



FOR IMMEDIATE RELEASE

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*****MEDIA ADVISORY*****

**ARIZONA AFTERMATH: CONGRESS' FAILURE TO FUND THE ATF
PREVENTS ATF FROM EFFECTIVELY FIGHTING GUN CRIME**

*Inspector General Report Reveals Underfunding Leaves ATF Unprepared to Respond to
Incidents Involving Weapons of Mass Destruction*

*Failure to Fund the NICS Improvement Act also Undermines the National Instant
Background Check System and Keeps Vital Records out of Database*

Firearms Policy Experts Available for Interview

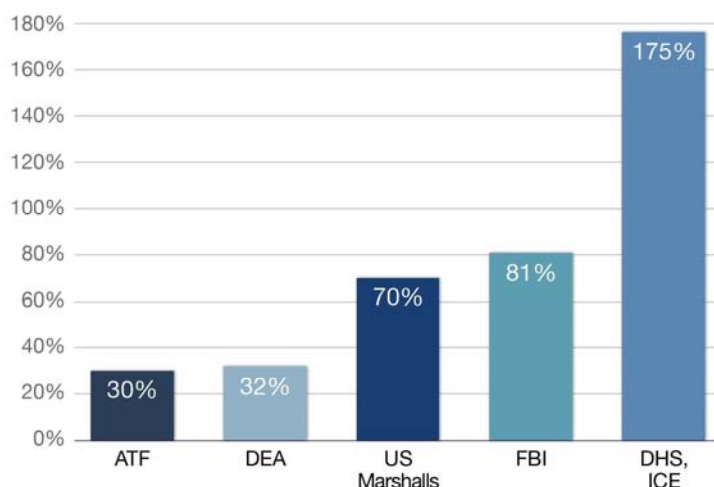
Preventing more mass shootings like Tucson, Virginia Tech and Columbine requires closing gaps in our gun background check system and tougher enforcement of existing laws. But that mission is made much tougher by systemic and routine underfunding of ATF – the federal agency with primary responsibility for enforcing federal gun laws.

Lack of funding undermines the agency's core functions, including inspecting federally licensed gun dealers to detect public safety violations and missing guns, providing and analyzing crime gun trace data to solve gun murders and trafficking crimes, and maintaining capacity for ballistics imaging.

In addition, according to a 2010 report by the Department of Justice's Inspector General, the lack of resources has left ATF unprepared to fulfill another core mission: coordinating the federal response to maintain public safety and security in the event of an emergency, including incidents involving a weapon of mass destruction.

In recent years, former Acting Director Michael J. Sullivan and other officials have been outspoken about the agency's budget shortfalls, including a more than \$70 million budget gap in fiscal year 2007 and a \$37 million budget gap in fiscal year 2009. While ATF received an additional \$10 million in the American Recovery and Reinvestment Act of 2009 and \$37.5 million in the 2010 Southwest Border Security Act to add resources at the Mexican Border, these limited, temporary resources do not cure the systemic underfunding that has plagued ATF. During the last eight years, ATF's budget grew at a much slower pace than the budgets of other law enforcement agencies:

Percent Increase in Salaries and Expenses Appropriations
FY2003 - FY2010



Lack of funding for ATF has serious consequences:

ATF lags far behind its own dealer inspection goals: In 2009, ATF inspected only 10.4% of federal firearms licensees (FFLs) – an average rate of one inspection every 10 years.¹ This is far from ATF’s goal to inspect every gun dealer at least once every three years. ATF officials estimate the agency needs at least \$53 million to hire 250 additional personnel to meet its inspection goals.

Lack of updated technology hampers local and state law enforcement access to critical crime gun data: In the FY 2010 budget for the Department of Justice, the Obama Administration removed a prior restriction that limited state and local law enforcement access to federal crime gun trace data. That restriction had prevented them from investigating the broader criminal networks that may be behind those crimes. The new language enables state and local law enforcement to have full access to ATF's gun trace database to analyze gun trafficking patterns. However, the technology platform needs to be upgraded to fully facilitate state and local law enforcement access to that critical data.

Lack of funding has stalled ballistics imaging: The National Integrated Ballistics Information Network (NIBIN) allows law enforcement agencies to share ballistics images to help solve crimes. The Obama Administration has committed to bridge the U.S. and Mexican ballistics imaging systems “to help identify leads in violent crimes both in Mexico and in the United States.” However, ATF has indicated in a report by the Justice Department’s Office of Inspector General (OIG), that without increased funding, the

¹ U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Facts and Figures: FY 2009 (June 2010)

NIBIN Branch will have equipment shortfalls and will not be able to deploy necessary equipment to more agencies.

Due to budget shortfalls, ATF is not prepared to respond to an incident involving weapons of mass destruction: According to a May 2010 report by the Justice Department’s Office of Inspector General, ATF is the lead coordinating agency for Emergency Support Function #13 (ESF-13), which is a protocol to coordinate federal law enforcement responses to natural disasters or security emergencies, including incidents involving weapons of mass destruction. The OIG found that DOJ and ATF have not fulfilled their coordinating roles and specifically have not “made personnel assignments to manage these activities” or “developed a catalog of law enforcement resources – people and equipment – available to be deployed in the event of a WMD incident.” When OIG asked why ATF was unable to implement ESF-13, ATF responded that it lacked the necessary funds.

Failure to Fully Fund the NICS Improvement Amendment Act Has Left our Gun Background Check System Incomplete

In the wake of Virginia Tech, where the shooter was able to buy a gun and pass a background check because his mental records were not added to the FBI’s National Instant Criminal Background Check System NICS, there was a national consensus to require better reporting of mental health records to the NICS system. Congress responded by passing the NICS Improvement Amendments Act of 2007, which created incentives for states to improve the reporting of mental health information into background check system. Yet many states have made little or no progress reporting largely because Congress failed to follow through with funding. Federal appropriators have granted only 5.3% of the authorized amount from FY 2009 through FY 2011:

Fiscal Year	Authorized Amount	Actual Appropriations
FY2009	\$187.5 million	\$10 million (5.3%)
FY2010	\$375 million	\$20 million (5.3%)
FY2011	\$375 million	\$20 million* (5.3%)

**Continuing Resolution funded NICS Improvement Act program at FY10 level. FY11 appropriations legislation has not been enacted.*

For more information, please read the coalition’s letter calling for full funding of the NICS Improvement Act:

http://mayorsagainstillegalguns.org/downloads/pdf/nics_letter_support_3_12_10.pdf

Available for Interviews

- **Edgar Domenech**, former Deputy of ATF who conducted VA Tech investigation and current New York City Sheriff
- **John Feinblatt**, Chief Advisor to NYC Mayor Michael Bloomberg for Policy and Strategic Planning

- **Arkadi Gerney**, Special Advisor to Mayor Bloomberg on firearms policy and staff for Mayors Against Illegal Guns,

About Mayors Against Illegal Guns

Since its inception in April 2006, Mayors Against Illegal Guns has grown from 15 mayors to over 550. Mayors Against Illegal Guns has united the nation's mayors around these common goals: protecting their communities by holding gun offenders and irresponsible gun dealers accountable, demanding access to trace data that is critical to law enforcement efforts to combat illegal gun trafficking, and working with legislators to fix gaps, weaknesses and loopholes in the law that make it far too easy for criminals and other prohibited purchasers to get guns.

Contact: Mayor Bloomberg's Press Office (212) 788-2958