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December 20, 2017

The Honorable James N. Mattis
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301-1000

Dear Secretary Mattis,

We write regarding the report recently released by the Department of Defense Office of Inspector General entitled "Evaluation of Fingerprint Card and Final Disposition Report Submissions by Military Service Law Enforcement Organizations." This report examined whether the Department's military services were submitting fingerprint cards and final disposition reports to the FBI for service members convicted of qualifying offenses as required by DOD Instruction 5505.11. In the report it was revealed that 24% of the fingerprint cards and 31% of the final disposition reports required to be submitted were never actually transmitted to the FBI.

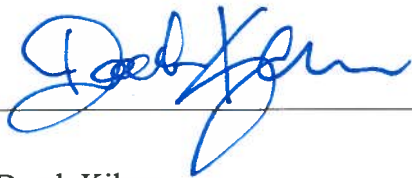
Failure to promptly transmit this information to the FBI is a violation of DOD policy; but more alarmingly, it poses a serious public safety risk. As you know, earlier this year a gunman who had been convicted of assault in military court for committing acts of domestic violence shot and killed 26 people inside a church in Sutherland Springs, Texas. Although his conviction should have prevented the gunman from legally purchasing the weapon used in the attack, his conviction records were never transmitted by the Air Force to the National Criminal Information Center.

We urge the Department to do its part to stop preventable tragedies like these by ensuring the proper and timely transmittal of criminal records to the FBI. With that in mind, we ask for answers to the following questions within 45 days:

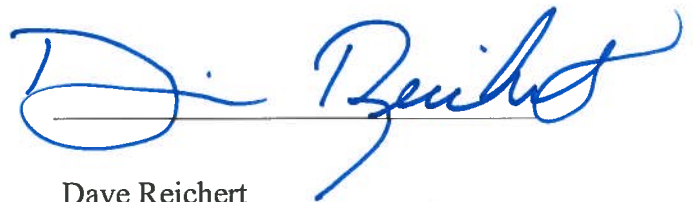
1. What steps is the Department taking to ensure that, going forward, the information required by DOD Instruction 5505.11 is transmitted to the FBI in a timely manner?
2. What steps is the Department taking to implement OIG's recommendation that the Deputy Chief Management Officer immediately perform a comprehensive review of their criminal investigative databases and files to ensure that all required fingerprint cards and final disposition reports for qualifying offenses at least to 1998 have been submitted to the FBI in compliance with Department of Defense and FBI requirements?
3. What steps is the Department taking to implement OIG's recommendation that the Deputy Chief Management Officer ensure timely and comprehensive transmittal to the FBI of other investigative and criminal history information, including criminal incident data and DNA samples?

We look forward to your timely response.

Sincerely,



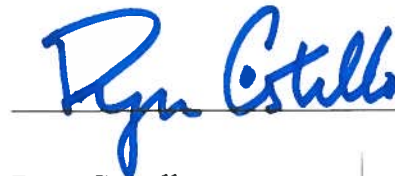
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