

Statement of Senator Susan Collins
Stop Illegal Trafficking in Firearms Act
May 18, 2017

Madam President, each May we recognize National Police Week to honor the service and sacrifice of U.S. law enforcement officers and to pay tribute to those who have lost their lives in the line of duty. One meaningful way for us to honor our police officers and other law enforcement officials this week is to give them the tools that they need to stop the illegal firearm traffickers who threaten their lives and the lives of those they protect. Today, I rise to join Senator Leahy in introducing the Stop Illegal Trafficking in Firearms Act. Our bill would strengthen federal law by making it easier for prosecutors to go after gun traffickers while fully protecting the rights of the vast majority of gun owners who are law-abiding citizens.

Madam President, straw purchasing is intended to achieve only one result, and that is to put a gun in the hands of a criminal who cannot legally obtain one. Today, traffickers exploit weaknesses in our laws by targeting individuals who can lawfully purchase guns, which are then used to commit crimes once they are transferred to the criminal who would be unable to pass the background check. Right now, a straw purchaser can only be prosecuted for lying on a federal form, and that is treated as a paperwork violation. Our bill would create new criminal offenses for straw purchasing, which would help our law enforcement officials take down these criminal enterprises.

The illegal guns that we are targeting in our bill are frequently sold, resold, and trafficked across state lines, resulting in the proliferation of illegal firearms in our communities. This practice has fueled the violence across our southern border associated with the Mexican drug cartels as well as gang violence in our cities, and, tragically, the heroin crisis that is ravaging so many families and communities and undermining public health and safety in states like Maine.

Police officers tell me that they have seen a major influx of drug dealers coming from out-of-state – straight up I-95’s “Iron Pipeline” and other interstate highways – with direct ties to gangs in major cities. They are ready to sell or trade prescription opioids and heroin for illegal guns.

Heroin flooding into our communities is reaching crisis levels. In 2016, there were 376 drug-induced overdose deaths in my state, the State of Maine. That’s more than car crashes and suicides put together. It is 104 more deaths than the year before. This crisis with heroin and opioids is getting worse, not better. The vast majority of these overdoses were caused by at least one opioid, whether pharmaceutical or illicit.

Often, drug dealers and gang members follow a similar pattern: they target addicts who have no criminal records, and then they trade or sell them drugs in exchange for guns. These gang members, with criminal records, cross into Maine and link up with drug addicts to be their straw buyers. These are people, these addicts, with clean records who may legally purchase firearms. The addict then exchanges the gun for heroin to support his or her drug dependency, and the cycle is repeated time and again.

Madam President, last year I had a deeply disturbing briefing from federal law enforcement officials about a case in Maine that fit this exact pattern. Gang members trafficked crack cocaine and heroin between New Haven, Connecticut, and Bangor, Maine. They committed acts of violence, including assaults, armed robberies, attempted murder, and murder. They traded narcotics for firearms and then distributed them to other gang members back in Connecticut.

This is exactly the type of criminal activity our bill aims to prevent. And, it complements existing laws that target criminals who are profiting from firearm and drug trafficking.

Current federal law makes preventing and prosecuting straw purchasing offenses very difficult for law enforcement officials since a straw purchaser can be prosecuted only for lying on a federal form, a relatively minor offense.

The Stop Illegal Trafficking in Firearms Act would create new, specific criminal offenses for straw purchasing and trafficking in firearms. Instead of a slap on the wrist, these crimes would be punishable by up to 15 years in prison. And for those straw purchasers who knew or had reasonable cause to believe that the firearm would be used to commit a crime of violence, that crime would be punishable by up to 25 years in prison.

Our bill would also strengthen existing laws that prohibit gun smuggling. Right now, Madam President, it is illegal for someone to smuggle a firearm *into* the United States with the intent to engage in drug trafficking or violent crime. To combat the drug cartels operating on our southern border, however, we must also prohibit firearms and ammunition from being trafficked *out of* the United States for these illegal purposes. In so doing, our bill would provide an important tool to combat trafficking organizations that are exporting firearms and ammunition from the United States and into Mexico where they are used by the drug cartels that are in turn fueling the heroin crisis here at home.

In a recent investigation along our southern border, ATF agents seized nearly 40,000 rounds of illegal ammunition from suspects who were attempting to smuggle both firearms and ammunition across the border and into Mexico. Similarly, a large percentage of the guns used in crimes in our largest cities were trafficked across state lines.

Madam President, I want to emphasize that our bill fully protects the Second Amendment rights of our law-abiding citizens. It protects legitimate private gun sales and is drafted to avoid sweeping in innocent transactions and placing unnecessary burdens on lawful, private sales. It expressly exempts certain transactions that are permitted under current law, such as gifts, raffles, and auctions.

Furthermore, the bill expressly prohibits any authority provided by this Act from being used to establish a Federal firearms registry, something I am strongly opposed to.

Madam President, I started my remarks by reminding us all that this is National Police Week. Let's honor our police officers and other law enforcement by giving them this much-

needed tool to crack down on illegal firearm traffickers who are exploiting our addicts in so many ways in order to obtain guns that they are not legally able to purchase.

I urge my colleagues to support this much-needed legislation. Thank you, Madam President.