Congress of the United States
House of Representatives
Washington, DC 20515

April 19, 2010

The Honorable Bobby Scott
Chairman
Subcommittee on Crime, Terrorism, and Homeland Security
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Louie Gohmert
Ranking Member
Subcommittee on Crime, Terrorism, and Homeland Security
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Scott and Ranking Member Gohmert:

We are writing to respectfully request that the Subcommittee on Crime, Terrorism, and Homeland Security hold a hearing on the Gun Show Loophole Closing Act, H.R. 2324.

As we mark the third anniversary of the Virginia Tech tragedy and the 11th anniversary of the Columbine High School massacre, we are reminded of the need to close a dangerous loophole in our law allowing criminals, terrorists, and other prohibited purchasers to evade background checks at gun shows. We have introduced legislation, The Gun Show Loophole Closing Act (H.R. 2324), to require a background check on <u>all</u> sales at gun shows while respecting the rights of enthusiasts who buy and sell at gun shows. Similar tragedies can be prevented with passage of this legislation.

As you know, under federal law, any person who buys a firearm from a licensed gun dealer at a gun show must first pass a background check through the FBI's National Instant Criminal Background Check System (NICS). However, federal law does not require a background check when someone buys a firearm from an unlicensed seller at gun shows. This means that in most states a person can go to a gun show and buy a gun from an unlicensed seller without a background check. Every year across the country there are thousands of gun shows and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has estimated that at least 25% of the sellers at these events are unlicensed. Not surprisingly, criminals, terrorists and other dangerous people seek out

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unlicensed sellers at gun shows to obtain firearms without a background check, and gun shows have become a major venue for illegal gun trafficking.

The Government Accountability Office (GAO) recently released a report that identified unregulated sales at gun shows as a significant source of guns that "are commonly trafficked to Mexico" and earlier reports by the ATF identified gun shows as the second leading source of trafficked guns within America. Additionally, a report released by Mayors Against Illegal Guns in December 2008 found that states that have not closed the gun show loophole are the sources of crime guns recovered in other states at much higher rates than states that have closed this loophole.

There is strong public support for closing the gun show loophole. According to a December 2009 poll commissioned by Mayors Against Illegal Guns, even gun-owners believe supporting Second Amendment rights is consistent with common-sense policies to improve background checks and keep guns out of the hands of criminals and terrorists. Eighteen states and the District of Columbia have taken some steps to close or partially close the gun show loophole, and this has not resulted in a disruption to gun show operation. It is time for Congress to consider and pass this common sense safety measure.

Closing the gun show loophole makes sense for public safety and national security. If you have any questions about the legislation, please do not hesitate to contact us or have your staff contact Olivia Kurtz with Rep. Castle (olivia.kurtz@mail.house.gov, x54165) or Phil Putter with Rep. McCarthy (phil.putter@mail.house.gov, x55516). We look forward to learning your plans for a hearing on H.R. 2324.

Sincerely,

Mike Castle

Michael N. Castle
Member of Congress

Carolyn McCarthy

Carolyn McCarthy
Member of Congress