



Bill Summary and Position Paper

“Red Flag” Gun Confiscation - (bill number TBD)

Sen. Marco Rubio (R-FL)
117th Congress - Introduced 2/9/2021
NAGR Position: **Strongly Oppose**

Last Updated: 2/10/2021

What the Bill Does:

“Red Flag” Gun Confiscation bills (disingenuously titled Extreme Risk Protection Orders) call for legally owned firearms to be forcibly confiscated from law-abiding Americans without due process, based on unsubstantiated accusations from disgruntled family members, neighbors, co-workers, and/or current or ex-romantic partners, or roommates. In other words: **Gun Confiscation without due process.**

The National Association for Gun Rights expects all pro-gun members of the U.S. House and Senate to join us in opposing this type of gun confiscation.

Why it's Bad for Gun Owners:

- The Myth of Due Process: Not a single one of the states with “Red Flag” laws has due process. It is impossible to have due process and confiscate guns first.
- Dangerous for Law Enforcement and Gun Owners Alike (lives are at stake): “Red Flag” gun confiscation laws put law enforcement officers and everyday citizens in danger, as evidenced by a Maryland man who was shot and killed by a SWAT team in his own home during an unannounced raid at 5 o'clock in the morning.
- Ripe for Abuse: Abusive partners, and criminals will use “Red Flag” laws to disarm their partners, neighbors, and potential victims. “Red Flag” laws target law-abiding citizens who have not committed a crime, in other words, it's an unconstitutional “pre crime” program similar to what you'd expect to see in Communist China.
- Bribing States: Another federal money handout used to bribe states into passing strict and more-infringing “Red Flag” laws, while punishing states that do not.
- “Red Flag” Laws are about taking guns, and only guns: They aren't confiscating knives, prescription meds, cars, or propane tanks.
- All 50 states already have procedures to separate criminally insane individuals and guns.

The National Association for Gun Rights will score any vote or legislative action to advance any “Red Flag” law, including a grant program, as an anti-gun.