



## MAJOR CITIES CHIEFS

Phoenix, Arizona  
 Los Angeles, California  
 Los Angeles Co., California  
 San Diego, California  
 San Francisco, California  
 San Jose, California  
 Oakland, California  
 Denver, Colorado  
 Jacksonville, Florida  
 Metro Dade, Miami, Florida  
 Atlanta, Georgia  
 Honolulu, Hawaii  
 Chicago, Illinois  
 Indianapolis, Indiana  
 New Orleans, Louisiana  
 Baltimore, Maryland  
 Baltimore Co., Maryland  
 Montgomery Co., Maryland  
 Prince George's Co., Maryland  
 Boston, Massachusetts  
 Detroit, Michigan  
 Minneapolis, Minnesota  
 Kansas City, Missouri  
 St. Louis, Missouri  
 Las Vegas, Nevada  
 Newark, New Jersey  
 Buffalo, New York  
 Nassau Co., New York  
 New York City, New York  
 Suffolk Co., New York  
 Charlotte-Mecklenburg, N.C.  
 Cincinnati, Ohio  
 Cleveland, Ohio  
 Columbus, Ohio  
 Oklahoma City, Oklahoma  
 Portland, Oregon  
 Tulsa, Oklahoma  
 Philadelphia, Pennsylvania  
 Pittsburgh, Pennsylvania  
 Memphis, Tennessee  
 Nashville Metro, Tennessee  
 Austin, Texas  
 Dallas, Texas  
 El Paso, Texas  
 Fort Worth, Texas  
 Houston, Texas  
 San Antonio, Texas  
 Salt Lake City, Utah  
 Virginia Beach, Virginia  
 Washington, D.C.  
 Seattle, Washington  
 Milwaukee, Wisconsin

September 18, 2006

United States House of Representatives  
Washington, D.C.

Dear Representative:

The Major Cities Chiefs write to express our strong opposition to H.R. 5092, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) "Modernization and Reform" Act. This legislation would have a devastating effect on the ability of law enforcement to stem the flow of firearms from lawbreaking gun dealers to violent criminals.

H.R. 5092 would make it virtually impossible for ATF to revoke the licenses of gun dealers who violate federal law. Instead, ATF would be limited to imposing minimal fines and temporary suspensions, but only if it met a new, extraordinary burden of proof that would make even these meager sanctions incredibly rare. If H.R. 5092 is enacted into law, ATF's ability to stop corrupt gun dealers from supplying firearms to the criminal market will be crippled.

For example, H.R. 5092 redefines violations of many of our nation's gun laws as only "minor" violations. License revocation would be prohibited for these so-called "minor" violations, no matter how many times a dealer violated these federal laws or how egregious those violations may be. Included as "minor" violations are what are, in fact, serious violations such as a dealer's failure to account for large numbers of firearms missing from its inventory. A dealer may claim that hundreds or thousands of weapons have been "lost," preventing ATF from completing a trace of any such guns recovered at crime scenes. Missing firearms also frequently indicate "off-the-book" sales to gun traffickers or felons. Yet H.R. 5092 would remove ATF's power to revoke the licenses of these gun dealers, greatly jeopardizing ATF's ability to enforce federal gun laws and our ability to use crime gun traces to protect our communities from illegal guns.

Another dangerous provision of H.R. 5092 would allow gun dealers whose licenses have been revoked for violations of federal law to continue operating for 60 days after revocation. ATF would have no discretion to waive this 60-day sales period, even if it found that a dealer posed a dire threat to public safety. The idea that ATF would be

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 Calgary, Canada  
 Edmonton, Canada  
 Montreal, Canada  
 Ottawa, Canada  
 Toronto, Canada


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required by law to allow a lawbreaking gun dealer to continue selling guns for 60 days after its license has been revoked simply makes no sense.

It is not hard to see the devastating effect that H.R. 5092 would have on law enforcement around the country. Crime gun data compiled by ATF shows that just 1% of our nation's gun dealers supply nearly 60% of all crime guns. If ATF is unable to revoke the licenses of corrupt gun dealers, our communities will continue to be flooded with firearms from these irresponsible gun sellers. It is imperative that ATF have the power to stop the flow of guns from lawbreaking gun dealers to violent criminals in our cities.

We urge you to stand up for law enforcement and oppose H.R. 5092. Thank you.

Sincerely,

  
Harold L. Hurt  
MCC President

hlh/cef