reclaim my time. And so, I do not see a world where the President would nominate you to this position without knowing that you would actually move forward with putting forth these 30 regulations that you say you had been working on because of the executive order. Were these regulations discussed in any interview that you had for your promotion? Yes or no.

Mr. CEKADA. I have never talked to the President about any regulations.

Mr. FROST. Anyone in the Administration?

Mr. CEKADA. The only people I have talked to about regulations are at DOJ.

Mr. FROST. DOJ. So, did they discuss with you these regulations before you were nominated for this position?

Mr. CEKADA. No. ATF worked on these, and we developed the initial drafts, and then there is a review process that involved——

Mr. FROST. Yes, sir. I reclaim my time. Did you agree to enact any of these regulations in your discussions?

Mr. CEKADA. Say that again?

Mr. FROST. Did you agree to enact any of these regulations in your discussions before you were nominated?

Mr. CEKADA. Well, first off, these are proposed——

Mr. FROST. It just “yes” or “no,” sir, yes.

Mr. CEKADA. Well, sir, sorry, that does not answer the question.

Mr. FROST. It does answer the questions. Did you agree to enact any of these regulations or put forth these rules or proposals? I know how the process works, Director.

Mr. CEKADA. Sir, you do not actually know.

Mr. FROST. Yes, I do.

Mr. CEKADA. No, you do not.

Mr. FROST. Yes, I do. Did you agree to put forth these proposals for rule changes while you were having discussions about your possible promotion? Yes or no. That is it.

Mr. CEKADA. The answer is not going to be “yes” or “no.” So, the answer is they are proposals, not enacted rules, and, yes, I——

Mr. FROST. They are proposed rules, yes. Were they discussed while you were talking about your promotion? Yes or no.

Mr. CEKADA. Sir, this has nothing to do with my promotion.

Mr. FROST. Sir, I answer the questions. You answer the questions, sir. I am just asking. Why are you——

Mr. CEKADA. I am not going to answer “yes” or “no” to a question that cannot be answered “yes” or “no.” Sorry.

Mr. FROST. Why can’t it be answered “yes” or “no?”

Mr. CEKADA. Because you are intentionally trying to argue with me here about something that you are completely wrong on. First of all, the regulations are not finalized. Those are——

Mr. FROST. I know. I am saying “proposed rules.”

Mr. CEKADA. No, you do not know because you keep telling me——

Mr. FROST. So——

Mr. CEKADA [continuing]. They are enacted, and they are not enacted. Proposed.

Mr. FROST. Proposed rules.

Mr. CEKADA. You keep mixing up the words to try to trap me.

Mr. FROST. Proposed rules. Were those discussed while you were talking about the possible promotion? Yes or no.

Mr. CEKADA. They were discussed with no guarantee of any sort of promotion. As you know, the Senate does get to make a decision that I am not involved in.

Mr. FROST. Yes. So, in your discussions with folks in the Administration about your possible promotion, the proposed rules were discussed with them. You are saying yes.

Mr. CEKADA. Of course they were. I told you that multiple times.

Mr. FROST. Okay. Thank you. That is all I wanted. Do you believe you were promoted to do that, to put forth this package of 30 different proposals?

Mr. CEKADA. This is not going to be a “yes” or “no” answer either. So, sir, I could have retired in November. I did not need a promotion.

Mr. FROST. I understand. I will take my time back. I know you could have retired in November.

Mr. CEKADA. Take all the time you want.

Mr. FROST. You have been at the ATF for a long time. You have done great work. I am just concerned about the fact that on the same day as your confirmation——

Mr. CEKADA. I understand.

Mr. FROST [continuing]. You move forth with a package of over 30 changes giving the public—how many days does the public get?

Mr. CEKADA. Ninety.

Mr. FROST. Ninety days for a huge package of 30 different things that you, I know for a fact, helped work on. Did you do not?

Mr. CEKADA. I read every one of them. Yes, sir.

Mr. FROST. No, no, no. I am saying, you worked on—let me be clear. You worked on a lot of these proposed rules that were enacted by the ATF under the Biden Administration that helped save lives, yes?

Mr. CEKADA. So, a couple things. You are——

Mr. FROST. No, no, no. It is just “yes” or “no.”

Mr. CEKADA. No, it is not “yes”——

Mr. FROST. Did you work on some——

Mr. CEKADA. Sorry. It is not “yes” or “no.”

Mr. FROST. It is “yes” or “no.”

Mr. CEKADA. No.

Mr. FROST. Did you work on some of the rules——

Mr. CEKADA. No, I did not.

Mr. FROST [continuing]. That the Biden Administration put forth help save lives?

Mr. CEKADA. No. No.

Mr. FROST. You did not?

Mr. CEKADA. No.

Mr. FROST. You are saying you did not, under oath, that you did not work any of them.

Mr. CEKADA. I am telling you, I did not work on any of the rules.

Mr. FROST. I am sorry?

Mr. CEKADA. I did not work on any of the rules, not one.

Mr. FROST. I do not believe that is true.

Mr. CEKADA. That is great.

Mr. FROST. I do not believe that is true. In fact, I know for a fact that you worked on some of the rules under the Biden Administration——

Mr. CEKADA. Which one?

Mr. FROST [continuing]. That helped save lives. So, it is unfortunate——

Mr. CEKADA. Which one is that?

