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Comment on FR Doc # 2015-12843

This is a Comment on the **Bureau of Industry and Security** (BIS) Proposed Rule: **Definitions in the Export Administration Regulations**

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Comment

I am very concerned about the State Department's proposed changes to regulate internet posts concerning firearms or related technology under ITAR regulations posted Jun 3, 2015 as RIN 0694-AG32. This proposal would regulate public or private communications by individuals over undefined firearms technology. This prior restraint on free speech runs contrary to the American idea of freedom and the First Amendment. How is a person to know if something they have done as a hobby constitutes "regulated speech" until they are arrested and charged with penalties that include years in prison and huge fines?
Strict scrutiny is required of any law or regulation that limits free speech in that the government must show a compelling interest in regulating the speech and that the regulations are the least obtrusive method of obtaining the desired goal. The proposed regulation implements a prior restraint on undefined speech and there can be no strict scrutiny of something undefined.
This proposed rulemaking will have, at a minimum, a chilling effect on the free and open exchange of ideas on firearms. What these regulations would do is to define export to include potentially any gun-related communication on the Internet or social media. This crosses a broad spectrum of concerns from websites talking about things such as reloading, firearms modifications, designs or even maintenance issues to virtually any technical data. In fact, these regulations are so broad that it could potentially include virtually any gun-related communication of a functional how to nature. I urge you to protect everyones First and Second Amendment rights by rejecting this ill-considered the proposed regulation.