

**Congress of the United States**  
**Washington, DC 20510**

October 19, 2012

Mr. B. Todd Jones  
Acting Director  
Bureau of Alcohol, Tobacco, Firearms, and Explosives  
99 New York Avenue NE  
Washington, D.C. 20226

Dear Mr. Jones:

It has been more than two months since we wrote to you on August 21, 2012, asking about William McMahon's dual employment status at ATF and J.P. Morgan Chase. In spite of our efforts to determine whether ATF complied with regulations prohibiting outside employment by federal employees that may pose a conflict of interest, your office has provided absolutely no response to our letter. The situation appears to be one in which McMahon is improperly exploiting the taxpayers with ATF's approval, drawing two paychecks for months while only working one job overseas in the private sector. Yet, ATF has stood mute, refusing to dispute that public impression. Moreover, ATF has failed to identify any actions it may be taking to remedy the situation.

At the same time ATF appears to be helping one of the supervisors responsible for Fast and Furious double-dip at taxpayer expense, it apparently has no qualms about pursuing a personnel action against the man who blew the whistle on Fast and Furious, Special Agent John Dodson. An ATF Internal Affairs e-mail sent this week notified Special Agent Dodson that it had both opened and closed an internal investigation against him. The notice, however, failed to disclose to him any details of the investigation. Instead, it merely stated that ATF Internal Affairs had forwarded a report to ATF's Professional Review Board. Special Agent Dodson's counsel has not been afforded an opportunity to review the report.

According to ATF, the report merely contains information from the Office of Inspector General's (OIG) report on Operation Fast and Furious. Unlike Mr. McMahon, however, Special Agent Dodson did not have an opportunity to review and comment on the OIG report prior to its release because, unlike Mr. McMahon, Special Agent Dodson was not criticized by the Inspector General. Special Agent Dodson received no notice of any ATF Internal Affairs investigation and no such investigation was disclosed to the OIG for possible coordination, as Justice Department policies and procedures require.

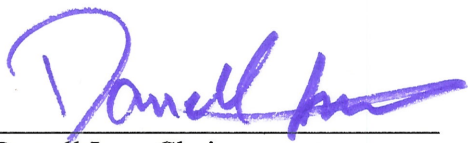
ATF appears to have failed to provide even minimal standards of due process to Special Agent Dodson. Given the secrecy and timing of this alleged Internal Affairs investigation, it raises the question of whether this is a thinly veiled attempt to punish Special Agent Dodson for speaking to Congress about Operation Fast and Furious.

We understand ATF's Professional Review Board is scheduled to meet on October 25, 2012. Therefore, please provide the following documents and information as soon as possible, but by no later than noon on Wednesday, October 24, 2012:

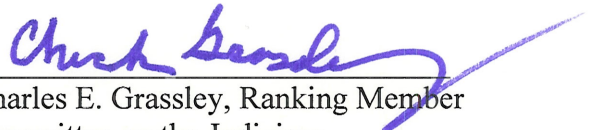
1. A list of all the members of the Professional Review Board (PRB), including their qualifications, background, length of PRB service, and appointment details.
2. A copy of the report that ATF Internal Affairs forwarded to the PRB.
3. Documents provided to the PRB that will be used to assess whether any discipline will be imposed on Special Agent Dodson.
4. A description of what investigative steps ATF Internal Affairs undertook (other than reviewing the OIG Report).
5. An explanation of why ATF Internal Affairs failed to provide notice of its "investigation" to the OIG.
6. A list of all other ATF employees mentioned in the September 2012 OIG's report on Fast and Furious whom ATF Internal Affairs is currently investigating or has investigated.
7. All records relating to communications between and among Internal Affairs Assistant Special Agent in Charge Christopher Trainor and any members of the PRB pertaining to Special Agent Dodson.
8. All records relating to communications between ASAC Trainor and Special Agent Dodson.

Immediately following the delivery of these documents, please make ASAC Trainor available for a briefing on how ATF's Office of Internal Affairs is implementing its policies and procedures with respect to the OIG report. Thank you for your immediate attention to this serious matter. We look forward to your prompt response.

Sincerely,



Darrell Issa, Chairman  
Committee on Oversight and  
Government Reform  
U.S. House of Representatives



Charles E. Grassley, Ranking Member  
Committee on the Judiciary  
U.S. Senate

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cc: The Honorable Elijah E. Cummings, Ranking Member  
Committee on Oversight and Government Reform  
U.S. House of Representatives,

The Honorable Patrick Leahy, Chairman  
Committee on the Judiciary  
U.S. Senate

The Honorable Michael E. Horowitz, Inspector General  
U.S. Department of Justice