Mr. FROST. I ask the questions, sir. It is unfortunate that now you have been put in a position with an Administration that has done everything it can to undermine the agents and the work of the ATF: budget cuts, firing. The ATF has not had political appointees in any position except the Director in any Administration except this Administration. Marvin Richardson, Pamela Hicks, Jennifer Ambuehl forced out or fired, and now you are put in here to put forth regulations—I want to show this——

[Poster]

Mr. FROST [continuing]. That are going to make our communities less safe. The work that you were a part of doing and many other people in the ATF were a part of doing helped us, and I ask for a little more time here because we had 3 minutes to go over the last person.

Gun violence has been going down——

Mr. HIGGINS. Pardon.

Mr. FROST [continuing]. Because of the work that you helped do, Director.

Mr. HIGGINS. Correct the gentleman. That was 3 minutes to allow the witness to answer questions.

Mr. FROST. Well, if I can have 15 more seconds, Mr. Chair—that you helped do to help end gun violence, and I know you are upset. I would be upset, too. This works. What we have been doing works, and the fact that you were sworn in, and the same day you come forth standing with industry behind you, shows us, I guess, where your allegiance are or where perhaps you were told if you want this promotion, what you need to do, which is undermine the Agency that you have done work in for a lot of your life, and I think it is disgraceful. I yield back.

Mr. CEKADA. Sir, may I respond to that?

Mr. FROST. The gentleman yields. We are going to give you plenty of time to respond, but I recognize Mr. Cloud from Texas.

Mr. CLOUD. Thank you, Chairman, and thank you, Director, for being here. I am absolutely shocked that the President would nominate somebody to enact his agenda as the head of an Agency that he oversees due to the authority granted to him by the people under the Constitution of the United States. And so, congratulations on your nomination to this post. Congratulations on getting through the Senate confirmation process and your robust getting to work on day one. I think that is to be commended among the agencies.

I wanted to ask you, a lot has been covered on the gag order that has come down and the leak that happened. I just wanted to ask if any discipline action has been taken for the person who had leaked the information.

Mr. CEKADA. You are talking about the GOA?

Mr. CLOUD. Yes.

Mr. CEKADA. No. So, again, sir, no one was disciplined. We looked into it, and if there was an intentional leak of any of that information, we would have submitted that to our Internal Affairs Division for review.

Mr. CLOUD. How would you determine if it was intentional?

Mr. CEKADA. It was not intentional because we actually had, sadly, a significant reduction in folks in the FOIA staff—

Mr. CLOUD. Okay.

Mr. CEKADA [continuing]. But also the software we used—

Mr. CLOUD. Was not much.

Mr. CEKADA [continuing]. Was a horrible, clunky software that, like many of our systems, was outdated.

Mr. CLOUD. Right.

Mr. CEKADA. It was not an intentional leak. I have to own the mistake for the Agency and for our employees—

Mr. CLOUD. Right.

Mr. CEKADA [continuing]. But we have taken steps to ensure that does not happen by buying a new software to improve that system.

Mr. CLOUD. Okay. Thank you. As you know, on November 21, our office led a letter to the ATF some time ago, found out that there was the out-of-records database, almost a billion gun records at the time. My guess is it is over that now. During the Biden Ad-

ministration, we sent a follow-up letter to that and never got a response. In February of last year, we sent the letter again under the new Trump Administration. We still have not gotten a response to it. I realize at the time you were Acting Director. I do not know if, you know, awaiting confirmation and all that held it up, but I would like to remind you of that and submit it into the record as well. If we could get a response on that, that would help.

There are a number of questions in there that I think would be helpful as we are looking in the public comment period on these proposed rules in regards to how effective traces are and the like, and to your point on enforcement, I thought that was a good point. One of the things I think it is important for us to recognize is traces do not actually stop a crime from happening. It is after the crime has happened. It helps us potentially to, you know, find the criminal or find out what happened, but I wanted to ask you about, does the ATF purchase data?

Mr. CEKADA. I am not sure what data. I mean, we have——

Mr. CLOUD. Like purchase records or credit card records or?

Mr. CEKADA. Not that I am familiar with. We have——

Mr. CLOUD. Okay. We found out recently that the FBI has been doing that for a few years.

Mr. CEKADA. So, I will tell you, we have recently purchased a program. Geez, I cannot remember. It is an ad tech type thing, for example, on your cellphones, my cellphone as well. Based on the ads that go through your phone, you can get geolocation data. We have purchased access to that system, but we have not used it for a criminal case because we have not established any sort of policies yet on how we would do it. That system is one that is available to the general public as well. It does not identify anyone by name, but it gives us either an IP address if it is connected to a Wi-Fi or the International Mobile Equipment Identity (IMEI) number on the cellphone so that we would be able to conduct an investigation. It is very new for us——

Mr. CLOUD. Okay.

Mr. CEKADA [continuing]. So we have not used it and want to make sure we establish clear guidelines before we use anything like that.

Mr. CLOUD. I only have about a minute left. That opens up a whole new can of worms that we will probably have to get into at another point.

During the Biden Administration, the ATF was doing knock-and-talk visits where, basically, they would show up on people's doorsteps, ask them, "We have a record that you have these firearms in your house. Do you have them?" I imagine the ATF has stopped that practice under the Trump Administration?

Mr. CEKADA. Yes. The only time something like that should happen is if we are following up on——

Mr. CLOUD. Well——

Mr. CEKADA [continuing]. A suspected firearms trafficking investigation.

Mr. CLOUD. Yes, but it was happening beyond that, you know, and it was not related to trafficking under the Biden Administration. You said that in the out-of-business data records, all that is searchable is the serial number. I am curious, what are the me-

chanics before an ATF agent is able to pop up on somebody's doorstep with a list of what firearms are allegedly in their house?

