



Written by [Bob Adelman](#) on March 14, 2022

Omnibus Spending Bill Contains Anti-gun Measures

Buried in [the omnibus spending bill](#) that hurriedly passed both the U.S. House and the Senate last week were two provisions that no doubt delighted anti-gun groups: expanded enforcement of the NICS background-check system and the recruitment of local and state officials to enforce federal gun-control laws.

The measure that passed the House earlier in the week arrived at the Senate at 1:30 a.m. Wednesday. By 10:00 p.m. Wednesday, 68 Senators had voted for it under pressure to avoid a government shutdown.



Anti-gun Democrats saw their opportunity to stuff these two provisions into the bill, and they took it.

The first “insertion” is the “NICS Denial Notification Act of 2022”:

Reporting of background check denials to State authorities:

If the national instant criminal background check system ... provides a notice ... that the receipt of a firearm by a person would violate [the law], the Attorney General shall ... report [this] to the local law enforcement authorities of the State ... within 24 hours.

The National Association for Gun Rights (NAGR) scarcely had time to ferret out the offending language before warning its members of its danger:

Over 95 percent of all NICS denials are false positives, which means [that] all local and state police would be required to investigate law-abiding citizens when they’re wrongly and unconstitutionally denied the right to purchase a firearm.... This constitutes a serious expansion of federal gun control.

It especially endangers women, said NAGR’s executive director, Dudley Brown:

We will find ourselves in a situation where law-abiding women who need to arm themselves for self-defense get wrongfully denied a firearm purchase when the National Instant Check System [NICS] wrongfully flags them, and then [they] find themselves being investigated by the cops for doing nothing wrong.

This is bad enough. But the second “insertion” compounds the flagrant violation of the Constitution. Called the “Special Assistant U.S. Attorneys and Cross-Deputized Attorneys,” it allows the attorney general of the United States to

appoint ... local prosecutors and qualified attorneys working for the United States government to serve as special assistant United States attorneys for the purpose of



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prosecuting violations ... and deputize State ... and local law enforcement officers for the purpose of enhancing the capacity of the agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives [ATF] in responding to and investigating violations.

In other words, this “insertion” violates states’ rights, and any sanctuary laws that states may have erected to keep federal law-enforcement officials from entering and enforcing laws the states consider to be unconstitutional.

The bill is more than 2,700 pages long, thus ensuring that hardly any representative or senator had time to read it before voting on it. And it neatly precluded any response from Second Amendment advocates such as the National Association for Gun Rights or Gun Owners of America to rally their members in protest.

It’s another example of how Congress passes laws the people don’t want.



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