



SCOTT A. GRAY
Assemblyman 116th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

RANKING MINORITY MEMBER
Committee on
Tourism, Parks, Arts and
Sports Development
COMMITTEES
Aging
Alcoholism and Drug Abuse
Energy
Health
Higher Education

September 21, 2023

Hon. Kathy Hochul
Governor of New York State
New York State Capitol Building
Albany, NY 12224

Steven A. Nigrelli
Acting Superintendent, New York State Police
1220 Washington Avenue, Building 22
Albany, NY 12226

Dear Governor Hochul and Superintendent Nigrelli:

We are writing to express our concerns which are shared by many in our communities regarding the new background check procedures for purchasing ammunition in New York.

Firstly, one of the primary issues we have noticed is the requirement for all sellers or potential buyers to pay the fee for a background check on the front end of the transaction, irrespective of their status. We believe there should be some consideration for individuals to pay after a dealer has received the "proceed" indication.

Secondly, there have been significant delays in processing these checks. We have observed that approximately 50% of the checks are being put on delay status, and this is just the beginning. This not only inconveniences the buyer but also the sellers, who often have to deal with frustrated customers who find themselves having to return the next day or later.

Thirdly, there is no affirmative notification when a check is changed from delay to proceed, instead, it requires the gun dealer to check the status continuously. This lack of communication leaves buyers in a state of uncertainty. A simple notification back to the dealer when a check is approved would significantly improve the situation.

Further, the system seems unable to process out-of-state residents. This issue is particularly problematic for those who live near state lines. It is also a concern for out-of-state hunters who visit New York during hunting seasons.

Additionally, the Amish population, along with others who might not use technology due to religious or personal beliefs, may not have a Social Security number and would be unable to purchase ammunition under this system. Some sects also do not allow photos, which makes obtaining a state-issued photo identification card impossible. We need to find a solution that respects their way of life while ensuring public safety.

We are also hearing concerns about the confusion and lack of guidelines for individuals under the age of 21.

Next, records management is significantly deficient. The requirement to provide a Social Security number raises concerns about the security of personal information. People are required to provide their personal information aloud to a store clerk, potentially among other people. We strongly urge exploring different forms of identification or implementing more robust security measures to protect customers' sensitive data. One could even question the validity of the information being provided and required beyond the name and Social Security number.

We also suggest a retention system, so buyers do not have to endure this process every time they purchase ammunition. Their information should be encrypted and only searchable by name, and if updates are required, then a clerk may update prior to running individual checks.

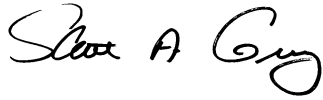
Regarding record-keeping, gun dealers are still required to maintain a paper logbook. This method is not only duplicative, given this new system, but also obsolete and prone to errors. We recommend fully implementing a digital system that is secure, efficient, and user-friendly.

We and many others disagree with the new measures being implemented, considering checks are currently being conducted for firearms purchases, but that is a policy matter for another venue. We understand the importance of a thorough background check for firearms to ensure public safety. However, the current system for ammunition needs to be significantly improved to be more efficient, inclusive, and user-friendly.

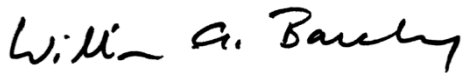
We appreciate your attention to these matters and look forward to any actions you may take to address our concerns. It is apparent more resources should be allocated to streamline and improve this process as well as reduce the waiting period. It is our hope to raise the level of awareness sooner rather than later.

Thank you for your time.

Sincerely,



Scott A. Gray
116th Assembly District



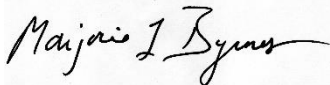
Will Barclay
Assembly Minority Leader



Anil Beephan
105th Assembly District



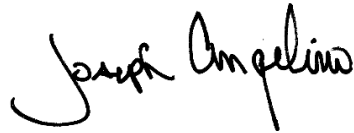
Kenneth D. Blankenbush
117th Assembly District



Marjorie L. Byrnes
133rd Assembly District



Michael J. Fitzpatrick
8th Assembly District



Joseph Angelino
121st Assembly District



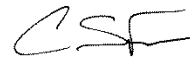
Scott Bendett
107th Assembly District



Ari Brown
20th Assembly District



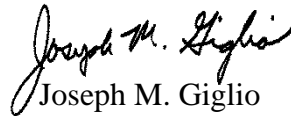
Joseph P. DeStefano
3rd Assembly District



Christopher S. Friend
124th Assembly District



Jodi Giglio
2nd Assembly District



Joseph M. Giglio
148th Assembly District



Andrew Goodell
150th Assembly District



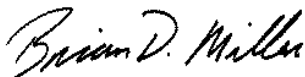
Stephen M. Hawley
139th Assembly District



Brian D. Manktelow
130th Assembly District



John Mikulin
17th Assembly District




Brian D. Miller
122nd Assembly District



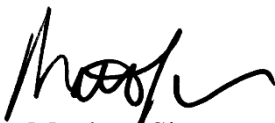
Michael J. Norris
144th Assembly District



Michael Novakhov
45th Assembly District



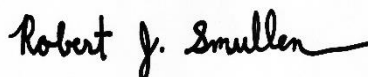
Philip A. Palmesano
132nd Assembly District



Matthew Simpson
114th Assembly District



Matthew J. Slater
94th Assembly District



Robert J. Smullen
118th Assembly District



Christopher Tague
102nd Assembly District