Mr. CEKADA. We will not have that.

Mr. HIGGINS. The gentlemen's time has expired, but I am going to allow Mr. Cekada—

Mr. CEKADA. Yes.

Mr. HIGGINS [continuing]. To answer that final question.

Mr. CLOUD. Because that was happening—

Mr. CEKADA. Yes. So, Representative—

Mr. CLOUD [continuing]. Under the Biden Administration. So, how did that happen?

Mr. CEKADA. So, I do not know what you are referring to specifically, but I can tell you, for example, I would get calls when I was an agent and my folks get calls daily, people either have their firearms lost or stolen and say, "Hey, can you please tell me what my make, model, and serial number is." We have no way of doing it. The only thing we do is tell folks, "Hey, you should go back to the Federal firearms licensee that you purchased your firearm, and if they are still in business, they will be able to give you a copy of your 4473 so you could report your firearm stolen." So, I am not familiar with how that information—

Mr. HIGGINS. We thank the gentlemen for that answer.

Mr. CLOUD. Thank you.

Mr. HIGGINS. Ms. Ansari is recognized for 5 minutes for questioning.

Ms. ANSARI. Thank you, Mr. Chairman. The epidemic of gun violence in this country is a national emergency. You would think that recent events, like the attempted assassination at the White House Correspondence Dinner, would shake my Republican colleagues into action, but sadly it did not. In fact, Republicans responded with even less than their usual thoughts and prayers. Instead, they offered a ballroom. A \$400 million ballroom, which the Trump Administration is now requesting \$1 billion for from the American taxpayer, a ballroom promoted by Donald Trump, echoed by *Fox News*, and amplified by the "Make America Great Again" (MAGA) influencer machine quite literally within minutes.

It would be laughable if it were not so deeply offensive because if a ballroom is your solution to gun violence, then every student in America deserves one, or we could actually pass policies that save lives. If you want a ballroom that works, here is what it should stand for.

Ban on assault weapons, accountability for gun manufacturers, licensing requirements for gun owners, limits on high-capacity magazines, red flag laws to stop tragedies before they happen, oversight of gun sales, our kids safe in schools and public spaces, mental health support, and community violence prevention. That is a ballroom worth building in this country because the truth is I am rarely shocked anymore, still outraged—outraged that instead of action, we get distractions, and it is not normal and we should not accept it.

Before I came to Congress, I fought to keep confiscated and forfeited guns from being sold back into the streets of Phoenix. I did that because Phoenix families do not need more guns cycling from evidence rooms back into neighborhoods. Since then, I have seen

the Federal Agency in charge of responding to gun crime being pulled off mission in a way that I think is shocking.

Director Cekada, yes or no, ATF's core public safety mission is not mass deportation. It is reducing violent gun crimes, tracing crime guns, and dismantling illegal firearms and trafficking networks. Is that correct?

Mr. CEKADA. To be clear, yes, ma'am, our focus is violent crime.

Ms. ANSARI. And reportedly, about 80 percent of ATF's roughly 2,500 agents have been ordered to take on some sort of immigration enforcement task. Yes or no, does that number sound right to you, Director?

Mr. CEKADA. It is wrong.

Ms. ANSARI. It is wrong. Okay. During the failed Minnesota immigration blitz that resulted in the murders of Alex Pretti and Renee Good, new Federal gun and drug prosecution fell from 77 cases to eight cases compared with the same months a year earlier, which is absolutely unacceptable. Yes or no, when ATF special agents are assigned to immigration enforcement, this replaces their otherwise full-time responsibilities to develop crime gun leads, work trafficking cases, or support local violent crime task forces.

Mr. CEKADA. No, because we have no one reassigned to Title 8 enforcement.

Ms. ANSARI. Not one person is reassigned.

Mr. CEKADA. Not one person has been reassigned.

Ms. ANSARI. So, the report of 80 percent is absolutely false.

Mr. CEKADA. That report is the Cato Institute, and not only is it completely wrong, it has given multiple numbers—I do not even have 2,500 agents, first of all, and that is number one, including me. I am still an ATF agent. I know how many agents are assigned to immigration enforcement. At max, we were asked to have 300 people available per day from the inception of Title 8 enforcement, and at max, when I testified at my confirmation hearing, we were at approximately 75 people a day. We are currently at 42 people a day. I keep track of that through our field operations, and it is reported up to me daily, so I know exactly how many people. Cato Institute does not know anything about what ATF is doing.

Ms. ANSARI. So, is this information that you can present to us in writing or in some sort of formal documentation?

Mr. CEKADA. I have done that, and I will do it again.

Ms. ANSARI. Okay. I want to focus more on Arizona. This is especially important. In a state like Arizona that is a border state, how many ATF agents in the Phoenix Field Division have been assigned to immigration enforcement in 2025 and 2026, and how many total agent hours has that consumed?

Mr. CEKADA. I do not have that number, but I could get back to you on that.

Ms. ANSARI. Okay, and I want for you to commit to providing us the number of agents assigned to immigration enforcement, the number of agent hours spent in any gun crime work delayed or reduced. So, it sounds like you are willing to put that in writing to us.

Mr. CEKADA. Yes, ma'am.

Ms. ANSARI. Okay. Thank you. The record, I believe, is absolutely clear that the Trump Administration has made horrific choices. So,

I look forward to seeing that in writing because if any, even one agent, is misassigned or reassigned, I think that is a massive problem given that this is a national crisis in this country. Thank you.

