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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

January 12, 2022

Tae D. Johnson
Acting Director
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
500 12th Street SW
Washington, D.C. 20536

Marvin G. Richardson
Acting Director
Bureau of Alcohol, Tobacco, Firearms and Explosives
U.S. Department of Justice
99 New York Avenue, NE
Washington, D.C. 20226

Dear Acting Directors Johnson and Richardson:

I write to urge U.S. Immigration and Customs Enforcement (ICE) and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to promptly analyze and address the trafficking of U.S.-sourced firearms that fuels criminal violence in the Central American countries of Belize, El Salvador, Guatemala, and Honduras.

High levels of gun violence in Central America have devastated local communities, created regional instability, and contributed to northward migration to the U.S. On January 11, 2022, the Government Accountability Office (GAO) released a report I requested on firearms trafficking in Central America.¹ The GAO report examines U.S. agencies' knowledge about firearms trafficking to criminals in Belize, El Salvador, Guatemala, and Honduras, and assesses U.S. agencies' planning and efforts to disrupt illicit firearms trafficking in these countries. The GAO report found that in these four countries, approximately 40 percent of firearms recovered in criminal investigations and submitted for tracing to ATF had originated in the U.S. Given the high rates of homicide and prevalence of transnational criminal organizations (TCOs) in these countries, the proliferation of U.S.-sourced weapons in these countries is a matter of significant concern.

On July 29, 2021, the Biden Administration released the *U.S. Strategy for Addressing the Root Causes of Migration in Central America*.² This report identifies addressing the criminal activity of gangs and other organizations in Central America as a strategic objective, as the persistent

¹ "Firearms Trafficking: More Information is Needed to Inform U.S. Efforts in Central America," U.S. GOVERNMENT ACCOUNTABILITY OFFICE, GAO-22-104680 (Jan. 2022).

² "U.S. Strategy for Addressing the Root Causes of Migration in Central America," NATIONAL SECURITY COUNCIL (July 2021), <https://www.whitehouse.gov/wp-content/uploads/2021/07/Root-Causes-Strategy.pdf>.

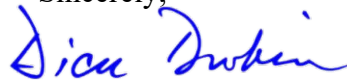
violence perpetrated by TCOs is a destabilizing factor in the region and contributes directly to internal displacement and migration.³ Because illegal firearms use and trafficking in Central America fuels this violence, treating the disruption of this trafficking as a priority is consistent with existing U.S. government priorities.⁴ Recognizing this connection, the State Department's Bureau of Western Hemisphere Affairs (WHA) plans to increase its focus on firearms in Central America, but currently lacks adequate data and information analysis to do so effectively.⁵

While GAO was able to assemble important findings for its report, it noted repeatedly that the information available was significantly lacking. For example, with respect to the four countries GAO assessed, the report states that “[a]ccording to officials of U.S. agencies, including ATF and ICE, the agencies have not analyzed information about firearms that could help identify trafficking patterns, locations of criminal activity, and possible illicit sources, because the agencies have not focused explicitly on firearms trafficking.”⁶ The report also noted that U.S. agencies “have no reliable data on criminals’ acquisition of firearms in Belize, El Salvador, Guatemala, and Honduras,” creating additional uncertainty.⁷ However, the GAO report notes that “officials at [ICE and ATF] said their agencies would be able to provide such analysis, based on their data and expertise, if asked to do so.”⁸

Please consider this letter as a request to do so. In order for U.S. agencies to effectively assess the trafficking of firearms in Central America and respond to this threat, it is vital that your agencies conduct and share your analyses and recommendations for strategic solutions. Limiting the availability of U.S.-sourced firearms to TCOs in Belize, El Salvador, Guatemala, and Honduras is consistent with U.S. government priorities and merits a coordinated inter-agency effort. I urge you to bring your agencies’ resources to bear on this issue, collaborate with the WHA to support its efforts, and develop your own strategic plans to disrupt the criminal use of U.S.-sourced firearms in Central America. I request that you respond in writing by February 9, 2022 to provide this commitment and explain the steps your agencies will undertake in order to meet it.

Thank you for your prompt attention to this matter.

Sincerely,



Richard J. Durbin
Chair

³ *Id.* at 14; “Central American Migration: Root Causes and U.S. Policy,” CONGRESSIONAL RESEARCH SERVICE (Updated Oct. 27, 2021), <https://crsreports.congress.gov/product/pdf/IF/IF11151/5>.

⁴ Chelsea Parsons and Eugenio Weigend Vargas, “Beyond Our Borders: How Weak U.S. Gun Laws Contribute to Violent Crime Abroad,” CENTER FOR AMERICAN PROGRESS (Feb. 2, 2018), <https://www.americanprogress.org/article/beyond-our-borders/>.

⁵ GAO-22-104680 at 33.

⁶ *Id.* at 34.

⁷ *Id.* at 19.

⁸ *Id.* at 34.

cc: The Honorable Antony J. Blinken
Secretary of State

The Honorable Brian A. Nichols
Assistant Secretary of State for Western Hemisphere Affairs

The Honorable Alejandro Mayorkas
Secretary of Homeland Security

The Honorable Merrick B. Garland
Attorney General