

Congress of the United States
Washington, DC 20515

March 9, 2016

The Honorable Rodney Frelinghuysen, Chair
Subcommittee on Defense
House Appropriations Committee
Washington, DC 20515

The Honorable Pete Visclosky, Ranking Member
Subcommittee on Defense
House Appropriations Committee
Washington, DC 20515

Dear Chairman Frelinghuysen and Ranking Member Visclosky:

I am writing to request that no funds be used in the Fiscal Year (FY) 2017 Department of Defense Appropriations legislation to fulfill Executive Order 13688.

The sale or donation of excess property from the Department of Defense to state and local law enforcement agencies, otherwise known as the 1033 program, is essential to keeping our communities safe. The 1033 program was created by the FY1997 National Defense Authorization Act and allows excess Department of Defense property, such as office equipment, computers, vehicles, and firearms, to be available to qualified law enforcement agencies at no cost. In order to receive equipment, law enforcement agencies must go through an extensive application process with all equipment received to be demilitarized before being released to the public. With budget cuts affecting every aspect of law enforcement, the 1033 program is a necessary tool that law enforcement agencies use to fulfill their equipment needs. A well-equipped law enforcement agency is critical to our nation's national security. That is why it is very concerning that the President has attempted to curtail the program through Executive Order.

On January 16, 2015, President Obama issued Executive Order 13688 which created a prohibited list of items to be transferred under the 1033 program. This list includes armored tracked vehicles, .50-caliber firearms and ammunition, bayonets, and camouflage. While much of the equipment provided under the program is basic office equipment, with terrorist threats occurring on a daily basis, law enforcement agencies are now tasked with being the front lines of domestic terror attacks where some of this equipment is needed to respond. For example, during the tragic terrorist attack in San Bernardino, CA, law enforcement officers used armored vehicles as protection during their response to help prevent further loss of life. Now is not the time to take away this needed equipment from law enforcement officers who sacrifice their lives every day to protect their communities.

I respectfully request that you prohibit funding in the FY2017 Department of Defense Appropriations legislation to carry Executive Order 13688. Thank you for the work that you have done and are doing to provide vital equipment to our law enforcement officers.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Reichert".

DAVE REICHERT
Member of Congress

A handwritten signature in blue ink, appearing to read "Michael T. McCaul".

MICHAEL T. McCAUL
Member of Congress

A handwritten signature in blue ink, appearing to read "Pete Olson".

PETE OLSON
Member of Congress