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December 19, 2001

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The Honorable Colin L. Powell
Secretary of State
U.S. Department of State
Washington, D.C. 20520

Dear Secretary Powell:

I am writing to commend you for the State Department's decision to restrict the export of long-range fifty caliber sniper weapons. The Department's action will help keep these dangerous weapons out of the hands of foreign terrorists and enhance our national security. Moreover, your bold action on this issue stands in marked contrast to the actions of other members of the Cabinet, who have been unwilling to risk offending the gun lobby.

On October 9, 2001, I wrote to urge you to take action to halt the export of fifty caliber sniper weapons to foreign nationals. These weapons are among the most dangerous firearms in the world. They are capable of bringing down airplanes and helicopters, they can pierce armored personnel vehicles, and they have extraordinary range (up to a mile with accuracy and up to four miles with effectiveness). My letter was prompted by an October 1 article in Forbes Magazine, which stated that the Administration had recently reversed the policy of the Clinton Administration and given the largest domestic manufacturer of fifty caliber weapons permission to sell these weapons to foreign individuals.

In response to my letter, officials from the Office of Defense Trade Controls in the State Department met with my staff to explain recent actions taken by the State Department to curtail the spread of these dangerous weapons. Your staff explained that the Department has suspended indefinitely any further approval of applications for the export of fifty caliber weapons to foreign individuals or to commercial entities that intend to resell these weapons in foreign countries.

Your staff took issue with the statement in the Forbes article that decisions by the Bush Administration earlier in the year to approve the export of fifty caliber weapons represented a reversal of policy. The staff then proceeded to explain that in light of the September 11 terrorist attacks, the State Department has reconsidered its policy and has decided to suspend any further exports of these weapons for civilian use in foreign countries.

The Honorable Colin L. Powell
December 19, 2001
Page 2

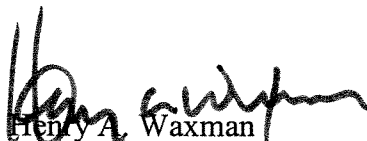
According to your staff, the State Department had earlier in the year approved 75 fifty caliber weapons for export to commercial dealers in foreign countries. Prior to the decision to suspend these exports, 16 of these weapons had already been shipped. Your staff then explained that in response to terrorism concerns, the State Department has suspended the authority to export the remaining 59 fifty caliber weapons. The Department also has rejected applications to export over 300 additional fifty caliber weapons to commercial dealers or private individuals. In addition, the State Department has decided to suspend issuing any additional approvals to export these weapons to dealers or individuals.

By taking this swift action, your Department stood up to the gun industry and clearly recognized the serious threat to national security posed by these powerful sniper weapons. Unfortunately, there are many devastating attacks that terrorists could launch with fifty caliber sniper weapons, including shooting down civilian airplanes, attacking chemical and nuclear facilities, and destroying key infrastructure points throughout the world. I commend you for your Department's steps to halt the spread of these weapons abroad, and I want to work with you to codify the Department's new policy on a permanent basis.

My only regret is that your Department's courage in taking on the gun lobby has not been shared by others in the Bush Administration. At the same time that I wrote you to urge restrictions on exports, I also wrote Governor Tom Ridge, the President's Director for the Office of Homeland Defense, to urge him to restrict the distribution of fifty caliber weapons domestically.¹ This action is urgently needed because within the United States these weapons are subject to fewer restrictions than handguns, but Governor Ridge has not responded to my letter. In addition, Attorney General John Ashcroft has blocked efforts by the Federal Bureau of Investigation to examine the records of gun purchases by suspected terrorists,² as well as reduced the length of time that these records can be held by the FBI from 90 days to 24 hours.³

I hope your example will help persuade others in the Administration to change course. As your Department's recent actions recognize, federal policymakers should put the interests of national security and public safety ahead of those of the gun lobby.

Sincerely,


Henry A. Waxman
Ranking Minority Member

¹Letter from Rep. Henry A. Waxman to Tom Ridge, Director of the Office of Homeland Security (Oct. 9, 2001).

²*Justice Dept. Bars Use of Gun Checks in Terror Inquiry*, New York Times (Dec. 6, 2001).

³*Ashcroft Pushes Gun Proposals; Destroy Records of Purchases After 24 Hours, He Urges*, Chicago Tribune (June 29, 2001).