

STATE OF ALASKA THE LEGISLATURE

2003

Source
CSSJR 5(STA)

Legislative
Resolve No.
21



Urging the President of the United States and the Congress to act to ensure that federal agencies do not retain records relating to lawful purchase or ownership of firearms gathered through the Brady Handgun Bill instant check system.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the Second Amendment to the Constitution of the United States protects the right of all citizens to keep and bear arms; and

WHEREAS art. I, sec. 19, Constitution of the State of Alaska, clarifies that the right to keep and bear arms is an individual right in Alaska; and

WHEREAS the intent of H.R. 1025, known as the Brady Handgun Bill, when passed by the Congress was to create an instant criminal background check system that kept records only on individuals who are prohibited from lawfully owning firearms; and

WHEREAS the Brady Handgun Bill specifically states that, when a call to the instant check system reveals that a person may lawfully own firearms, "the system shall . . . destroy all records of the system with respect to the call (other than the identifying number and the date the number was assigned) and all records of the system relating to the person or the

transfer." (18 U.S.C. 922(t)(2)(C)); and

WHEREAS the Federal Bureau of Investigation (FBI) has indicated an intent to keep records gathered through the Brady Handgun Bill instant check system regarding lawful owners of firearms in its data banks for "audit purposes"; and

WHEREAS the actions of the FBI are contrary to both the letter and the spirit of the Brady Handgun Bill and further erode the constitutional right of Alaskans to keep and bear arms;

BE IT RESOLVED that the Alaska State Legislature respectfully urges the President of the United States to ensure that federal agencies comply with the law prohibiting them from maintaining information regarding lawful owners of firearms in violation of the Brady Handgun Bill; and be it

FURTHER RESOLVED that the Alaska State Legislature respectfully urges the Congress to make any necessary statutory changes to prevent federal agencies from maintaining information regarding the lawful possession of firearms.

COPIES of this resolution shall be sent to the Honorable George W. Bush, President of the United States; the Honorable Richard B. Cheney, Vice-President of the United States and President of the U.S. Senate; Robert Mueller, Director of the Federal Bureau of Investigation; the Honorable Bill Frist, Majority Leader of the U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; and to the Honorable Ted Stevens and the Honorable Lisa Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.