Mr. HIGGINS. The gentlelady yields. Mr. Burlison is recognized for questioning for 5 minutes.

Mr. BURLISON. Thank you, Mr. Chairman. In Missouri's 7th Congressional District, we are deeply appreciative of the Second Amendment. It is widely exercised. Southwest Missouri is home to what is estimated to be approximately 300,000 law-abiding gun owners, and their families also cherish the rights, that they know that they can rest safely in their home. I assure you Southwest Missouri is one of the safest places you could possibly visit, and I am honored that they elected me to be the trustee, the custodian of these cherished rights, and as their elected official, that is my responsibility.

I want to kind of stress to you that you have a new responsibility. I know that you have worked your way through the ATF. The role that you have today is a different role, and I want to stress that to you. Your role is now to be the watchdog over this Agency. It is not to be the cheerleader. It is not to make apologies for any mistakes. It is to be that go-between that I cannot be and my constituents cannot be, to be the watchdog in the safeguard of those rights. And I wanted to stress that to you because we have a lot of problems that I have seen in this town since I have been up here. Most of the problems are created by unelected people, people that have no accountability to the taxpayers or the voters, and they simply make rules that have significant impact on the lives of our citizens. We face the heat, we get the emails, but sadly, the unelecteds do not.

And in your Agency, we have had a lot of changes that have impacted people's lives, all made by unelecteds, whether it was the pistol brace rule, the frame and receiver rule, the "engaged in business rule," the bump stock rule, the gunsmithing changes, all made by unelected people that we then have to respond to our constituents and try to address. And some of the events that have happened that I think deserve scrutiny and deserve oversight on your part, whether it was Ruby Ridge, what happened at Waco, Fast and Furious, and the recent sad event in Arkansas with Bryan Malinowski. And so, Director, I want to give you an opportunity to address how you will address this kind of protecting citizens' rights while also making sure that we do not make the mistakes that we have made in the past.

Mr. CEKADA. Good morning, sir. Thank you again for this opportunity. So, you are absolutely correct. It is hard for me to not want to come here and tell you about the great things that my folks do every day because I am proud of what they do, and, you know, if I may for a few seconds tell you that, you know, yesterday during a memorial at our building, I read 191 names of ATF agents who have had different titles over the years who were killed in the line of duty. And I cannot forget the three agents, two of them that are sitting paralyzed now from the neck down from their injuries sustained during their on-duty operations, and a third that has significant debilitating injuries for the rest of his life from being shot in the head from a 5.56 rifle.

So, I know about violent crime. I have seen many of my partners shot and killed in New York City. I talked to a mother this morning who lost her son who was a task force officer in Newark, New Jersey last year. So, I stayed on with ATF when I could have retired in November, as I started to say, not because I was going to be the Director. I had no clue if that was going to come together or not. I stayed on because I believe in what we do as an Agency and the effort to combat violent crime, and I have seen our Agency, in the last 18 months, turn it back around to where it should be, where we keep that balance focused on protecting the public and also protecting the rights of our citizens in this country.

Mr. BURLISON. Thank you.

Mr. CEKADA. I am sick and tired of seeing people who did not commit the crimes being held accountable for violent crime that we did not commit. That board that was just posted, the one thing it did not mention on there is holding the criminals accountable. Not once. I get it, right? We all want to see violent crime reduced, but we cannot reduce violent crime without holding the people who commit violent crime accountable.

Mr. BURLISON. Thank you.

Mr. CEKADA. And sir, I want to guarantee you that it is my job that I want to keep this Agency around to hold them accountable, and when we do something wrong, I want to make sure we never do it wrong again and hold people accountable.

Mr. BURLISON. With the limited seconds I have——

Mr. CEKADA. Yes, sir.

Mr. BURLISON [continuing]. I sent a letter on January 15 trying to get to the bottom of and address the problem that we have had after we passed, and Representative Clyde and myself worked very hard to eliminate the tax and the process of the registration of the tax stamps on suppressors and short barrels, and we had a disaster happen on January where we were not prepared. There was a flood of registrations. I sent a letter. I have still not received a response. How long will it take to receive a response?

And I would like to submit this to the record, Mr. Chairman.

Mr. HIGGINS. Without objection.

Mr. CEKADA. Mr. Burlison, if I may. So, it was not a disaster, but, again, I want to be clear that, A, we were given this mandate in July 2025 with zero funding, made significant changes. We then went into a government shutdown where we were not able to test any of the changes that we made and wanted to stay on task to flip the switch, as we would call it, on January 1. We did so, and I will tell you, since January 1, if I may review my notes, as of yesterday, we received 1,258,539 forms, and we have successfully processed 1,149,192 forms. So, there is a backlog but not a significant backlog——

Mr. BURLISON. Okay.

Mr. CEKADA [continuing]. And we are trying our best to knock that down.

Mr. BURLISON. It is our intention that the process should just go away altogether, but I yield back. Thank you.

Mr. CEKADA. I understand.

Mr. HIGGINS. The gentlemen yields. You are going to get him an answer to his letter——

Mr. CEKADA. Yes, sir.

Mr. HIGGINS [continuing]. Correct?

Mr. CEKADA. Yes, sir. I guarantee you.

Mr. HIGGINS. Thank you.

Ms. ANSARI. Mr. Chair?

Mr. HIGGINS. Representative Crane from Arizona. The gentleman is recognized.

