

SENATE JOINT RESOLUTION NO. 6

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY SENATORS HOFFMAN, Donley, Pete Kelly, Taylor, Miller, Halford, Leman, Ward

Introduced: 2/3/99

Referred: Judiciary

A RESOLUTION

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

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

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

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

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

12 **WHEREAS** the Brady Handgun Bill specifically states that, when a call to the instant
13 check system reveals that a person may lawfully own firearms, "the system shall . . . destroy
14 all records of the system with respect to the call (other than the identifying number and the
15 date the number was assigned) and all records of the system relating to the person or the
16 transfer." (18 U.S.C. 922(t)(2)(C)); and

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

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

7 **BE IT RESOLVED** that the Alaska State Legislature respectfully urges the President
8 of the United States to prevent federal agencies from maintaining information regarding lawful
9 owners of firearms in violation of the Brady Handgun Bill; and be it

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

13 **COPIES** of this resolution shall be sent to the Honorable Bill Clinton, President of the
14 United States; the Honorable Al Gore, Jr., Vice-President of the United States and President
15 of the U.S. Senate; the Honorable Trent Lott, Majority Leader of the U.S. Senate; the
16 Honorable Dennis Hastert, Speaker of the U.S. House of Representatives; and to the
17 Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the
18 Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.