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MARK E. GREEN, M.D.

7TH DISTRICT, TENNESSEE

CHAIRMAN, COMMITTEE ON
HOMELAND SECURITY

COMMITTEE ON
FOREIGN AFFAIRS



Congress of the United States
House of Representatives
Washington, D.C. 20515

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November 7th, 2023

The Honorable Gina Raimondo
Secretary
Department of Commerce
1401 Constitution Avenue NW
Washington, D.C. 20230

Alan F. Estevez
Under Secretary
Bureau of Industry and Security
Department of Commerce
1401 Constitution Ave. NW
Washington, D.C. 20230

Dear Secretary Raimondo and Under Secretary Estevez,

We are greatly concerned with the Bureau of Industry and Security's (BIS) broad decision to pause the issuance of new export licenses involving certain firearms, related components, and ammunition.

This policy went into effect without any advance notice and covers a vast range of items and end users. Such sweeping action by BIS is unprecedented. Broad mandates, no comment period, few details, and the massive caveat that BIS retains the authority to do virtually anything else it deems appropriate are not characteristics of a democratic republic.

While BIS exempted Ukraine and Israel from this broad pause, that very exemption illustrates the inherent hypocrisy. This administration has exploited every loophole to prevent the possession or transfer of firearms for law-abiding people, and this notice is no exception. Remarkably, even this administration could not justify pausing firearm exports to these invaded countries because it is a self-evident truth that armed citizens are empowered and protected citizens. If it is true that guns are the cause of violence, as the President likes to say, then BIS would have included Ukraine and Israel in this pause. BIS did not do so, proving the necessity of an armed citizenry to deter and repel tyranny.

Over 1,400 Israelis were killed by Hamas terrorists during the October 7th terror attacks, the vast majority of them unsuspecting and unarmed. However, at least one young Israeli family defended their home. Adar and Itay Berdychivsky killed seven Hamas terrorists before being murdered themselves. Their heroic stand led to the survival of their twin babies, who were found alive 13 hours later.

Belligerent actors are becoming more aggressive and emboldened; regimes like Iran and China are posturing toward force and increasing their military capabilities. The surprise attacks against Israel should dispel any notion that BIS can justly or accurately assess who needs firearms for defense and who does not.

As long as evil persists, there will always be a need for good people to defend themselves and their loved ones. The need for the Second Amendment was not limited to the American Revolution nor the American Republic. Every person has a right to self-defense. Not only does BIS's pause on firearms export licenses leave people even more vulnerable, but it will also push buyers to look elsewhere to meet consumer demand. This will drive the industry away from the control and influence of the United States. Refusing to issue these licenses will create a vacuum in the market, one that may be filled by the very actors BIS is trying to thwart.

Furthermore, this pause and any subsequent decision to not issue or limit export licenses will adversely affect thousands of Americans whose jobs involve the manufacturing or shipping of these items to overseas locations. The timing of such a blow could not be worse, as Americans are struggling to fight inflation, pay for food and gas, and support their families. The duty of the Department of Commerce (DOC) is to facilitate commerce, not hinder it. Rather than working for the American people, you are dumping a disastrous lump of coal in their stockings just in time for the holidays.

We demand that BIS and DOC end this ridiculous hypocrisy and continue the issuance of export licenses for firearms, related components, and ammunition. Continuing this pause will only weaken law-abiding civilians and hand criminal actors a monopoly of force. We also urge that BIS's final assessment not deprive innocent people of the means for self-defense. Furthermore, we respectfully request answers to the following inquiries by November 13th, 2023:

1. What were the specific circumstances, concerns, and reasonings that led to this decision?
2. Was advance notice for this decision given to Congress? Were Members consulted? If so, when and whom?
3. Why does BIS believe it is necessary to pause issuance for the duration of the assessment?
4. Did BIS engage with firearm and ammunition industry stakeholders prior to the decision's announcement to understand the impact this unprecedented decision would have on their industry?
5. Did BIS engage with advocacy organizations prior to the decision's announcement to provide advanced knowledge of the announcement? If so, who?
6. Has BIS held a meeting with industry stakeholders since the announcement was made?
7. At the end of the 90 days, will BIS give advance notice regarding any possible permanent or temporary policy changes?
 - a. Will there be a comment period?
 - b. Will there be an economic assessment?
 - c. Will stakeholders be consulted?
 - d. Will any such changes be submitted to Congress for review?
8. Did BIS coordinate or collaborate with, or in any way involve, the White House Office of Gun Violence Prevention on this decision? If the answer is yes, please describe in detail.
9. Please describe in detail why BIS believes that such exports to Ukraine and Israel are necessary, while exports to countries like Taiwan are not.

We look forward to your prompt response.

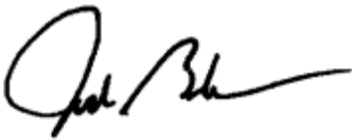
Sincerely,



Mark E. Green, M.D.
Member of Congress



Warren Davidson
Member of Congress



Josh Brecheen
Member of Congress



Darrell Issa
Member of Congress



Bob Good
Member of Congress



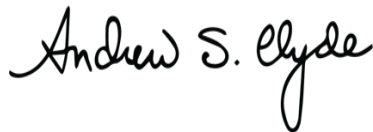
Aaron Bean
Member of Congress



Clay Higgins
Member of Congress



Ralph Norman
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Andrew Clyde
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Andy Ogles
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Andy Biggs
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Sam Graves
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Ann Wagner
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Stephanie Bice
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Mariannette Miller-Meeks, M.D.
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Barry Loudermilk
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Gary Palmer
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Adrian Smith
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Gus Bilirakis
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Michelle Fischbach
Member of Congress



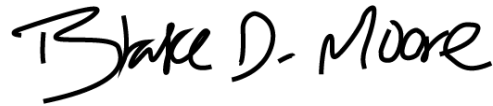
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Michael Guest
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Buddy Carter
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Blake Moore
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Michael Burgess
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