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Representative Terry Roy
Chair
Criminal Justice and Public Safety
Room 202-204
Concord, NH 03301

HB 159: Strong Support

Re: HB 159- The Chief Bradley Haas Mental Health Firearms Reporting Act

Dear Chair Roy and Members of the Criminal Justice and Public Safety Committee:

On behalf of the National Shooting Sports Foundation, and our industry members located throughout New Hampshire, I submit these comments in strong support of House Bill 159 ("HB 159"). HB 159 which would finally bring New Hampshire in line with 48 other states with respect to reporting the records to the National Instant Check System (NICS) of those individuals who have been involuntarily committed through a court of law and are already federally prohibited from purchasing a firearm.

As the trade association for America's firearm industry, the National Shooting Sports Foundation ("NSSF") seeks to promote, protect, and preserve hunting and the shooting sports. NSSF's membership includes thousands of firearm and ammunition manufacturers, distributors, retailers, and shooting ranges, including more than 50 industry members in New Hampshire. Our manufacturer members, including New Hampshire companies Ruger and Sig Sauer, make the firearms used by law-abiding New Hampshire sportsmen and women, the U.S. military, and law enforcement agencies throughout the state.

The federal NICS system includes the most comprehensive background check information available. Much of this is due in part to the efforts of NSSF and our FixNICS campaign. The FixNICS campaign encourages 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 has dedicated substantial resources to helping states overcome the legal, technological, and intrastate coordination challenges preventing effective record sharing.

In 2013, the firearm and ammunition industry investigated how many states were submitting prohibiting mental health and other disqualifying records to NICS. The industry obtained data from the FBI showing that at the end of 2012, far too many states failed to submit these records that established someone is prohibited from owning a firearm under current law. At that time, 19 states had made fewer than 100 records available and 12 of these had made fewer than 10 records available.

In response, the firearm and ammunition industry launched the FixNICS campaign to address the problem and improve the effectiveness of NICS. Through a multistate effort focused on forming coalitions in the states with the fewest submitted records, the industry has dedicated significant resources to helping states overcome the legal, technological, and intrastate coordination challenges preventing effective record sharing.

The FixNICS campaign has won victories in 16 states and hopefully New Hampshire will become the 17th. Since FixNICS was launched in 2013 through the end of January 3, 2023, the number of disqualifying mental health records submitted to NICS increased by 365 percent to 7.9 million as of December 2024, from about 1.7 million in December 2012. Now only 2 states (MT and WY) have fewer than 100 prohibiting mental health records in the federal system, New Hampshire is the next offender with less than a thousand records.

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 official government records showing someone is the subject of a domestic violence protective order, a drug addict or subject to another prohibited category

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 firearm retailer because his prohibiting mental health records were not in the NICS system. And most recently the tragedy that could have been avoided here in New Hampshire if proper record keeping would have occurred.

NSSF is committed to advocating for all prohibiting records to be submitted to the FBI’s NICS database. The industry depends on background checks being run against a complete system. The failure of states or federal agencies to submit prohibiting records must be addressed to keep firearms out of the hands of those prohibited from purchasing under current law. It is time for lawmakers at all levels to step forward and FixNICS.

It is for these reasons the National Shooting Sports Foundation strongly HB 159.

NSSF stands in strong support opposed to HB 159 and we would respectfully urge you to support this legislation to make all in New Hampshire safer. Thank you for your time and consideration.

Sincerely,



Jake McGuigan