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

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COMMITTEE ON THE JUDICIARY  
SUBCOMMITTEE ON COURTS,  
INTELLECTUAL PROPERTY, AND THE INTERNET  
SUBCOMMITTEE ON REGULATORY REFORM,  
COMMERCIAL AND ANTITRUST LAW  
COMMITTEE ON FOREIGN AFFAIRS  
SUBCOMMITTEE ON MIDDLE EAST  
AND NORTH AFRICA  
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,  
GLOBAL HUMAN RIGHTS, AND  
INTERNATIONAL ORGANIZATIONS

The Honorable Loretta Lynch  
Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Attorney General Lynch,

I write to urge you to open an investigation to determine why the National Instant Criminal Background Check System failed to prevent John Russell Houser from legally purchasing a firearm despite his well-documented record of serious mental illness, including an involuntary commitment for mental health treatment.

Last week, at a movie theater in Louisiana, John Russell Houser used a .40-caliber handgun to murder two people and wound nine others. It has been widely reported that Houser acquired the gun he used from a pawn shop in Alabama that was required, under Federal law, to perform a background check before completing the sale of a firearm. Houser was permitted to purchase this weapon despite the fact that a Georgia judge had ordered him involuntarily committed for mental health treatment in 2008. Of course, existing Federal law prohibits the sale of a firearm to anyone who “has been adjudicated as a mental defective or has been committed to any mental institution [18 U.S.C. §§ 922(g)(4)].” In addition, Houser also had a lengthy criminal arrest record, and had previously been denied an Alabama concealed carry permit in 2006, as a result of prior arrests for domestic violence and arson.

Last month, Dylann Roof used a .45-caliber handgun that he had purchased legally to murder nine parishioners in a historically black church in Charleston, South Carolina. Roof was arrested twice earlier this year for trespassing and drug possession. Even though Federal law prohibits the sale of firearms to anyone who is an “unlawful user of or addicted to any controlled substance [18 U.S.C. §§ 922(g)(3)],” Roof was also able to purchase his gun legally. Earlier this month, FBI Director James Comey attributed this failure to lapses in the existing background check system.

It is tremendously disturbing that two men with evil intent to do such harm to others, were able to purchase firearms freely, despite the presence of such obvious disqualifying factors. Neither Houser nor Roof should have been able to get their hands on a gun. That much is obvious. What is less clear is why the existing background check system failed and what must be done to prevent such failures in the future.

There is no question that our country must address the horrific consequences of gun violence occurring in all 50 states. So far this year, more than 7,200 individuals have been murdered and nearly 15,000 more injured as a result of gun violence, according to the Gun Violence Archive.

And as President Obama has articulated, Americans kill each other with guns 297 times more than in Japan, 49 times more than in France, and 33 times more than in Israel.

Unlike other developed nations, the United States has failed to adopt commonsense gun violence prevention laws that would help to keep guns out of the hands of criminals and those with serious mental illness. Earlier this year, I introduced a package of three gun violence prevention bills, including the End Purchase of Firearms by Dangerous Individuals Act, which would require each state to establish a reporting system to prevent those with serious mental illness from purchasing a firearm when such possession would endanger the life of that individual or others in the community.

Unfortunately, Congressional leaders have thus far failed to demonstrate a willingness to address this serious threat to our country's security or the courage to take corrective action. It is for this reason, that I respectfully ask that you, in addition to the 30-day review FBI Director Comey has initiated into Dylann Roof's firearm purchase, open an investigation to determine why Houser's involuntary commitment to a mental institution did not prevent him from purchasing a handgun, whether errors were committed, what corrective action is necessary and to identify anyone who should be held accountable.

In the absence of meaningful action from Congress, I am hopeful that the Obama administration may be in a position to take action that will help prevent future tragedies.

I thank you for your consideration and look forward to hearing from you.

Sincerely,



David N. Cicilline  
Member of Congress