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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

Chairman Richard J. Durbin
U.S. Senate Committee on the Judiciary
Dirksen 224
Washington, DC 20510

August 4, 2021

Dear Chairman Durbin,

We were disappointed to see your response to our request for another hearing for David Chipman. You primarily recounted attacks against Mr. Chipman that have not been made by Republicans on this Committee or discounted criticisms that you don't like by some of us. You fail to address our substantive concerns and so we reiterate our requests that a follow-up hearing be scheduled and that you help us uncover the documents the Justice Department presumably has and that could clear up this controversy.

To begin with, much of your response's tenor involves taking shots at *The Reload*—or the “anti-gun safety website” with “an obvious agenda.” It’s ironic that you invoke “the Big Lie” in your attempts to discredit this reporting, because none other than Jake Tapper—arguably the biggest proponent of that term in the media—has said of *The Reload*’s founder, Stephen Gutowski, and the newsletter itself, “Worth a follow and also a subscription imho[.]”

Yes, the sources for the allegations of racial insensitivity are anonymous but that doesn’t mean we can or should silence those whistleblowers. The idea that numerous current and former ATF agents—who are very possibly people of color—should have their stories erased is, frankly, surprising in this day and age. Are we to believe that law enforcement in America is beset by systemic racism and implicit bias—but not the Detroit field office of the ATF under David Chipman?

And the fact is that there *are* on-the-record allegations from another agent—and person of color—Rick Vasquez. Our concerns with Mr. Chipman’s effectiveness come from what he told Mr. Gutowski *with his name on it*. The fact that he had other complimentary things to say about Mr. Chipman just goes to show that Agent Vasquez *lacks* “an obvious agenda,” making his recollection of Mr. Chipman’s circumstances in Detroit all the more relevant to the Committee’s work.

Just this week the Committee received a letter from *seven, named, former ATF agents* further calling into serious question Mr. Chipman’s fitness to serve. Sharing your concerns that ATF needs

a Senate-confirmed head, they nevertheless don't see Mr. Chipman as the right man for that job. They conclude,

ATF needs a Director whose personal beliefs about gun ownership would not be a distraction from the critically important work of the men and women of ATF. A nominee with a proven track record of leadership, fairness, and diplomacy is not only needed for the Director's position, it is necessary to ensure that ATF can execute on its mission - David Chipman is not that nominee.

Furthermore, your reliance on the FBI clearance process is a distraction. Yes, Republican staff cleared Mr. Chipman for a hearing. As you know, that means Mr. Chipman's record wasn't so outside of the mainstream that he didn't not deserve a hearing. It says next to nothing about his substantive fitness for office. Furthermore, these allegations arose *after* his clearance process, so it's not clear what bearing that process could have on their truthfulness.

The fact is that new information about Mr. Chipman's unfitness for office seems to come out daily. Just today we learned from news reports—not Mr. Chipman—that he had appeared in 2012 on Chinese state television to discuss the Sandy Hook massacre.¹ The spectacle of Mr. Chipman discussing gun-violence in America while being asked about our gun laws by an organ that—even YouTube notes—is a propaganda machine, funded by the Chinese government, is beyond comprehension. He doesn't appear to dispute this obvious propaganda by the China Global Television Network, designed to malign the United States:



¹ <https://www.youtube.com/watch?app=desktop&v=8FEv4t7Eh1I>

In fact, he seems to agree with it when asked. Politics is supposed to stop at the water's edge. It's shocking that Mr. Chipman's gun-control agenda not only didn't, but it eagerly found a willing host among the Chinese communists.

We ask again that Mr. Chipman have a second hearing to address these allegations. This Committee, under your leadership, shouldn't sweep marginalized voices under the rug, nor take corroborated allegations of racism lightly.

Sincerely,



Chuck Grassley
Ranking Member



Lindsey Graham



John Cornyn



Mike Lee



Ted Cruz



Ben Sasse



Josh Hawley



Tom Cotton



John Kennedy



Thom Tillis



Marsha Blackburn