Ms. ANSARI. I would just like to enter an article for the record if that is possible.

Mr. HIGGINS. Yes, ma'am.

Ms. ANSARI. The article is entitled, "Gun Crime Cases Fall as Agents Shift to Immigration Crackdown." It is very comprehensive, and I am very deeply concerned that our witness is not being honest with his answers today.

Mr. HIGGINS. Without objection, it is entered into the record.

Mr. Crane is recognized for 5 minutes for questioning.

Mr. CRANE. Thank you, Mr. Chairman. I want to say thank you, Director Cekada, for coming to testify before the Oversight Committee. You are the new Director of the ATF, is that correct?

Mr. CEKADA. Yes, sir.

Mr. CRANE. Not to put you on the spot, but this is obviously important, Director. What does the Second Amendment say?

Mr. CEKADA. Sir, I would not be able to—

Mr. CRANE. Okay.

Mr. CEKADA [continuing]. I would not be able to recite.

Mr. CRANE. I will read it—

Mr. CEKADA. Please.

Mr. CRANE [continuing]. Because I feel like it is lacking in this Committee room right now: "A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed." What does that mean to you, Director?

Mr. CEKADA. Well, sir, I think I am going to be careful with this one because I tried during my hearing to tell you that I—not you, but the Members of the Senate—to tell you how much ATF and myself respect the Second Amendment, the Constitution, and doing so, making sure we maintain that balance. There are portions of the Gun Control Act that obviously prohibit certain individuals who have been convicted of certain crimes from possessing firearms, and I think ATF makes sure that we keep our focus on any infringements that would come out of the Gun Control Act, that it stays focused on those persons, the law, things should be prohibited.

Mr. CRANE. Thank you. Do you find it notable that our Founders put that right after the First Amendment?

Mr. CEKADA. Sir, I apologize. My hearing is bad.

Mr. CRANE. It is okay. Do you find it notable that our Founding Fathers put the Second Amendment right after the First Amendment?

Mr. CEKADA. Yes, sir.

Mr. CRANE. Why do you believe that our Founders wanted to give the citizens the right to defend themselves?

Mr. CEKADA. I think at the time, in particular, the citizenry did not have a guarantee that the government would protect them, and

they wanted to have the opportunity to protect themselves against a tyrannical government.

Mr. CRANE. Bingo. I am glad you said that because a lot of people, when they think about the Second Amendment, they really do not look at the context of when it was written and the fact that our Founders had just fought against a government. Is that correct?

Mr. CEKADA. Yes, sir.

Mr. CRANE. Thank you. I just want to make sure that, you know, we are on the same page on that. Have you noticed that my Democrat colleagues today have focused on the influence and allegiances of yourself and the ATF to the NRA, Gun Owners of America, and firearms manufacturers have on you guys? Have you noticed that?

Mr. CEKADA. Yes, sir.

Mr. CRANE. Did you notice, though, that none of them asked you about your allegiance and the influence that the Constitution has on you and other members of the ATF?

Mr. CEKADA. Yes, sir.

Mr. CRANE. Why do you think that is, Director?

Mr. CEKADA. Well, sir, I will give you my opinion. Well, sir, I think that the folks that—well, the one gentleman that had the discussion with me, in particular, did not want to look back at the last Administration when that Administration carried out verbatim exactly what the President asked of them. And I worked with both some of the members that are sitting here behind me and the members from the NRA, NSSF, GOA, whoever would talk to me in the last Administration as well. And I was not demonized then, but I am being demonized now because I am not falling in line with what was perceived to be good today.

I think that is part of the problem that we have here. We should be focusing on the criminals, not each other. We are not the people that are killing folks in our streets, and we are very close to solving that problem when we want to. I see it being done over and over, and I have seen it for the last 30 years. When we hold the criminals accountable, crime goes down, and I will tell you the last Administration, one of the first steps that I saw come out of DOJ was a letter that went out to all law enforcement personnel telling us to not charge anyone with any statute that carries a minimum mandatory sentence because they did not want to see anyone put in prison for a long time. That is not the way to solve violent crime. I am sorry.

Mr. CRANE. I want to bring up a specific case to you. This one involved a gentleman named Patrick Tate Adamiak. He was a Navy vet. He was honorably discharged. Mr. Tate is a nonviolent offender, and the items involved in his case were incapable of firing and historically treated as exempt from the Federal firearm regulation under 27 C.F.R. and 478.11. He has been incarcerated since October 21, 2022, serving a 20-year Federal sentence, and I and many of my colleagues believe are disproportionately severe for a case centered on regulatory interpretation rather than harmful conduct. Will you commit to having your Agency look into this case and see if anything can be done to address this miscarriage of justice?

Mr. CEKADA. Sir, I just would like to let you know we have been in contact with Mr. Adamiak's attorney, we have looked at some of the evidence, and we are working with DOJ. I will tell you, I understand DOJ is looking at the case as well for re-sentencing scheduled in June. I do not know the specific facts on the DOJ side, but we are working on that as well.

Mr. CRANE. Thank you, sir. I yield back.

Mr. HIGGINS. The gentlemen yields. Mr. Clyde from Georgia is recognized for 5 minutes for questioning.

Mr. CLYDE. Thank you, Mr. Chairman, and thank you, Director Cekada, for appearing before us today. First, congratulations on your Senate confirmation. I consider your leadership to be a new era of respect for the Second Amendment, and I have greatly appreciated our interactions to date, and I look forward to a continuing relationship with the Bureau of Alcohol, Tobacco, and Firearms and the Department of Justice as well.

