



THE TRUTH ABOUT NATIONAL RECIPROCITY AND “FIX NICS”

Rumors are running rampant about Congress’ most recent action with the passage of [HR 38 \(Concealed Carry Reciprocity Act of 2017\)](#) and [HR 4477 \(Fix NICS Act of 2017\)](#). This is a huge statement of support by Congress of the Second Amendment and your right to self-protection. The goal of improving NICS is to protect the Second Amendment rights of law-abiding citizens while preventing access to firearms by those prohibited by current law from owning or possessing a firearm. Below are some facts to set the record straight and give you the tools to share with your friends, family, and colleagues.

<p>1) MYTH: HR 4477 will enforce an Obama-era policy that will pressure the government to submit thousands of more names to the NICS background check database, thereby denying gun purchases.</p>	<p>TRUTH: The bill only requires federal agencies to submit names of those individuals who are <i>already</i> prohibited by law from possessing a firearm in the NICS system. Unlike the Obama push, there are no new categories of prohibited persons being created. The bill is aimed at only those persons that may have slipped through the cracks and should have been in the system already—like the gunman in Texas who was never reported to NICS.</p>
<p>2) MYTH: HR 4477 is being quickly pushed through without proper review and will cost millions of dollars to collect people’s names that should already be in the NICS system.</p>	<p>TRUTH: The bill went through the public markup sessions and has the votes to pass. The bill incentivizes states to submit the names of individuals who are <i>already</i> prohibited from possessing a firearm.</p>
<p>3) MYTH: HR 4477 compels administrative agencies and courts to adjudicate your Second Amendment rights.</p>	<p>TRUTH: Administrative agencies have been required to report individuals who are prohibited under current law from possessing a firearm to NICS for over twenty years. The bill adds transparency to the process, and a new 60-day deadline for the government to investigate and resolve claims of records that have been incorrectly included in NICS. This process is helpful for those that feel they have been incorrectly labeled as a prohibited person.</p>
<p>4) MYTH: HR 4477 expands federal law by allowing parking violations, domestic violence records and pre-validation of records for entry into NCIS.</p>	<p>TRUTH: Some have expressed concern that parking tickets, domestic violence records and pre-validation of records would expand current federal law. In order to be included in NICS</p>

	<p>for a traffic violation, it would have to rise to the level of a bench warrant being issued and the person fleeing the state to avoid such a warrant—not a simple parking violation.</p> <p>The domestic violence records are only for those that are determined as felonies, misdemeanor crimes of domestic violence, and domestic violence protective orders that meet the procedural requirements of federal law (found in the NICS Improvement Amendment Act of 2007, section 102 (b)(1)(C)).</p> <p>Pre-validation is a means for agencies to verify the information being sent to NICS. The pre-validation is a codification of the current FBI regulations that validating the accuracy of the records provided, therefore there is no expansion of federal law as all of these concerns are already covered under current law.</p>
<p>5) MYTH: HR 38 would allow anyone to carry in all 50 states, District of Columbia and U.S. possessions with very little restrictions. In California, politicians claim that the bill will make it easier for “dangerous people to carry around a loaded weapon.”</p>	<p>TRUTH: This is a complete lie in that those individuals allowed to carry across state borders <i>must still not be prohibited from owning, possessing, transporting, shipping, or receiving a firearm and must have some form of identification</i> from their home state showing that they have either met the requirements of a permit to carry concealed or they must be from a constitutional carry state. Nothing has changed at the federal level in that prohibited persons will still be prohibited from possessing a firearm across all states. For Constitutional originalists, this bill clearly falls under the authority of Congress’ power under the Fourteenth Amendment. However, we can be assured that legal challenges will be forthcoming as anti-gun states like California attempt to limit this action by Congress.</p> <p>Just this week, House Majority Leader Nancy Pelosi, made a false claim that this bill was “in voting violent criminals to carry concealed weapons, concealed weapons don’t save lives.” This is perpetuating a false narrative and totally disregarding the fact that concealed weapons have often saved lives during a</p>

	violent attack. NRA and CRPA attorneys will be monitoring the bill as it is enacted for any potential legal challenges and will continue to confront false statements and exaggerated propaganda.
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When reviewing new legislation that affects your Second Amendment rights, we encourage everyone to seek level-headed and trusted information. Remember no one who sells firearms wants to sell to a criminal or mentally unstable person, just because they don't have the resources in place to prevent this type of transaction. NICS may not be perfect, but we should work to improve the system that prevents prohibited persons from accessing firearms, without expanding current federal law. The [NRA](#) and [CRPA](#) are committed to dispelling the rumors and supporting those policies that further promote your Second Amendment rights.

To see how you can help with the efforts to keep the Second Amendment moving forward, please visit the [CRPA website](#).