

May 14, 2019

Dear Member of Congress:

The undersigned organizations write in strenuous opposition to the Administration's proposal to significantly weaken regulation and oversight of firearms exports. The transfer of export controls of semi-automatic pistols, assault-style firearms, sniper rifles, and ammunition from the United States Munitions List under the authority of the Department of State to the less-stringent controls of the Department of Commerce¹ will thwart congressional oversight and create new and unacceptable risks of exacerbating gun violence, human rights abuses, and armed conflict.

The Administration's proposal guts Congress' authority to provide oversight of firearms exports. Currently, Congress is notified of firearms sales authorized by the State Department valued at \$1 million or more. No such notification requirements will exist if these weapons are transferred to Commerce control. In recent years, Congressional notification has been an important backstop, helping forestall firearms transfers to repressive forces, such as those in Turkey and the Philippines.²

The proposal would also transfer control of the technical information and blueprints for potentially undetectable 3D-printed guns from State to Commerce, a move that could facilitate printing of 3D guns worldwide, make these weapons readily available to terrorist groups and other criminal elements, and endanger American embassies, military bases, and passenger aircraft at home and abroad.³

Although proponents of the proposed changes argue that small arms are "less dangerous" because many can be bought in U.S. retail outlets, the fact is that armies are built from these firearms. Small arms are the weapons of mass destruction in countries and regions such as Congo, Burma, Mexico, and Central America. AR- and AK-type rifles and their ammunition that would be transferred to Commerce control are weapons of choice for criminal organizations in Mexico and other Central American countries, contributing to the humanitarian catastrophe that drives many migrants north as guns flow south.⁴

Under the proposed changes, fully automatic firearms would properly remain under State Department control, but semi-automatic weapons would move to the Commerce Department's control. Practically, however, the difference between these types of weapons is meaningless. For example, soldiers in Cameroon last summer – in two separate incidents captured on video – used semi-automatic rifles to execute several men, two women, and two small children.⁵ In Mexico, local police in Guerrero State responsible for the forced disappearance of 43 students in 2014 were armed with semi-automatic rifles.⁶ Many sniper rifles and semiautomatic firearms that would be moved to the Commerce Department's control are currently in active use by the U.S. military, and many semi-automatic firearms can also easily be converted to fully automatic weapons, further illustrating the false dichotomy of arguments in support of this change.

The proposal will also increase the risk of exports to unauthorized end users and conflict zones as the Commerce Department, charged with promoting sales, will gather less information about those engaged in the arms trade and rely on post-shipment monitoring, rather than pre-license checks. Overall, Congress already has a robust framework for arms transfers, embedding important human rights and other critical provisions in two central statutes: the Arms Export Control Act and the Foreign Assistance Act. The provisions of these laws, generally speaking, apply to defense articles listed on the U.S. Munitions List. Removing weapons from this list exempts them from related statutory constraints.⁷

Ultimately, the weapons and ammunition that currently are controlled under U.S. Munition List Categories I-III belong there and should stay there. The best way to move forward is to prohibit transfer of these weapons out of the U.S. Munitions List and maintain congressional oversight, as is currently proposed in H.R. 1134 and S. 459.⁸ A prohibition on transfers out of the U.S. Munitions List could be included in other legislation, such as the National Defense Authorization Act. We urge you to support these measures.

Sincerely,

Alianza Americas	Committee in Solidarity with the People of El Salvador (CISPES)
Alliance for Gun Responsibility	Congregation of Our Lady of Charity of the Good Shepherd, US Provinces
Alliance of Baptists	CT Against Gun Violence
American Federation of Teachers	Delaware Coalition Against Gun Violence
American Friends Service Committee	Educational Fund
American Medical Student Association	Desert Southwest Conference UMC, Board of Church and Society
Americans for Democratic Action	East Timor and Indonesia Action Network
Amnesty International-USA	Episcopal Peace Fellowship
Arizonans for Gun Safety	Fellowship of Reconciliation
Arms Control Association	Franciscan Action Network
Baptist Peace Fellowship of North America	Friends Committee on National Legislation
BAYAN USA	Friendship Office of the Americas
Blue Future	Georgians for Gun Safety
Brady	Giffords Law Center to Prevent Gun Violence
The Campaign to Keep Guns off Campus	Global Exchange
Center for American Progress	Global Justice Institute, Metropolitan Community Churches
Center for Civilians in Conflict (CIVIC)	Granite State Progress
Center for International Policy	Grey Nuns of the Sacred Heart
Church of the Brethren Office of Peacebuilding and Policy	Gun Violence Prevention Center of Utah
Coalition Against Gun Violence	
Coalition for Peace Action	
Coalition to Stop Gun Violence	
Colorado Ceasefire Legislative Action	

