

Senator Susan M. Collins
Floor Statement
Introduction of the Terrorist Firearms Prevention Act
February 27, 2018

Mr. President, I rise today to introduce the Terrorist Firearms Prevention Act, which would prohibit suspected or known terrorists from legally purchasing a firearm. I would like to thank my colleagues – Senators Heitkamp, Flake, Heinrich, Toomey, Baldwin, King, Nelson, Manchin, and Kaine – for their cosponsorship of this bipartisan bill. I particularly want to recognize the leadership of Senator Heinrich who has joined me on the floor this evening as we introduced the bill and explain it to our colleagues.

Mr. President, often referred to as No Fly, No Buy, this bill represents one of the sensible steps that we can take to reform our nation's gun laws to better protect our people. Our bill is based on a simple principle: If you are considered to be too dangerous to board an airplane, then you are too dangerous to buy a firearm. Our legislation would grant the Attorney General the authority to block the purchase of a gun by a person who is on the either No Fly or Selectee Lists. Remarkably, Mr. President, current law does not prohibit a person known or suspected of engaging in terrorism from walking into a gun shop and buying a firearm.

The No Fly List and the Selectee List are the narrowest subsets of all of the government's terrorist watch lists. These lists include the names of individuals who pose the greatest threat of committing an act of terrorism against aviation, against our homeland, or against U.S. interests abroad.

This bill would also provide an immediate alert to the FBI and to local law enforcement if an individual who has been on the government's terrorist watch list at any time during the past five years purchases a firearm.

Mr. President, our hearts are all broken by the horrific shootings of the students in Florida. There was another horrendous shooting in Florida in 2016 that demonstrates why this “look-back” provision in this legislation is so important. The gunman, Omar Mateen, was on the Selectee List for approximately 10 months, but he was no longer on the list when he purchased the two guns that he used to murder 49 people and injure scores more.

If our bill were enacted, the FBI would have been notified immediately when Omar Mateen purchased his first firearm in the weeks leading up to the shooting. Then the FBI would have been notified a second time that Mateen was seeking to purchase additional firearms. Surely, Mr. President, that would have caused the FBI to reopen its investigation of Omar Mateen. If our proposal had been law at that time, perhaps that massacre might have been prevented.

Mr. President, I would note that our bill would provide robust, due process procedures to protect the Second Amendment rights of law-abiding Americans. Any American denied a purchase under this bill would have the opportunity to petition a federal district court, and receive a decision within 14 days. If the government, which has the burden of proof, failed to

prove its case, it would have to pay attorneys' fees for that individual, and the purchase of the firearm would go forward.

Mr. President, in 2016, when the Senate voted on our bill, it won both majority and bipartisan support. Our bill was endorsed by a distinguished group of military and intelligence leaders, and I would note, that during the 2016 presidential debates, both candidates agreed with our principle of no-fly, no buy. Surely this is a sensible, reasonable policy around which we can build consensus.

Mr. President, another step that we can take right now is to pass legislation I introduced with Senator Leahy to explicitly outlaw straw purchasing. Straw purchasing is attended for one purpose only, and that is to put a gun into the hands of a criminal who cannot legally obtain one.

Our bill, the Stop Illegal Trafficking and Firearms Act, would provide law enforcement with an effective tool to fight the violence that too often goes hand-in-hand with drug trafficking and gang-related crimes. Today, gun traffickers exploit weaknesses in our federal laws by targeting individuals who can lawfully purchase firearms. Sadly, Mr. President, according to briefings that I've had from federal officials, in the state of Maine, gang members from other states have targeted addicts to go buy firearms for them. And then they swap firearms for drugs.

Right now, a straw purchaser can be prosecuted only for lying on a federal form, which is treated far too often as just a paperwork violation. Instead of a slap on the wrist, our bill would create new specific criminal offenses for straw purchasing and trafficking punishable by hefty prison terms, particularly for those who have reason to believe that the firearms will be used to commit violent crimes.

Mr. President, our bill would also outlaw firearms and ammunition smuggling out of the United States to another country. That's vitally important for combating drug trafficking near and across our southern border, which is contributing to the heroin crisis here at home. Let me again be clear that the bill that I've introduced with Senator Leahy protects the Second Amendment rights of law-abiding citizens.

Mr. President, these are just two commonsense reforms that we can pass while fully protecting the constitutional rights of law-abiding Americans. We can make it as difficult for a terrorist to obtain a gun as it is for him to board an airplane. We can outlaw straw purchasing and by increasing the penalties, make a real difference. I urge my colleagues to support both the bipartisan Terrorist Firearms Prevention Act and the straw purchasing bill as well as other commonsense reforms.