



**** FLOOR ALERT ****

Tuesday, December 5, 2017

Regarding: H.R.38 (Concealed Carry Reciprocity Act of 2017) “CCRA”
H.R.4477 (Fix NICS Act of 2017) “Fix NICS”
Based on: Rules Committee Print 115–45
Position: Support / Amendments Requested

Title I – “Concealed Carry Reciprocity Act Of 2017”

1. Our position is that “with just a few simple but important changes” the CCRA “could unlock and protect the Second Amendment right to bear arms for all law-abiding people—especially where it is denied today.”
2. CCRA would leave millions of law-abiding people unprotected and exposed to serious criminal liability from a patchwork of state and local prohibitions;
3. CCRA leaves important terms (e.g., “concealed”) undefined, which could lead to criminal liability for people attempting to carry lawfully under the Act;
4. CCRA’s use of terms in their singular form, while excluding common firearm accessories and appurtenances, could easily lead to narrow constructions and prosecutions like those under the Firearm Owners’ Protection Act of 1986;
5. CCRA Section 104’s “extra-special gun rights” for Federal judges are unconscionable and likely unconstitutional. § 926E would allow any Federal judge who “is not prohibited by federal law from receiving a firearm” to carry any concealed firearm—not only a handgun—in “any State.”
6. CCRA Section 102’s troubling provision to allow “Stop-and-Frisk” harassment stops and arrests will be employed against good people in hostile jurisdictions—most likely overwhelmingly against minorities and those least able to afford high-priced defense lawyers.
7. CCRA Section 103’s unequal, if not unconstitutional, special privileges for government employees should be removed from the CCRA.
8. Law-abiding American People should not be afforded fewer or lesser rights than the people they employ—or employed—in their service.
9. CCRA should be amended to expressly provide statutory protection of the fundamental, individual rights under the Second Amendment made applicable to the States and local governments by the Fourteenth Amendment.
10. CCRA should be amended to ensure its application to—and uphold the Second Amendment rights of—the law-abiding people who reside in or visit a federal district, commonwealth, republic, or territory.



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Comments on Title II – “Fix NICS Act of 2017”

1. Fix NICS’s mandatory law enforcement reporting is fundamentally unwise and will lead to negative effects for law-abiding people and law enforcement alike.
2. Fix NICS should include the addition of a system so that people can review their firearms eligibility (or disability) status and correct any defects in their record before participating in an unlawful purchase or transfer that leads to police officers showing up at their front door. (Like California’s “Personal Firearms Eligibility Check”.)
3. A February 2013 report published by the U.S. Department of Justice Bureau of Justice Statistics (<http://bit.ly/2Blc5ly>) states that **nearly one-quarter of all NICS denials are appealed and over one third of all denials that are appealed are reversed**, as the purchaser should never have been denied in the first place.
4. Fix NICS’s mandatory law enforcement reporting will likely create a new public safety problem and put responding officers in harm’s way based on limited or erroneous information.
5. Fix NICS should include clear limits on federal executive powers to prevent abuses by hostile, anti-gun bureaucrats and administrations.
6. Fix NICS (or other advancing legislation) should be amended to ensure that the Federal rights restoration program is well-funded and operationally capable of once again helping good people comply with Federal and state law.

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See PassHR38.com for our prior letters requesting amendments.

Please do not hesitate to contact us at (916) 378-5785 or policy@fpchq.org if we can be of assistance to you or your office.