

Testimony in support of H.B. 3076 by John Lindsay-Poland

Thank you for the opportunity to testify in support of H.B. 3076. My name is John Lindsay-Poland and I coordinate the Stop US Arms to Mexico project of the human rights organization, Global Exchange.

The trafficking into Oregon of fentanyl, methamphetamines and other illicit narcotics by criminal organizations in Mexico is made possible by firearms coming from the United States. These organizations compete with other criminal groups, intimidate or buy off authorities, and terrorize local communities in Mexico by using the military-grade weapons available on the U.S. retail market, including in Oregon. The business of moving people from many countries seeking refuge through Mexico is controlled by groups using firearms from the United States. Frequently, those people left their homes because of violence or credible threats of violence perpetrated by groups armed with U.S.-sourced guns.

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) traced 472 firearms trafficked to Mexico to purchases in Oregon between 2015 and July of last year. These purchases occurred in 31 counties, from licensed gun dealers in more than a hundred zip codes across the state. Guns trafficked from Oregon to Mexico included pistols, rifles, and sniper rifles.¹

In the most notorious case, two men – Robert Allen Cummins and Erik Flores Elortegui – purchased rifles from a dealer in Oregon City, including three .50 caliber Barrett sniper rifles from a dealer in Oregon City, and trafficked them to the Nueva Generación Jalisco Cartel. Barrett rifles can shoot accurately over a mile away and penetrate armored vehicles. The cartel used a Barrett rifle purchased by these men to shoot down

¹ Data released to John Lindsay-Poland by ATF, in May 2024 and December 2024, in response to Freedom of Information Act requests. The data is available at stopusarmstomexico.org/iron-river.

a Mexican military helicopter during an operation seeking to capture a cartel leader in 2015.²



Cache of weapons purchased by Robert Allen Cummins from Adaptive Firing Solutions in 2014

At least seventy percent of crime guns recovered in Mexico come from the United States, according to ATF data. In the massive legal commerce between the United States and Mexico, it is very easy to smuggle guns into Mexico, and once there it is difficult to seize more than a fraction of them. The best analysis of the number of firearms trafficked from the United States to Mexico estimated that 253,000 guns a year are purchased in the United States with the intent to traffic them to Mexico.³ Only about 10,000 guns recovered in Mexico each year are traced to a point of purchase in the

² U.S. Attorney's Office, District of Oregon, "Eugene Man Sentenced to 40 Months in Prison for International Firearms Trafficking," at: <https://www.justice.gov/usao-or/pr/eugene-man-sentenced-40-months-prison-international-firearms-trafficking>; Congressional Research Service, "Mexico: Organized Crime and Drug Trafficking Organizations," June 2022.

³ Topher MacDougal et. Al., *The Way of the Gun*, University of San Diego, 2013, at https://catcher.sandiego.edu/items/peacestudies/way_of_the_gun.pdf

United States.⁴ That means that the 472 guns traced from Mexico to Oregon likely represent thousands of guns actually trafficked from the state to Mexico.

Even fewer trafficked guns that have been traced to a purchaser are investigated as a criminal offense. ATF does not have staff to investigate most trafficking. It initiated investigations for only one out of every six firearms recovered in Mexico and traced to a U.S. purchase in 2022.⁵ You might say that Mexico should do more, but U.S. Border Patrol confiscates only a fraction of that number of weapons being trafficked to Mexico.⁶ These are binational problems, and we all need to do more.

For these reasons, efforts to stem the illicit flow of guns to Mexico – and impact the criminal businesses enabled by those guns – must focus further upstream, to regulate the massive and militarized market for these weapons.

New unpublished research using data from hundreds of court cases and thousands of guns traced from Mexico to U.S. purchases shows that increased inspections of gun dealers by regulators are one of the most important measures to reduce the cross-border trafficking of firearms. People across the political spectrum have a stake in reducing the violent power of criminal organizations in our region. I strongly urge you to support and advance H.B. 3076 as an important step toward that goal.

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⁴ See *Iron River of Weapons to Mexico: Its Sources and Contents*, Stop US Arms to Mexico, 2024, at: stopusarmstomexico.org/iron-river

⁵ ATF, National Firearms Commerce and Trafficking Assessment, volume 3, part V, April 2024, at: <https://www.atf.gov/firearms/national-firearms-commerce-and-trafficking-assessment-nfcta-firearms-trafficking>

⁶ U.S. Customs and Border Protection, “Weapons and Ammunition Seizures,” at: <https://www.cbp.gov/newsroom/stats/weapons-and-ammunition-seizures>