

Castle Supports Legislation to Strengthen Background Checks for Gun Purchases -- June 14, 2007

Washington, D.C. -- Delaware Congressman Mike Castle has long supported legislation to bolster the national system for background checks on gun buyers, which just passed the House of Representatives. The NICS Improvement Amendments Act of 2007 will enforce existing law to help states automate and share disqualifying records, like felony criminal convictions, mental disability, and domestic violence incidents, with the FBI's National Instant Criminal Background Check System (NICS) database.

Funding has been provided through the National Criminal History Improvement Program to help states update, automate, and improve their records; however, we were reminded of the gaps in the current federal background check system in the wake of the Virginia Tech tragedy. A lack of reporting of those who are mentally adjudicated allowed the shooter, who should have been barred under federal regulations from purchasing a firearm because of his history of mental illness, to purchase two handguns.

"As an advocate of strengthening the NICS database, I feel consideration of this legislation is long-overdue. A background check is only as good as the records included in the database, and all relevant records relating to persons disqualified from acquiring a firearm under federal law must be included in the NICS. This legislation represents a true compromise -- a public safety measure that will prevent gun violence and protect the 2nd Amendment rights of law-abiding citizens. It is my hope that the funding provided in the bill will help states to act quickly to improve their reporting before we are faced with another tragedy.

"Effective background checks save lives, and I hope too that we can now gain traction on legislation I have introduced, the Gun Show Loophole Closing Act, to require background checks to all gun sales at gun shows, not just those performed by licensed dealers. This would further help prevent guns from getting into the wrong hands," Castle said.

Key Provisions of the NICS Improvement Amendments Act of 2007, H.R. 2640:

- Enforces the 1968 Gun Control Act, detailing criteria under which an individual is prohibited from possessing a firearm.

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Provides
funding and incentives for states to automate and share disqualifying records
with the FBI's NICS database.

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Authorizes
\$250 million annually from FY '08-10.

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Waives 10%
state matching requirement for National History Improvement Program for a state
that automates and shares at least 90% of all disqualifying records for up to 5
years.

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After 3
years, withholds up to 3% of funds available under the Omnibus Crime Control
and Safe Streets Act of 1968 to any state that fails to automate 60% of its
disqualifying records and supplying that information to NICS; after 5 years, 5%
of funds can be denied until the state has automated at least 90%; Attorney
General may grant a waiver under certain circumstances.

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Requires
transmittal of relevant Federal Records to NICS.

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Requires
process to review petitions of those seeking reinstatement of gun rights.

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Establishes a
grant program for state courts for the improvement in automation and
transmittal of disposition records.

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Awards \$125
million annually in FY '08-10.

Similar legislation previously passed the House in
the 107th Congress. H.R. 2640 awaits Senate action.

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