



## MAJOR CITIES CHIEFS ASSOCIATION

January 3, 2018

The Honorable Chuck Grassley  
Chairman  
Committee of the Judiciary  
U.S. Senate  
Washington, D.C. 20510

The Honorable Dianne Feinstein  
Ranking Member  
Committee of the Judiciary  
U.S. Senate  
Washington, D.C. 20510

Dear Chairman Grassley and Ranking Member Feinstein

On behalf of the Major Cities Chiefs, representing the Nation's largest metropolitan law enforcement agencies, we are writing to ask for action by Congress to correct a serious drafting flaw in the Brady Act that now threatens public safety everywhere.

Legal interpretation of statutory definitions for fugitives in National Instant Criminal Background Check System (NICS) have now resulted in permission to purchase firearms by persons that Congress intended to ban. Persons who should not be allowed to purchase firearms, such as violent felony fugitives, are now free to do so. Legal counsel at the Department of Justice have concluded that the long-established FBI practice to bar purchase of firearms by persons with outstanding wants and warrants is not permissible under the language in the Brady Act.

Pursuant to this legal opinion, it has been reported that the FBI has purged the NICS database of prohibited persons by more than 500,000 names and thus violent criminal fugitives are now free to purchase firearms anywhere at any time.

As Congress did not specifically direct NICS denial for fugitives, this area has long been unclear and subject to different interpretations. For this reason, we call upon Congress to correct the continuing confusion by amending the Brady Act to add clear language barring firearm purchases by criminal fugitives.

We appeal to Congress for swift and decisive action to correct this flaw and restore the prohibition on firearm purchases by fugitives who are a threat to public safety – as that was the intent of Congress. With each passing day, there is an ongoing danger that guns will be purchased by those who would commit the recent horrors such as Las Vegas, Nevada and Sutherland Springs, Texas.

Sincerely,

J. Thomas Manger  
Chief of Police  
Montgomery County Police Department  
President, Major Cities Chiefs Association

Albuquerque  
Arlington  
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Aurora  
Austin  
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Baltimore Co.  
Boston  
Buffalo  
Calgary, Canada  
Charlotte-Mecklenburg  
Chicago  
Cincinnati  
Cleveland  
Columbus  
Dallas  
DeKalb Co.  
Denver  
Detroit  
Edmonton, Canada  
El Paso  
Fairfax County  
Fort Worth  
Fresno  
Honolulu  
Houston  
Indianapolis  
Jacksonville  
Kansas City  
Las Vegas Metro  
Long Beach  
Los Angeles  
Los Angeles Co.  
Louisville  
Memphis  
Mesa  
Miami  
Miami-Dade  
Milwaukee  
Minneapolis  
Montgomery Co.  
Montreal, Canada  
Nashville  
Nassau Co.  
New Orleans  
New York City  
Newark  
Oakland  
Oklahoma City  
Omaha  
Orlando  
Ottawa, Canada  
Peel Region, Canada  
Philadelphia  
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Portland  
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Sacramento  
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San Jose  
Seattle  
St. Louis  
Suffolk Co.  
Tampa  
Toronto, Canada  
Tucson  
Tulsa  
Vancouver, Canada  
Virginia Beach  
Washington  
Wichita  
Winnipeg, Canada  
York, Canada



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January 3, 2018

The Honorable Paul Ryan  
Speaker of the House  
U.S. House of Representatives  
1233 Longworth HOB  
Washington, D.C. 20515

Dear Speaker Ryan,

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