For Immediate Release

Tuesday, October 16, 2012

Grassley, Heller, Amodei Press for Answers on Impact of Reno US Attorney/ATF Rift

                WASHINGTON – Senators Chuck Grassley and Dean Heller and Representative Mark Amodei are pressing Attorney General Eric Holder for information about the cases that were not prosecuted during a fall-out between the Reno, Nevada offices of the U.S. Attorney and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

                A recent article in the Reno Gazette Journal indicated that the U.S. Attorney’s office may have declined or dismissed as many as a dozen cases that were submitted by the ATF.

“The Justice Department has yet to respond to any of Congress’ questions about what happened in Reno for more than a year.  It’s an abdication of responsibility on the part of the Justice Department, and if these crimes weren’t prosecuted, whether because of actions of the U.S. Attorney or the ATF, the people of Nevada should know why,” Grassley said.

"This breakdown within the Department of Justice is a threat to public safety. There is no question this problem should have been addressed some time ago. The Department of Justice needs to explain why they allowed this problem to fester. I will continue to work with Senator Grassley and Congressman Amodei to get answers and hold the Department of Justice accountable," said Heller.

"The Department of Justice owes Nevadans an explanation and a solution. That it has failed to provide either, let alone demonstrate a sense of concern or urgency, is disappointing. I will continue to work with Senators Grassley and Heller to ensure this problem receives the attention it deserves," Amodei said.

A copy of the text of the letter is below.  A signed copy of the letter can be [found here](http://www.grassley.senate.gov/judiciary/upload/Reno-10-15-12-Grassley-Heller-Amodei-letter-to-Holder-2.pdf).

**VIA ELECTRONIC TRANSMISSION**

The Honorable Eric H. Holder, Jr.

Attorney General

U.S. Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Attorney General Holder:

            We are in receipt of the Department’s October 12, 2012, letter regarding the U.S. Attorney’s Office for the District of Nevada and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in Reno.

            On September 28, 2012, we understand that ATF Acting Director B. Todd Jones and U.S. Attorney Daniel Bogden released a public statement, although neither the Justice Department nor ATF took any steps to notify any of our offices about the statement before we learned about it from public news accounts.  In that statement, Acting Director Jones and U.S. Attorney Bogden reportedly said: “The United States Attorney’s Office in Nevada is accepting, for review and potential prosecution, all cases and matters referred to it by ATF.  The United States Attorney’s Office and ATF are reviewing the allegations and will work to address any issues that could impact the effectiveness of their law enforcement efforts to protect the public from violent crime.”

According to recent accounts by the Reno Gazette Journal, the U.S. Attorney’s Office for the District of Nevada may have declined or dismissed as many as a dozen cases that had been submitted to it by ATF.[[1]](#footnote-1)[1]  Therefore, please provide answers to the following questions:

1. Is the U.S. Attorney’s Office re-considering the cases that it formerly declined when submitted to it by ATF?
2. If so, how long will it take to conduct reviews of those cases?
3. Who within the U.S. Attorney’s Office would conduct the review?
4. In the course of the U.S. Attorney’s Office’s dispute with ATF, how many of the ATF cases declined by the U.S. Attorney’s Office would be barred within the next six months by statutes of limitations?  For each such case, precisely when would the statute of limitations expire?

Please provide a response and produce these documents by Thursday, October 25, 2012.  If you have any questions concerning this matter, please contact Senator Grassley’s staff at (202) 224-5225, Senator Heller’s staff at (202) 224-6244, or Representative Amodei’s staff at (202) 225-6155.

Sincerely,

Chuck Grassley

Dean Heller

Mark Amodei

cc:       The Honorable Michael E. Horowitz, Inspector General

            U.S. Department of Justice

            B. Todd Jones, Acting Director

            Bureau of Alcohol, Tobacco, Firearms, and Explosives

            The Honorable Daniel G. Bogden, U.S. Attorney for the District of Nevada

U.S. Department of Justice

1. [1] Martha Bellisle, *ATF cases U.S. Attorney’s office in Reno refused to prosecute*, Reno Gazette Journal (Oct. 9, 2012), *available at* <http://www.rgj.com/interactive/article/20121009/NEWS01/121009018/RGJ-Investigates-ATF-cases-U-S-Attorney-s-office-Reno-refused-prosecute>. [↑](#footnote-ref-1)