Dear Secretary Yellen, Secretary Austin, Attorney General Garland, Secretary Mayorkas, Administrator Carnahan:

We write to urge you to implement section 12 of Executive Order (EO) 14074 by making the determination that the equipment in subsection (a) be prohibited from being transferred to or purchased by state, Tribal, local, and territorial law enforcement agencies either with federal funds or from federal agencies or contractors. In addition, we request an update on the implementation of EO 14074.

Militarized law enforcement increases the prevalence of police violence without making our communities safer. For example, many types of equipment transferred under the Department of Defense’s 1033 program have contributed to increasingly militarized law enforcement, which has in turn led to more prevalent police violence. In addition, the militarization of law enforcement creates a culture and a mindset contrary to the mission of the police—to protect and serve. When law enforcement has access to military equipment, they are more likely to use it,

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rather than other more appropriate and traditional law enforcement tools.\textsuperscript{4} Furthermore, the negative effects of police militarization disproportionately affects communities of color.\textsuperscript{5}

The property listed in EO 14074 includes firearms and ammunition of .50 or greater caliber, firearm silencers, bayonets, grenades and grenade launchers, certain explosives, tracked and armored vehicles, weaponized drones and combat aircraft, and certain long-range acoustic devices.\textsuperscript{6} These equipment should be prohibited from being transferred to or purchased by law enforcement agencies either with federal funds or from federal agencies or contractors. In addition, pursuant to subsection (b), we recommend that the full list of prohibited items be added to the Federal Government-wide Prohibited Equipment List (“Prohibited Equipment List”) established by the former Law Enforcement Equipment Working Group’s October 2016 Implementation Update, pursuant to EO 13688.\textsuperscript{7}

Furthermore, in reviewing and taking all necessary action, as appropriate and consistent with applicable law, to comply with and implement such recommendations, we urge the Department of Defense to recall, as appropriate, equipment in law enforcement agencies’ inventories that was acquired through federal equipment programs and are now on the Prohibited Equipment List. We also urge you to conduct an assessment across your agencies to identify the law enforcement agencies that have acquired the types of equipment identified on the Prohibited Equipment List, and to determine whether new individual agency authorities permit a recall of such equipment.

Ending police militarization will help to make our communities safer. Thank you for your attention to our request, and we look forward to your written response.

Sincerely,

\begin{flushleft}
Brian Schatz  
United States Senator
\end{flushleft}

\begin{flushright}
Ayanna Pressley  
Member of Congress
\end{flushright}


\textsuperscript{5} Christi Smith, Jillian Snider, “To restore community trust, we must demilitarize our police,” R Street Institute, 31, Aug. 2021, \url{https://www.rstreet.org/2021/08/31/to-restore-community-trust-we-must-demilitarize-our-police/}.

\textsuperscript{6} Executive Order 14074.

Henry C. "Hank" Johnson, Jr.
Member of Congress

Ron Wyden
United States Senator

Jan Schakowsky
Member of Congress

Tammy Baldwin
United States Senator

Bonnie Watson Coleman
Member of Congress

Bernard Sanders
United States Senator

Mondaire Jones
Member of Congress

Chris Van Hollen
United States Senator

André Carson
Member of Congress

Cory A. Booker
United States Senator
Eleanor Holmes Norton  
Member of Congress

Tina Smith  
United States Senator

Rashida Tlaib  
Member of Congress

Dianne Feinstein  
United States Senator

Raúl M. Grijalva  
Member of Congress

Barbara Lee  
Member of Congress

Karen Bass  
Member of Congress

Sara Jacobs  
Member of Congress

James P. McGovern  
Member of Congress

Mark Pocan  
Member of Congress