



ALASKA STATE LEGISLATURE

SENATOR THOMAS H. WAGONER

CHAIR, SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

VICE-CHAIR, SENATE RESOURCES COMMITTEE

Senator Tom Wagoner Sponsor Statement

SJR 5 - BRADY BILL INSTANT CHECK SYSTEM

In 1993 the United States Congress passed the [Brady Handgun Bill](#), which established a system to keep firearms out of the hands of criminals. The “national instant criminal background check system”, established by the Brady Bill, is used to check for a criminal background during firearm purchases. To ensure that non-criminal records were not retained, language was included addressing this issue. It clearly states that the intent is to destroy all records relating to non-criminal persons, except the identifying number and the date the number was assigned.

The problem arose when the Administration gave this clearly stated section a novel interpretation. Instead of immediately destroying all records of legitimate firearm purchases, these records would be retained for “audit” purposes and may be retained for a maximum of six months.

When the Administration extended the holding of non-criminal records for up to one hundred and eighty days, they violated both the spirit and letter of the Brady Handgun Bill.

This Senate Joint Resolution urges the President of the United States and the Congress to ensure that federal agencies do not use the Brady bill Act as a means to unlawfully collect data about legitimate firearm owners. Also, [this resolution](#) requests that the Congress make necessary changes to prevent this from occurring in the future.

I respectfully ask you to join me in supporting this resolution.