I will try and keep my comments pretty tailored to the Tiahrt Amendments because that is what this hearing is about. The Tiahrt Amendments are a series of appropriation riders, and I am on the Appropriations Committee, to the annual ATF and FBI budgets, included in some form since 2003, that prohibit the ATF from disclosing the contents of the National Trace Center or records collected from Federal firearms licensees, except for legitimate law enforcement purposes. This trace data includes the chain of ownership and the sale from point of manufacture. Public release of such data risks exposing undercover officers or other law enforcement personnel to criminal reprisal. One reason the Tiahrt Amendment has long been supported by the Fraternal Order of Police is that exact reason. Its release can also expose the identities and locations of law-abiding firearms retailers, subjecting small businesses to name-and-shame campaigns by anti-Second Amendment advocacy groups.

Unfortunately, in the past, ATF has violated this important protection on numerous occasions. Most recently in 2024, the Biden Administration's release—or excuse me, ATF released sensitive trace data in response to a FOIA request by gun control organizations despite the Tiahrt Amendment's superseding FOIA having been enacted after it. For the first time ever, this release included the names of Federal firearms licensees, including my own business, making me, my business, its employees, a victim of this illegal activity. So, thankfully under your leadership, Director, the Trump Administration has ended its unjust war on unlawful gun owners and firearms businesses, but now it is the time for accountability, sir.

Director Cekada, does ATF believe that the Tiahrt protects firearm trace information from disclosure under FOIA?

Mr. CEKADA. I think that is what the intention is. Yes, sir.

Mr. CLYDE. Okay. Does the unlawful disclosure of sensitive trace data in violation of the Tiahrt Amendment pose a risk to legitimate law enforcement investigations?

Mr. CEKADA. It can. Yes, sir.

Mr. CLYDE. All right. What policies or guidance, if any, does ATF have now in place to ensure that Tiahrt material is not disclosed to the public?

Mr. CEKADA. The current policy would ensure that any material protected by Tiahrt to include that request that would come under FOIA is not released and protected. Again, sir, as I mentioned earlier, my apologies on behalf of ATF for the inadvertent mistakes we made, but moving forward, you know, barring a mistake that truly is a mistake, people would be held accountable. There is obviously a process that we undergo conducting an investigation, but I will give you an example. I have had a leak from an agent that came out during the Charlie Kirk case. That person is being recommended for termination. We are not playing around with anyone that would follow a path on their own versus one that is the legal path that ATF follows every day. So, if anyone is proven to actually intentionally and willfully leaked anything that they should not have given to someone under Tiahrt, they will be held accountable.

Mr. CLYDE. Well, thank you. Now, we have already talked about the GOA FOIA release being accidental, but this other release back in 2023 that talked about Federal firearms licensees, has anyone been held accountable for that?

Mr. CEKADA. So, that one, sir, I think that is the one that your business was under as well.

Mr. CLYDE. It is.

Mr. CEKADA. That one was done under Director Dettelbach, under his leadership and time, so none of his team is here. His team either left with him or some were terminated by this Administration. Everyone else here at ATF was not part of those decisions, and in, I believe it was August 2025, we paused the DL2 program, which, frankly, the intention of the DL2 program was not to put out those names publicly. What that was supposed to be was letters to a Federal firearms licensee that were supposed to be kept private to let the Federal firearms licensee know that, hey, your business resulted in X number of transactions, and some of those transactions had a very short time to crime.

None of that means that the Federal firearms licensee or their business were in some part of a conspiracy with a straw purchaser or a trafficker. It means that, hey, you may have been targeted by someone who could be a straw purchaser and they purchased a firearm. It was meant to engage interaction between ATF and the Federal firearms licensee to prevent them from being victimized by traffickers.

Mr. CLYDE. Thank you. I have one more quick question for you, and this has to do with the out-of-business records. In the Firearm Owners Protection Act, under amendments to Section 926, help me understand. I understand that the OBR right now is recording transactions, 4473s, through optical scanning, about four per second, et cetera, when I went to visit ATF. But yet in the Firearm Owners Protection Act, it says, "No such rule or regulation prescribed after the date of the enactment of the Firearm Owners Protection Act may require that records required to be maintained under this chapter or any portion of the contents of such records be recorded or transferred to a facility owned, managed, or controlled by the United States or any state or political subdivision thereof."

Help me understand the optical recording of these 4473s. Now, you can have the 4473s. You can search them. All right. Help me understand how that is not violating this section right here.

Mr. CEKADA. Yes. Again, sir, from our perspective, and it is something that I have been dealing with for years, and if, you know, Congress, the House and the Senate, decide that this is something that cannot be done, then we would have to change, but the bottom line is we do not have the space for it. I think we are receiving somewhere in the area of a million records.

Mr. CLYDE. You do receive a lot.

Mr. CEKADA. Yes. So, this program was initiated before Rob Cekada was any sort of supervisor at ATF, and this is the way we have dealt with it. Even with the optical scanning, again, which only gives us very limited access to the serial number, that still leaves us with massive amounts of paper records that we have to sort through and try to find a way to be able to search through in a rapid manner when we do get those trace requests from our state and local law enforcement partners in connection with the violent crime they are investigating.

Mr. CLYDE. Well, thank you, Director. I appreciate you being here. I look forward to your leadership in ATF and your team as well, and with that, I yield back, Mr. Chair.

