

**AN ACT
TO
CREATE A NATIONAL
CRIMINAL REGISTRY**

The purpose of this Federal Legislation will be to prevent unauthorized purchase of firearms while preventing local, state and federal infringements on the rights of their citizens.

SECTION I

The National Criminal Registry (NCR):

1. A National data base will be created and linked with each state whereby all persons convicted of felonies, those adjudicated as mentally unstable or who are on the government's terrorist watch list will be listed there.
2. The cost of connecting to and setting up and maintaining this data base will be paid for by the Federal Government with 50% and the several states, proportionate to their population, paying for the other 50%.
3. The NCR will not, under criminal penalty, retain any information regarding those who are legally seeking to purchase firearms. If the search returns as no violation the seller will be so informed and that search will be deleted from all records.
4. An independent auditor will be appointed to ensure that the search deletions are being done as required. This auditing firm must be approved by a Congressional Committee.
5. If a search finds the potential purchaser to be on the no purchase list, that information will be automatically transmitted to the a Federal Prosecutor and to the State Authorities where the purchase was attempted.
6. The seller will not be required to arrest or detain the person attempting the illegal purchase but he must inform the buyer that he is in NCR and may have just committed a felony. The seller must keep a record of the illegal attempt and report the effort to state or local officials upon request.
7. The search into the NCR will not require a description of the weapons to be purchased or the amount or type of ammunition being purchased.
8. The seller will be required to see sufficient documentation to ensure the potential purchaser is who he says he is. False identification by a potential purchaser will result in a 10 year mandatory person term in addition to the penalties already in place in the state where the illegal attempt has been made.

END SECTION I

SECTION II

Penalties, adjudications and prosecution:

1. The seller of firearms, personal or professional dealers, will be required to ensure their buyer is not on the NCR. There will be no cost or usage fees for the use of this data base. Failure to make use of the system by a seller will be prosecuted under state law. Penalties to be set by the state.
2. Misuse of the NCR, for personal reasons or invasion of citizens' privacy will be a criminal offense to be handled by the state according to its laws. The NCR will record and maintain the name of the searcher but will not retain the name of the searched, unless the purchase attempt was illegal.
3. Legally licensed and authorized firearms dealers, making trades or sales between themselves, are not subjected to the NCR search requirements.
4. The first attempt to purchase firearms or ammunition by a person in the NCR will generate a warning notice to the purchaser and a record of that request will be maintained in the NCR. There will be no criminal offense for the first try which gives the purchaser the benefit if the doubt as to his status.
5. Attempting to purchase a firearm or ammunition, in a second attempt, by a person who is in the NCR will be a felony and penalties will be as set up by the state where the illegal purchase was made.
6. Any individual can access NCR to check his status before he tries to make a purchase. There will be no penalty for that search if it returns a no purchase response. That search will count however as the one time free effort to purchase. Any subsequent purchase attempts will trigger prosecution.
7. Any individual who feels he has been put into the NCR wrongly or wishes to contest his name being there can request a review by a six person Federal Panel. To be removed from the NCR the panel must vote in the majority. This panel will be appointed to five year terms and be seated by a Congressional Committee.

END SECTION II

SECTION III

Existing laws and applications of them:

- 1.This ACT will, when approved and enforced, provide for the safety of the citizens and will do all that is possible to prevent the unlawful ownership, use and sales of firearms and it will do so within the dictates of the Second Amendment.
- 2.It will be unlawful for any and all violations of this ACT to be plea bargained away. Any illegal attempt to purchase a firearm, as described herewith, shall be prosecuted.
- 3.In an effort to get criminals off the street and in prison, any penalties, Federal or State, for crimes committed with a firearm shall not be plea bargained away. The full penalties for crimes committed with firearms shall not be dismissed.
- 4.This ACT will, when approved, make null and void all existing Federal laws which infringe on the rights afforded the American people by the Bill of Rights. Those states cooperating with and making use of the NCR must pass legislation voiding any unconstitutional gun laws they may have.

END SECTION III

SECTION IV

Summery:

This ACT provides for a workable system to help keep firearms out of the hands of those who should not possess them, creates a reliable tool for law enforcement, dealers and individuals to help in that effort while not infringing on the rights of law abiding citizens. The creation of the National Criminal Registry will help keep track of those who might endanger society while preventing governments, state and national, from having and using information about law abiding citizens the Constitution forbids.

END SECTION IV

END ACT