Congress of the United States
House of Representatives
Washington, DC 20515

December 7, 2015

President Barack Obama
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

We write with dismay over your decision to prohibit the transfer of certain equipment from the federal government to state and local law enforcement agencies under the Department of Defense's 1033 Program. At a time when many state and local budgets are experiencing shortfalls, this equipment surplus program is essential to helping law enforcement agencies have access to tools that will keep their neighborhoods safe. We urge you to rescind the ban on the transfer of certain equipment under the 1033 Program that your Law Enforcement Equipment Working Group has classified as "militaristic in nature."

As we learned in the attack in San Bernardino, California, local police and emergency personnel are on the front lines of this new phase in the terrorists' war against us. As you pointed out before the attack, the U.S. intelligence community had identified "no credible threat," which means that the two terrorists who pulled off the assault did so while operating under the radar. In such circumstances, local police will almost always be the first responders, and should be equipped accordingly. It also stands to reason that since American taxpayers have already paid for the equipment, they ought to be receiving some continuing benefit from it.

In 1996, President Bill Clinton signed into law the National Defense Authorization Act of Fiscal Year 1997. This bill created the 1033 Program, which allows the transfer of excess military equipment to civilian law enforcement agencies. As of 2014, 8,000 law enforcement agencies have participated in the reutilization program that has transferred roughly $5 billion in military hardware since its inception. This program is critical to many law enforcement agencies in the State of Michigan - both from a fiscal and security standpoint.

Of particular assistance to state and local law enforcement agencies in Michigan is the tracked armored vehicle. This tactical response vehicle has proven to be an invaluable asset to our law enforcement to keep communities in Michigan safe. These vehicles are used in a variety of rescue and response situations and are employed in a responsible manner - only coming out when absolutely necessary.

You have registered your concerns about the perception the public could have when seeing state and local law enforcement agencies utilizing such equipment in responding to criminal situations. However, we caution you to avoid penalizing every state and local law enforcement agency in the country for the bad acts of a few. In Michigan, we place an emphasis on

strengthening communication and interaction between citizens and law enforcement. To ban certain critical pieces of equipment from the 1033 Program would put the lives of our police officers in danger. We owe it to them to provide them with the best possible tools to keep our streets and neighborhoods safe. Recent events in San Bernardino where military-style vehicles were used by first responders to neutralize the situation of the two shooters who killed 14 innocent individuals further underscores the importance of making sure those in civilian uniforms on the front lines in our towns and cities have the equipment they need to safely do their jobs. Unfettered access to the 1033 Program is both a cost-saving and life-saving measure for those who seek to protect and serve us.

Your initial decision to suspend the 1033 Program appeared to be arbitrary, a reflection of your belief that communities would be uncomfortable with military-style vehicles in the hands of police departments. We submit that communities are likely to be even more uncomfortable with additional loss of American citizens, as a result of some future attack, and law enforcement officers who are underequipped to battle the terrorists in our neighborhoods.

For the safety of our officers and for our citizens, we ask that you rescind the ban on what you have deemed "militaristic" equipment under the 1033 Program. We look forward to your reply.

Thank you,

Dave Trott
Member of Congress

Candice Miller
Member of Congress

Mike Bishop
Member of Congress

Fred Upton
Member of Congress

Bill Huizenga
Member of Congress

John Moolenaar
Member of Congress