



Office of the Attorney General  
Washington, D. C. 20530

November 9, 2011

Dear Mr. and Mrs. Terry,

I received your letter dated November 1, 2011, and I want to thank you for writing to me. I am sorry for the tragic loss of your son, U.S. Border Patrol Agent Brian Terry. Brian was a hero who served his nation bravely and made the ultimate sacrifice. As a father, I can only imagine the pain that you and your family have experienced. No parent should ever have to bury their child. I want you to know that we, the Department of Justice, and I personally, are committed to bringing those responsible for Brian's murder to justice, and I am heartened to hear that U.S. Attorney Laura Duffy and her team have been responsive to your questions.

I agree with you that the tactic of allowing guns to "walk," as was permitted in Operation Fast and Furious, is completely unacceptable. Operation Fast and Furious was flawed in concept and flawed in execution. The tactics used in this operation violate Department of Justice policy and should never have been used. Moreover, I want to assure you that I have taken steps to ensure that this will never happen again.

When I learned of the allegations of the use of these tactics, I asked the Department of Justice's Acting Inspector General to investigate this matter. I also issued a Department-wide directive to all prosecutors and law enforcement personnel making clear that such tactics violate Department of Justice policy and will not be tolerated. Finally, the new leadership at ATF Headquarters has implemented stricter oversight procedures for all significant investigations.

In addition to ensuring that these tactics are never used again, I share your desire to understand how these tactics came to be used in that case. I want to know why and how firearms that should have been under surveillance could wind up in the hands of Mexican drug cartels. I expect the Acting Inspector General to answer these important questions when her review is completed.

More broadly, I am committed to focusing on the national security crisis that this fundamentally flawed investigation highlighted: we are losing the battle to stop the flood of illegal guns from the U.S. to Mexico. The ATF agents who brought the unconscionable tactics used in this operation to light have asked Congress, as have I, for more effective enforcement tools to combat illegal firearms trafficking. While some in Congress have opposed our efforts, we are committed to providing the men and women in law enforcement the tools they need to win this critical war against the cartels.

Finally, I want to reassure you that I have not criticized those in Congress who have sought answers to legitimate questions about Operation Fast and Furious – the same questions I have raised for the Acting Inspector General to investigate. Rather, my criticism has been aimed at those who have used inflammatory and inappropriate rhetoric about the operation in an effort to score political points. Such ill-advised and baseless accusations do nothing to address the serious problems that our country faces on the Southwest Border and these problems deserve considered and collaborative action from all of our public officials.

Thank you again for writing. I would welcome the opportunity to meet with you in person to discuss our shared concerns. I give you my word that we will do everything in our power to bring those responsible for Brian's death to justice.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric H. Holder, Jr.", written in a cursive style.

Eric H. Holder, Jr.  
Attorney General