Mr. HIGGINS. The gentlemen yields. Ms. Boebert is recognized for 5 minutes for questioning.

Ms. BOEBERT. Thank you, Mr. Chairman, and thank you, Mr. Cekada, for being here.

Mr. Director, the DOJ and ATF announced sweeping proposed rulemakings immediately following your confirmation—congratulations, by the way—and if finalized, how do you expect these new rules to improve the landscape for lawful gun owners?

Mr. CEKADA. Good morning, ma'am. Thank you for your question. I think in a nutshell, the goal was to modernize the rules to provide for clarity, to remove ambiguity, and also to be in line with the law. The stabilizing brace rule, in particular, through litigation in numerous courts, basically was vacated in numerous areas, and ultimately our rule was not in line with the law. So, some of the rules that we pushed forward were to get in line with the law because, again, ATF regulations should not say one thing and the law or the courts say another, so that was some of our intention.

For example, one of the regulations mentioned, I believe, by Representative Clyde, was the dual-use barrels. So, for many years, that was an unwritten rule that ATF allowed for the industry to utilize or repurpose barrels from firearms that were demilitarized and may have been marked as full auto or rated for full auto. Because a barrel is made of a heavier gauge metal does not make that barrel a full auto firearm—

Ms. BOEBERT. Mm-hmm.

Mr. CEKADA [continuing]. Just because you put a heavier gauge barrel on a semiautomatic firearm. So, there were things like that that were inconsistent for America's gun owners and the industry, and ATF, again, should not be taking sides in this. We should just provide that clarity on the regulatory side so that everybody understands what the law states.

Ms. BOEBERT. Thank you, Director, and you answered some of my other questions in there. So, moving on, can you explain why the ATF has in the past repeatedly violated the Tiahrt Amendment, including instances of improper disclosure of trace data through FOIA responses and other means?

Mr. CEKADA. Yes, ma'am. So, I will speak to the instances that I have been discussing this morning. Most specifically, in 2024 under the last Administration, there was an inadvertent release, and we determined it was inadvertent through our own investigation and determined we had, frankly, an inadequate program that was used to redact information when we were responding to FOIA. Our FOIA staff was understaffed, and that release was completely marked for redaction and required a person to hit that last command to fully redact. They never did it.

Ms. BOEBERT. And what disciplinary actions were taken against the employees that were responsible—

Mr. CEKADA. There—

Ms. BOEBERT [continuing]. For these breaches?

Mr. CEKADA. I am sorry, ma'am. For those specific employees as to the incident I just referred to, it was determined that there was no malicious intent or intention to do that, so there was no disciplinary action. It was actually action against the Agency to go out and buy a better program that would prevent any of our employees from inadvertently not completing that redaction attempt.

Ms. BOEBERT. Yes. So, Director, the Tiahrt Amendment, as you know, was enacted to protect the privacy of law-abiding gun owners and Federal firearms licenses from harassment, name-and-shame campaigns, and frivolous lawsuits. How does the ATF justify actions that appear to circumvent this congressional protection?

Mr. CEKADA. So, ma'am, we have discussed some of these, and some of these were conducted under the last Administration—

Ms. BOEBERT. Correct.

Mr. CEKADA [continuing]. Specifically under Director Dettelbach and his team. Those folks are no longer here, neither is the Director, and obviously, we have taken steps to make sure that we keep our folks in compliance. I have been in full command of ATF basically since April of last year, so since that timeline and under the President Trump's Second Amendment Executive Order, we have done everything in our power to look at every internal policy, every regulation, any proposed rule, current or in the past, to ensure that we keep public safety paramount, but we maintain that balance of protecting and upholding the Second Amendment as well.

Ms. BOEBERT. And do you see the Tiahrt Amendment as an inconvenient restriction or a vital congressional legislation that protects both privacy and public safety?

Mr. CEKADA. No, I see Tiahrt as a critical amendment that protects public safety and law enforcement, and for ATF, Tiahrt protects one of our most vital tools in our Agency to be able to focus our efforts on violent crime and firearms trafficking.

Ms. BOEBERT. Director, again, thank you, and congratulations on your confirmation. I look forward to talking to you in the future. I yield.

Mr. CEKADA. Thank you, ma'am.

Mr. HIGGINS. The gentlelady yields. Mr. Jack is recognized for 5 minutes for questioning.

Mr. JACK. Well, thank you very much, Mr. Chairman. I deeply appreciate you convening this hearing. I think it is an important subject, and I appreciate your testimony, Director.

Just for the record, in 2022, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, ATF, inadvertently sent Gun Owners of America a Freedom of Information Act production containing the unredacted personal information of gun owners. As we know, we have discussed this today, the subject matter of the FOIA request, scandalous enough, ATF's use of FBI's warrantless and unaccountable gun purchaser surveillance scheme known as NICS monitoring system, but ATF's conduct following its inadvertent disclosures is just as alarming. We have discussed that at length today. So, one of the first questions I have for you, Director, is under your leadership, you are turning a new page at ATF. Does ATF believe that Tiahrt protects firearm trace information from disclosure under FOIA?

Mr. CEKADA. I believe it does protect that under FOIA as well.

Mr. JACK. And what do you believe Congress' purpose was in enacting that provision?

Mr. CEKADA. I think the intent was to protect the American citizenry, but also to protect law enforcement, confidential informants that we would be using in our investigations. And again, for someone that has been doing law enforcement criminal investigative work for 34 years, I understand how critical the witness is, whether they are confidential informants, law enforcement, or the public, are. And if they are exposed inadvertently in any one of these cases, especially in a violent crime case, they are likely to be killed in those matters, so we want to protect everyone in these cases.

