

Good Afternoon Chair Val Hoyle and members of the Committee

I am here today to state that I oppose the effort of Senate Bill 941 in the 2015 legislative session calling for Universal Background Checks on privately owned firearms. The concept of this bill is to force a transaction monitored by the state between private individuals who wish to sale of a firearm to be done with a background check.

After reading this bill, It is plain that the stated purpose of curbing “gun violence” is not the stated goal that is touted by those lawmakers who champion this legislation. The purpose of this bill is to make it so gun owners can not privately sell their firearms without a background check to make it more difficult for them to be able to sell their firearms if they so desire. My description may sound strange to you but within this bill it mandates that that transaction is to be conducted at a gun dealer. In many areas of Oregon, gun dealers are few and far between towns. So in effect the goal is actually to prevent fun owners from being able to privately sell their own firearms.

Gun dealers set up as gun stores may take part in this system as written within the bill but many Oregon gun sales are made in box stores such as Walmart of Bi-Mart, Sportsman Warehouse, Cabela's etc. in many parts in this state. Those stores will not take part in the law due to liability concerns. Those that do are indicating that they will charge higher prices for the private background checks due to their liability with their own insurance on their business models. But you already know this because that is the stated the goal.. to make it harder for private individuals to be able to sell their private property to another person.

Upon reading of this bill, the following scenario can occur which I do believe to be in-intolerable and the bill infringes on the rights of gun owners. Two individuals go to a gun dealer to conduct a private transaction. The Gun Dealer takes the weapon and records the serial number and then conducts the background check with the Oregon State Patrol Firearms Unit. The background check comes back negative or delayed. The Gun dealer under the bill would then have to conduct a background check between the business and the original owner to give the weapon back, creating two background checks at cost to the seller. Even upon reading of the bill there is basis that a transaction MAY be required for the gun dealer to take the weapon in for the background check itself to the gun dealer. The language within the bill is full on possible urn-intended or intended consequences.

Then there is the aspect that in order for a background check would work is that in the end.. the transaction is permanently recorded.. thus creating a database or registry. This aspect alone is against Federal Law to create a gun registration list and we know that despite the law stating that the Oregon State Police Firearms Unit can only keep the list of a transaction under the NCIS system created by the Brady Handgun Violence Prevention Act (Brady Law) of 1993 for five years, there is no guarantee that they do not keep the records beyond that period of time and No where in this bill states when the record is not to be destroyed. Hence it is a true registration scheme.. Not a gun control scheme. Never even the Brady Handgun Violence Prevention Act has that provision within the bill. The final insult to the people of Oregon is.. this bill is to be taken as under an emergency, not subject to the will of the people to even vote on it.. but all done be action of the legislature.

From my last few statements I again state that I oppose this effort by lawmakers to create a Universal Background check requirement for private sales. No other law in Oregon makes it illegal for people to sell their private property if they so choose. But THIS bill will make it much more difficult for firearm owners to do so by requiring a background check to be held through a gun dealer. No OTHER private property sale is subject such restrictions within the state of Oregon outside of licensed items such as explosives between businesses that have need of such items, but are illegal under the Gun Control Act of 1968 and the Patriot Act of 2002 to the average citizen.

This is something that I do Not accept that is in the purview of the state legislature. Also inside this bill is attempting to make gun owners possibly become felons if they fail to abide by law created by Senate Bill 941. I ask you, is the goal to promote safety of the people of Oregon, or is it to control the people of Oregon? Criminals will simply have a mind to ignore the law, but law abiding gun owners are to be punished for past actions. This bill is an Ideological punishment to people who own firearms under the 2nd Amendment to the US Constitution and Section 27 of the Oregon State Constitution.

As the Democrat Party controls the Oregon Senate and House, apparently it wishes to restrict firearm owners of their privilege to sell their own firearms if they so choose and punish Oregonians who own firearms by treating them as they are criminals for owning firearms by

declaring them a problem if they do with to sell their own property. The fact that many Democrat lawmakers are calling Universal Background an attempt to close a “loophole” in background checks for firearms suggest this very thing. I would remind the Senate and the Oregon Legislature that federal law under the Brady Law does not state any loophole even exists, so the whole measure is to restrict or control firearm owners private rights, and create a gun registry which is also against federal law.

Good Day and Thank You for your time.

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