Hoosiers Concerned About Gun Violence
Humanity & Inclusion
Interfaith Council for Peace and Justice
International Coalition for Human Rights in
the Philippines-United States
Jewish Center for Justice
Joint Action Committee
Jr Newtown Action Alliance
Just Foreign Policy
Latin America Working Group
Leadership Conference of Women Religious
Maryknoll Office for Global Concerns
Million Hoodies Movement for Justice
MomsRising
Monmouth Center for World Religions and
Ethical Thought
National Advocacy Center of the Sisters of
the Good Shepherd
National Coalition Against Domestic
Violence
National Council of Churches
National Lawyers Guild, International
Committee
Network in Solidarity with the People of
Guatemala
New Mexicans to Prevent Gun Violence
Newtown Action Alliance
Nicaragua Center for Community Action
North Carolina Council of Churches
Oakland Catholic Worker
One Pulse for America
Orange Ribbons for Gun Safety
Pax Christi USA
Pax Christi International
Pax Christi Metro Washington, DC and
Baltimore
Pax Christi Pacific Northwest
Philippines-U.S. Solidarity Organization -
Southern California

Presbyterian Church (USA)
San Diegans for Gun Violence Prevention
School of Americas Watch
School of Americas Watch - East Bay
Sister Parish, Inc.
Sisters of Charity of the Blessed Virgin Mary
Sisters of St. Francis of the Neumann
Communities
States United to Prevent Gun Violence
Stop Handgun Violence
Survivors Empowered Action Fund
Survivors Lead
Task Force on the Americas
The United Methodist Church – General
Board of Church and Society
United Nations Association of the National
Capital Area
Violence Policy Center
Vision Quilt
War Resisters League
Washington Office on Latin America
WAVE Educational Fund
We the People for Sensible Gun Laws
Win Without War
Women Against Gun Violence
Women's Action for New Directions
Woman's National Democratic Club

Non-US groups:
Action on Armed Violence
Center for Ecumenical Studies
Colombian Campaign To Ban LandMines
Corruption Watch UK
Human Security Network in Latin American
and the Caribbean (SEHLAC)
Igarapé Institute
Public Policy Association (APP)

¹ Department of Commerce, Industry and Security Bureau, "Control of Firearms, Guns, Ammunition and Related Articles the President Determines No Longer Warrant Control Under the United States Munitions List (USML)," *Federal Register*, May 24, 2018, p. 24181, at: <https://www.federalregister.gov/documents/2018/05/24/2018->

10367/control-of-firearms-guns-ammunition-and-related-articles-the-president-determines-no-longer-warrant; and Government Accountability Office, "EXPORT CONTROLS: State and Commerce Should Share Watch List Information If Proposed Rules to Transfer Firearms Are Finalized," GAO-19307, March 1, 2019, at <https://www.gao.gov/products/GAO-19-307>.

² Joe Gould, "US lawmakers balk at arms sales to Saudi Arabia, Turkey and Nigeria," *Defense News*, September 26, 2017, at: <https://www.defensenews.com/congress/2017/09/26/us-lawmakers-balk-at-arms-sales-to-saudi-arabia-turkey-and-nigeria/>.

³ Emily Dreyfuss, "3D Printed Gun Blueprints Are Back, And Only New Laws Can Stop Them," *Wired*, August 29, 2018, at: <https://www.wired.com/story/3-d-printed-gun-blueprints-return-laws-injunction/>.

⁴ Violence Policy Center, "Cross-Border Gun Trafficking," at www.vpc.org/indicted; Alex Yablon, "Trump is Sending Guns South as Migrants Flee North," *Foreign Policy*, March 8, 2019, at: <https://foreignpolicy.com/2019/03/08/trump-guns-honduras-central-america/>.

⁵ Susan Waltz, testimony before House Foreign Affairs Subcommittee on Oversight and Investigations, March 26, 2019, at: https://www.forumarmstrade.org/uploads/1/9/0/8/19082495/3-26_testimony_waltz.pdf.

⁶ Mexican Commission for the Defense and Promotion of Human Rights, *Gross Human Rights Violations: The Legal and Illegal Gun Trade in Mexico*, 2018, p. 16, at: <https://stopusarmstomexico.org/gross-human-rights-abuses-the-legal-and-illegal-gun-trade-to-mexico/>.

⁷ Susan Waltz testimony, *op.cit.*, and Colby Goodman, Christina Arabia, and William Hartung, "Proposed Firearms Export Changes: Key Challenges for U.S. Oversight," Center for International Policy, July 9, 2018, at: <https://securityassistance.org/publication/proposed-firearms-export-changes-key-challenges-us-oversight>.

⁸ See legislative texts at: <https://www.congress.gov/bill/116th-congress/house-bill/1134> and <https://www.congress.gov/bill/116th-congress/senate-bill/459/>.