Mr. JACK. Has your Agency done any investigation into other prior releases of Tiahrt information in addition to the GOA matter?

Mr. CEKADA. Sir, I have not gone back any further. The only thing I have been able to do in my time is, frankly, work on putting our Agency in the right direction. We have put in further restrictions as to how we handle ourselves as it relates to not only trace data, but also, the NICS system that you mentioned, the NICS alert system. I put out a memorandum in April 2025 where we completely revamped how we work that process. That is another critical tool that we use for violent crime and firearms trafficking investigation. That is an FBI tool, and that is one that is protected by law. And just as important to us as Tiahrt, we do not want any of that information released either because it contains a lot of the similar information, and we want to make sure that a critical tool like that remains in the hands of ATF agents for the purposes that we were given that access in the first place.

Mr. JACK. With respect to potential other releases of that information, do you mind providing follow-up to Congress—I know you said you would look back—to this Committee specifically?

Mr. CEKADA. Yes, sir.

Mr. JACK. Thank you. And just so I understand, has ATF produced Tiahrt-protected trace information to any Agency or entity other than GOA, and if so, what and to whom?

Mr. CEKADA. We have not that I am aware of, but if there is any instance, I will get back to you in writing. There have been releases. Mr. Biggs is not here anymore, but there was a release that Mr. Biggs and I spoke about, not by ATF, but one of the law enforcement account holders from an international account in Colombia, and Mr. Biggs was very upset as was his constituent, and we spoke in depth about that and some of the challenges we have in holding folks accountable. That was a law enforcement agency that received the information but transferred it to a political entity within their country, who then put it right out in the news. In both ATF and the State Department, we are in a bit of a conundrum as to what we can do based on the limitations of holding them accountable through Tiahrt.

Mr. JACK. I just want to note for the record, too, to your point, the Biden administration of ATF, the Biden ATF released firearm trace data naming over 1,300 firearm businesses across the country in response to a FOIA request, something that Chairman Higgins' bill, which I am proud to support, would address. As the regulator of the firearm industry, can you please speak to the impact that publicly releasing firearm trace data has on law-abiding members of the firearm and Second Amendment community?

Mr. CEKADA. Yes. I think trace data is critical to law enforcement operations, state and local and Federal law enforcement every day, but at the same time, I think it is equally critical that we maintain the integrity of that information and keep it for law enforcement purposes. I think there are numerous folks that want to assemble data from those reports, and, frankly, data is great, right? The only problem with data that I have seen over 30 years, data can be manipulated to tell different stories with the same data. And I do not think it is fair to the public who have been victims of crimes or those members of the public who are not criminals to manipulate our minds with what something is saying when it is not actually saying that.

I think that there are a lot of good people that have suffered as a result of violent crimes, and there are a lot of great people that put their life at risk every day trying to prevent further crimes, and it is wrong of data to be used in that manner by either side, to be frank. We should be holding people accountable, and we should be truthful with what that data says. Those DL2 lists were not designed by me or anyone else to use as a name-and-shame campaign, but that is exactly what they were used as, and that is not what the intention was.

It is very easy to identify an FFL that has a very large business and say, well, you are responsible for violent crime in a community. That is just not the case. When we go into these FFLs, their inventories are in order. Their books are in order. They are always cooperative with us. As a matter of fact, without naming any of them, more often than not, if there is anything suspicious that comes to their attention, they are calling one of our local agents because of the relationship that they have developed over the years.

Mr. JACK. Well, I appreciate your testimony. I appreciate you working with GOA to resolve that matter. Aiden and JP are great guys.

I also, Mr. Chairman, want to close by applauding my colleague in the front dais, Mr. Clyde. I do not think there is a greater, and I want everyone from Georgia watching to know, a greater advocate for the Second Amendment than Mr. Clyde. I have learned a lot from him in my first term, so I am proud to serve alongside you, my friend, and, Mr. Chairman, I am deeply appreciative of you convening this hearing. Thank you. I yield back.

Mr. HIGGINS. The gentlemen, yields.

In closing, I want to thank our witness for your testimony today. And does the Ranking Member have closing comments or statements?

Ms. LEE. No, sir.

Mr. HIGGINS. The Ranking Member declines. I recognize myself for a couple of closing remarks.

I thank Director Cekada very much, sincerely, for appearing before us today. You had an incredibly busy schedule running the Agency for nine or ten months, and then being nominated as Director and going through a prolonged confirmation process that we anticipated would be a month or so. It turned into three or four months, and you were a gentleman throughout, and appearing before this Committee today, honored your promise to do so. And let me close by saying that the task that you are set to perform is crucial for our country, for the maintenance of our protected Second Amendment rights, and for the protection of the citizenry that we are sworn to serve.

Firearms in America are arguably the most heavily regulated item in the country, and the laws are incredibly complex, and I feel confident that you and your team are up to the task. I do look forward to working with your office, sir, on H.R. 1698, the Law Enforcement Protection and Privacy Act, which we have discussed. I look forward to adding any sections that can enhance the effectiveness of that legislation as we attempt to move it through Congress.

With that, and without objection, all Members are reminded they have five legislative days within which to submit materials and additional written questions for the witness, which will be forwarded to the witness.

If there is no further business, and without objection, the Subcommittee stands adjourned.

[Whereupon, at 11:58 a.m., the Subcommittee was adjourned.]