

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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March 16, 2017

The Honorable Jason Chaffetz
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

We write to request you hold a hearing with law enforcement officials and outside experts to consider legislation we recently re-introduced to combat the ongoing epidemic of gun trafficking from the United States to Mexico. Our bipartisan bill, the Gun Trafficking Prevention Act of 2017 (H.R. 1475), would – for the first time – make firearms trafficking a federal crime and impose stronger penalties for straw purchasers who buy guns on behalf of others.

At last week's hearing on challenges at the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Acting Director Thomas Brandon confirmed that longstanding concerns about gun trafficking along the southern border persist. To address these problems, he stated: "There's no doubt a firearms trafficking statute would help deal with the gun violence in America." Congresswoman Maloney asked Acting Director Brandon:

If we did make that a federal felony, if we did crack down on straw purchases, would that help you, would that help our law enforcement, not just ATF, but all law enforcement do their job in a better way to protect people?¹

Director Brandon replied: "Yes, ma'am. It would, in my opinion. Absolutely."²

At a time of significant strain and uncertainty in the federal budget, Acting Director Brandon testified that in recent years, "our budget has been eroding." Congresswoman Maloney stated:

There is remarkably little talk about passing this law, which costs nothing. It would cost nothing to the taxpayer to enact this law, which would then give our law enforcement the

¹ House Committee on Oversight and Government Reform, *Hearing on Reviewing ATF's Failures in the Death of ICE Agent Jaime Zapata* (Mar. 9, 2017).

² *Id.*

ability to better protect the American people.³

At a June 2011 hearing, ATF officials testified that existing laws were “toothless,” that perpetrators view straw purchasing violations as “no more consequential than doing 65 [mph] in a 55,” and agreed that straw purchasing violations were “mere paper violations.”⁴

In the 114th Congress, the predecessor bill received support from the American Bar Association, Association of Prosecuting Attorneys, Baltimore Police Department, CeaseFirePA, Daniel Webster, Director of Johns Hopkins Center for Gun Policy and Research, Everytown for Gun Safety, Federal Law Enforcement Officers Association, International Association of Campus Law Enforcement Administrators, Inc., Law Center to Prevent Gun Violence, Major Cities Chiefs Association, Massachusetts Chiefs of Police Association, Minnesota Chiefs of Police Association, National Association of Women Law Enforcement Executives, National Organization of Black Law Enforcement Executives, Stephanie Rawlings Blake, then-Mayor of Baltimore, Md., United States Conference of Mayors, and the Violence Policy Center.

Thank you for your consideration of our request.

Sincerely,


Elijah E. Cummings
Ranking Member


Carolyn B. Maloney
Member


Robin Kelly
Member

³ *Id.*

⁴ *Outgunned: Law Enforcement Agents Warn Congress They Lack Adequate Tools to Counter Illegal Firearms Trafficking*, Democratic Staff, House Committee on Oversight and Government Reform (June 2011) (online at https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/OUTGUNNED%20Firearms%20Trafficking%20Report%20-%20Final_1.pdf).