



## NATIONAL SHOOTING SPORTS FOUNDATION, INC.

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**JAKE MCGUIGAN**  
DIRECTOR, GOVERNMENT  
RELATIONS/STATE AFFAIRS

March 11, 2014

Representative Bob Lynn  
Chair  
120 4th St  
House State Affairs Capitol 106  
Juneau, Alaska 99801

### **Re: Support HB 366 and NSSF's FixNICS®**

Dear Chair Lynn and Members of the State Affairs Committee:

The National Shooting Sports Foundation ("NSSF") is the trade association for America's firearms, ammunition, hunting and recreational shooting sports industry. Its mission is to promote, protect and preserve hunting and the shooting sports. NSSF has a membership of more than 10,000 manufacturers, distributors, firearms retailers, shooting ranges, and sportsmen's organizations. Our manufacturer members make the firearms used by law-abiding Alaska sportsmen, the U.S. military and law enforcement agencies throughout the state.

On behalf of our membership, we would like to introduce committee members to our Fix NICS initiative while at the same time expressing our strong support in making Alaska compliant by submitting records to the National Instant Criminal Background Check System (NICS) of those individuals prohibited from owning a firearm under federal law.

The goal of the firearms industry's FixNICS campaign is to encourage states to report to NICS all records that establish someone is prohibited from owning a firearm under current law. Through a multi-state effort focused on forming coalitions in the states with the fewest submitted records, the industry is dedicating significant resources to helping states overcome the legal, technological, and intrastate coordination challenges preventing effective record sharing. In Alaska we hope that the work of this committee addresses this problem and makes the citizens of the state safer.

FixNICS is about keeping firearms out of the hands of prohibited persons, like the shooter in the Virginia Tech tragedy who was able to purchase a firearm from a federally licensed firearms retailer because his prohibiting mental health records were not in the NICS system.

***This past legislative session (2013) Alabama, Louisiana, Mississippi, New Jersey, South Carolina, and Tennessee all passed FixNICS legislation. These states are now fully compliant with sending the appropriate records of prohibited individuals to NICS.***

***So far this legislative session we have experienced numerous victories as well, advancing the FixNICS initiative in Hawaii, Massachusetts, Nebraska, Rhode Island, South Dakota and Wyoming.***

Over the past couple of months NSSF has been working with various state agencies in Nebraska in hopes of making sure the state is reporting to NICS mental health records that establish someone is prohibited from owning a firearm under current law. We can report that over the past month Nebraska has begun to successfully transmit those records to NICS that would prohibit someone from owning a firearm.

Alaska's federally licensed retailers are required to run a background check through FBI's NICS when transferring a firearm to an individual. Firearms retailers rely on NICS to ensure the lawful transfer of firearms to law-abiding citizens. Since 1998 until October 2013 NICS has conducted about 725,000 background checks for Alaska retailers. By analyzing the federal denial rate there could be over 7,000 firearms in the hands of federally prohibited individuals in Alaska.

However, a background check is only as good as the records in the database. That is why the firearms industry supports improving the current NICS system by increasing the number of prohibiting records states submit to the FBI databases, helping to prevent illegal transfers of firearms to those who are prohibited from owning firearms under current law. Including these missing records will help ensure more accurate and complete background checks.

States must improve the NICS database by submitting any and all records establishing an individual is a prohibited person, such as mental health records showing someone is an "adjudicated mental defective" or involuntarily committed to a mental institute, as well as records showing someone is the subject of a domestic violence protective order, a drug addict or subject to another prohibited category.

We would like to continue to discuss some of the mental health record problems in Alaska and possibly direct some substantive changes with FixNICS. NSSF would also ask for your support of HB 366. Finally, we welcome the opportunity to participate in this important, public policy discussion and to make known our views. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jake McGuigan", with a long horizontal flourish extending to the right.

Jake McGuigan



*The FixNICS campaign has won victories in 13 states over the past year. In addition to the successes below, NSSF-backed legislation has been introduced and is under consideration this year in Alaska, Vermont, New Hampshire, Maine, and Oklahoma.*

State	Summary of New Laws/Actions
Alabama	May 2013: Strengthens requirements for state officials to send mental health records to NICS.
Hawaii	March 2014: HB 2246, passed the House with no dissenters and now it is in the Senate. House Committee on Judiciary voted (10-0) in favor of the bill.
Louisiana	May 2013: Requires any Louisiana resident who loses the right to possess firearms under state law to be reported to the State Supreme Court which will send this information to NICS.
Massachusetts	February 2014: MA Task Force supports FixNICS. Legislation will be introduced soon.
Mississippi	March 2013: Requires state officials to report mental health adjudications and court-ordered commitments to NICS.
Nebraska	Jan. 2014: State has started to transmit mental health records to NICS following an NSSF-backed administrative fix.
New Jersey	May 2013: Requires state to submit to NICS records showing those who have been involuntarily committed for mental health treatment.
Pennsylvania	Jan. 2013: State police submitted 643,167 records to NICS and will send to NICS on a continuous basis moving forward after administrative fix.
Rhode Island	Jan. 2014: NSSF-backed State task force recommended changing state law to mandate reporting of mental health records to NICS. Legislation pending.
South Carolina	May 2013: Requires the submission of records to NICS.
South Dakota	March 2014: HB 1229 Overwhelming passed both chambers. House (53-17) and Senate (26-9). Awaiting Governor's signature (3-7-14).
Tennessee	April 2013: Requires courts to submit mental health commitment information to NICS.
Wyoming	March 2014: FixNICS approved for an interim committee that will be studied in order to craft committee legislation.

*For more information visit: [www.FixNics.org](http://www.FixNics.org)*