

PA SENATE LAW AND JUSTICE

COMMITTEE HEARING ON PICS

MAY 11, 2011

Mr. Chairman and members of the committee, thank you for providing this opportunity to discuss an issue of critical importance to the operation of the retail firearms industry in PA.

I own and operate an independent retail firearms business in New Holland, PA that was started in 1954. I currently am president of the National Association of Firearm Retailers, President of the PA Association of Firearms Retailers (PAFR) and have a seat on the Board of Governors of the National Shooting Sports Foundation where I have an opportunity to interact with firearms retailers from across the United States that operate in POC states as well as states that use the National Instant Check system. The contrast between our experiences dealing with PICS and the experiences of retailers in states that use NICS is striking.

First, let me say that it is the objective of all stakeholders in this issue to be sure that firearms do not get into the hands of the wrong people. Since the inception of PICS, there have been a significant number of issues that have made the professional and efficient operation of our businesses difficult to say the least. Some examples of issues that have and/or continue to cause problems are as follows:

1. National Instant Check System (NICS) must arrive at a decision within 3 days. PA Instant Check System (PICS) has 15 days and then can categorize the check as “UNDETERMINED” which can take up to an additional 60 days to resolve.

2. In 2007, PICS announced that, for 3 to 4 days, they would be unable to complete background checks due to an upgrade in the criminal history database. They chose to do this over Labor Day weekend, which is one of our busiest times of the year.
3. PICS, using their “Regulatory Authority” determined that Thompson Center Encores and Contenders in all configurations were to be regulated as handguns since they “could be converted to a handgun”. They also planned to apply the same logic to AR platforms but when challenged, sought support from ATF on both issues. ATF did not support their position on the “Regulation” and it was reversed.

The PAFR has requested an “open dialogue” in an effort to better understand the issues that have a negative impact on our business as well as have an opportunity to provide input on ways to resolve problems. These requests have been ignored and today we continue to battle many of the same issues every day. The businesses of some 2,400 Federal Firearms License holders in PA suffer as a result. If the PA State Police want to be in the “retail” business, they should be responsive to problems that impact their customers or surely revenue, economic impact and jobs will be negatively affected.

George Romanoff will provide a number of additional specific examples of how “PICS ISSUES” make it difficult to run our businesses efficiently.

Our industry is proud of its strong presence and economic impact in PA. We are equally mindful of the important role sportsmen and firearms owners play in PA’s economy. Sportsmen and

firearm enthusiasts in the state spend over \$2 billion each year and generate \$120 million in taxes and over 34,000 jobs.

In these difficult economic times, PA has the option to save time, resources and money by using the more efficient National Instant Check System with absolutely no downside. The states that have converted to NICS have done so very easily and the transition has been seamless. We would ask that you explore the feasibility of converting to NICS for our background checks.

Thank you again for listening to our comments

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