



September 9, 2008

The Honorable Robert S. Mueller, III
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535

Dear Director Mueller:

We write to request data related to the National Instant Criminal Background Check System (NICS). From conversations with mayors and police chiefs across America, and in light of the 2007 tragedy at Virginia Tech and the 34 Americans who are murdered with illegal guns each and every day, it is clear that there is a tremendous interest in learning more about the NICS background check system for gun purchases. Mayors, law enforcement, legislators and the public are determined to gain a better understanding of how the background check system can be quicker, more thorough and more effective.

Recent press accounts, such as articles in the *Austin American-Statesman* and *Shooting Industry* magazine, have cited data on NICS background checks that have been conducted during specific time periods and in certain geographic areas. The FBI has issued reports in the past, such as *National Instant Criminal Background Check System (NICS) 2005 Operations* (January, 2006), which also provided some data including the number of background checks conducted in the United States, the average time it took to resolve a NICS background check, and the reasons for NICS check rejections, among other key information.

Therefore, we respectfully request information relating to the following three questions (please see the attached document for details):

- 1. How many NICS background checks are conducted?**
- 2. How quickly are background checks resolved and how often do background checks result in rejections or incomplete results?**
- 3. How many people are included in the prohibited persons file and how many are included for mental health reasons?**

We believe that the data we are requesting with this letter will help mayors and local law enforcement officials make informed decisions that will further improve the NICS

background check system and the sources of information it relies on. For example, as you know, in the wake of the Virginia Tech tragedy and now that the NICS Improvement Act of 2007 has become law, many states are revising their procedures for the submission of mental health records into the NICS background check system. That process has had real results. In December, 2007, Attorney General Mukasey gave a speech in which he noted that the number of mental health records in the NICS system had doubled in less than nine months.

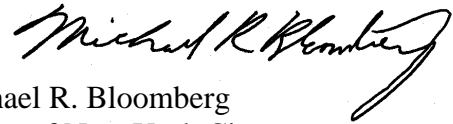
The more than 325 members of Mayors Against Illegal Guns, a bipartisan coalition of mayors from more than 40 states who represent more than 55 million Americans, are hopeful that this information will inform the discussion that mayors, law enforcement officials, legislators and the public are having about how to improve the NICS background check system, which is so vital to public safety and law enforcement.

Please contact us if you have any questions about this request. We look forward to hearing from you.

Sincerely,



Thomas M. Menino
Mayor of Boston
Co-chair, Mayors Against Illegal Guns



Michael R. Bloomberg
Mayor of New York City
Co-Chair, Mayors Against Illegal Guns

Cc: Director Michael Sullivan, ATF

enclosure