

Congress of the United States
Washington, DC 20515

April 8, 2014

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

We write to urge you to renew enforcement of the ban on imported military-style firearms – including those that are fully manufactured abroad as well as those that are imported as parts – which was previously enforced during the administrations of Presidents George H.W. Bush and Bill Clinton. Enforcing this ban would serve the dual purpose of improving public safety in the United States and reducing drug-related violence in Mexico where there have been approximately 70,000 organized-crime related deaths since December 2006.

The Administration has very broad authority under the 1968 Gun Control Act to prohibit the importation of firearms and ammunition unless they are “generally recognized as particularly suitable for or readily adaptable to sporting purposes” (18 USC §925(d)(3)). The George H.W. Bush Administration first used this provision to halt the importation of many foreign-made military-style rifles after Patrick Purdy used an imported AK-47 rifle to kill five children and wound 30 at Cleveland Elementary School in Stockton, California in 1989. The Clinton Administration reviewed and improved the ban in 1998 in response to gun industry efforts to evade it. Unfortunately, the George W. Bush Administration abandoned enforcement of the import ban, and it remains unenforced. We urge you to once again fully enforce a ban on the import of military-style firearms and to expand the ban to include newly developed AK-type pistols that combine the firepower of a rifle with the concealability of a pistol. This new breed of pistol has absolutely no “sporting purpose” and presents a clear threat to public safety.

Acting to prohibit the import of military-style firearms would build on action already taken by your Administration to deny requests to import U.S. surplus military firearms, a step the Administration took to “help keep military-grade firearms off our streets.” A broader import ban would significantly reduce the availability of military-style firearms smuggled to and used by Mexican drug traffickers.

Imported military-style rifles and AK-style pistols are top weapons of choice for international gun smugglers. The Violence Policy Center analyzed 136 federal gun trafficking prosecutions involving illegal smuggling to Mexico and other Latin American countries. There

were more than 700 Romanian AK-47 variant rifles (representing just one make/model of imported military-style rifle).

In that same investigation, the Violence Policy Center found an increasing percentage of military-style firearms imported into the United States. There were 2,214 firearms identified in prosecutions filed in the United States from 2008 through 2010. Of those 406 or 18 percent were military-style firearms that were imported into the United States. There were 2,528 firearms identified in prosecutions in the United States in 2011 and 2012. Of those, 1,615 or 64 percent were military-style firearms that were imported into the United States.

As just one example, imported WASR-10s – which are AK-47 variants – have repeatedly been found in the arsenals of top drug kingpins and their associates and were used in May 2008 to kill eight police officers in Culiacan, Mexico. An analysis conducted by the Center for Public Integrity found that, over the last four years, WASR-10 rifles comprised more than 17% of the firearms recovered at Mexican crime scenes and successfully traced back to the United States.

Imported AK-47 variant firearms have been used in recent mass shootings in the United States, including: outside an IHOP in Carson City, Nevada in 2011 in which four were killed and seven were injured (the semiautomatic MAK-90 used in the shooting had been illegally converted to fully automatic after import); a workplace shooting at an ABB industrial plant in St. Louis, Missouri in 2010 where three were killed and five were wounded; and, a shooting at a shopping mall in Omaha, Nebraska in 2007 that left eight dead and five wounded.

We urge the Bureau of Alcohol, Tobacco, Firearms and Explosives to take the following steps to prevent the importation of non-sporting firearms into the United States and to close loopholes that have been exploited by importers in the past. Specifically, we request that the Administration:

- **Prohibit importation of all non-sporting, semiautomatic rifles, regardless of caliber, that can accept or be readily converted to accept any large-capacity ammunition magazine of more than 10 rounds.** The standard should not be dependent on the military pedigree of the gun nor should it make arbitrary distinctions based on the configuration of a specific gun's magazine well. Such a standard will prevent importers from making slight variations in a gun's design that in the past would make it eligible for import.
- **Prohibit the import of non-sporting semiautomatic rifles with fixed magazines with a capacity of more than 10 rounds.** A new standard should anticipate the potential development of fixed-magazine rifles with high-capacity ammunition magazines.

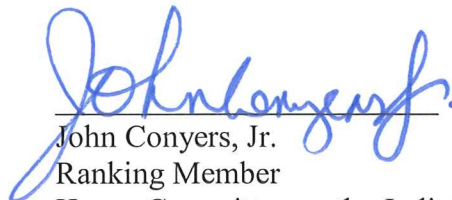
- **Prohibit the import of the frame or receiver of any prohibited rifle whether or not the frame or receiver is incorporated into a fully manufactured firearm.** The “frame or receiver” of any firearm is its major working component and is defined by the Gun Control Act of 1968 as a “firearm.”
- **Prohibit the practice of importing military-style, non-sporting rifles in parts and then constructing them into fully functioning weapons once they are in the country by adding a requisite number of U.S.-made parts.**
- **Prohibit importers from circumventing any new restrictions by “sporterizing” their weapons** (for example, making slight cosmetic changes to the guns while still retaining their firepower and capacity, such as incorporating “thumbhole stocks” in place of pistol grips on rifles).
- **Prohibit the import of AK-type pistols in addition to AK-type rifles, as they also fail the sporting-purposes test.**

We urge you to take action to aggressively enforce the “sporting purposes” test to halt the importation of all military-style weapons. By describing military-style weapons in terms of specific parts and components, one can lose the overall point that we continue to import powerful weapons which clearly have no sporting purpose. This must end. We must instead focus on the broader danger posed by these weapons. By restoring these important restrictions, we will be able to help reduce violence in the United States and in neighboring Mexico. Thank you for your attention to this urgent issue.

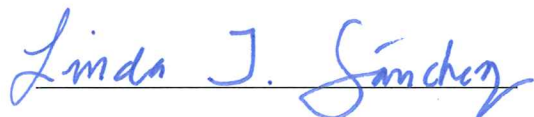
Sincerely,



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