



LAW CENTER TO PREVENT GUN VIOLENCE

BECAUSE SMART GUN LAWS SAVE LIVES

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VIA FACSIMILE

September 8, 2015

The Honorable Elijah Cummings, the Honorable Carolyn Maloney, the Honorable Robin Kelly, the Honorable Patrick Meehan, the Honorable Peter King, the Honorable Dan Donovan, and the Honorable Michael Fitzpatrick
United States House of Representatives
Washington, D.C. 20515

Re: Support for the Gun Trafficking Prevention Act of 2015

Dear Representatives Cummings, Maloney, Kelly, Meehan, King, Donovan, and Fitzpatrick

On behalf of the Law Center to Prevent Gun Violence, I write to express our strong support for the Gun Trafficking Prevention Act of 2015, bipartisan legislation to prevent guns from falling into dangerous hands by strengthening federal anti-trafficking efforts. Founded by lawyers after an assault weapon massacre at a San Francisco law firm in 1993, the Law Center provides legal expertise in support of gun violence prevention to federal, state, and local legislators nationwide.

Gun trafficking leads to astonishing levels of violence, both in the U.S. and abroad. Moreover, since guns are trafficked illegally across state and international borders, gun trafficking is a problem in need of a national solution.

The Gun Trafficking Prevention Act of 2015 would address these concerns by creating key new crimes and strong penalties for those who traffic in firearms. Specifically, the bill would create a new criminal prohibition on straw purchasing, the practice of persons with clean backgrounds buying guns on behalf of prohibited persons such as felons, domestic abusers, minors and the dangerously mentally ill. Straw purchasers funnel guns to dangerous individuals and organized gangs and are a major source of weapons on the illegal market. The bill would also prohibit individuals from intentionally providing false or misleading information on firearms transaction record forms in purchasing, attempting to purchase, or transferring a firearm.

This bill would also impose stiff penalties for violations of these provisions in order to hold firearm traffickers accountable for their actions. These penalties also include a discretionary five-year sentencing enhancement for individuals who run a gun trafficking ring. In addition, the bill would create a separate crime for any person who conspires to commit any of these offenses, incurring a maximum confinement of 10 years. Finally, the bill would direct the U.S. Sentencing Commission to review and amend federal sentencing guidelines and consider a new, tougher penalty structure for gun trafficking crimes.

This legislation is needed to improve our nation's weak federal gun laws, which contribute to shocking rates of gun violence in which more than 1000,000 Americans are killed or injured by gunfire every year. According to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), straw purchases "represent a significant overall crime and public safety problem" in contributing to this violence. Federal investigations show that straw purchasing is one of the most common channels of illegal gun trafficking: one study analyzing trafficking investigations during the period July 1996 –December 1998 found that straw purchases were involved in almost one-half of all trafficking investigations, and involved nearly 26,000 illegally trafficked firearms.

Easily accessible firearms – purchased or trafficked from U.S. gun dealers and gun shows – also flow into Mexico and fuel violence in that country. ATF trace data show that between 2007 and 2011, over two-thirds of guns recovered by the Government of Mexico originated in the U.S. This bill will help



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stifle the illegal movement of firearms across our southern border and stem the costly violence inflicted by these guns.

The Law Center firmly supports the Gun Trafficking Prevention Act of 2015, as it will enhance public safety by barring straw purchasing, curbing the flow of guns to the unregulated secondary market, and imposing tough penalties upon traffickers. Thank you for sponsoring this legislation and for your ongoing dedication to preventing gun violence. Please feel free to contact the Law Center for further assistance on gun law and policy issues.

Sincerely,

Robyn Thomas
Executive Director
Law Center to Prevent Gun Violence