



Stop S. 4104: Fake “Pro-Second Amendment” Bill



U.S. Senator Chuck Grassley (R-Iowa) introduced [S. 4104](#), the “Protecting Communities and Preserving the Second Amendment Act of 2024,” with Senators Ted Cruz (R-Texas) and Thom Tillis (R-N.C.) [co-sponsoring](#) the bill.

Although the bill sponsors claim that S. 4104 would safeguard the Second Amendment, this bill actually

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undermines the Second and Fourth Amendments, expands federal overreach, and threatens the constitutionally protected rights of law-abiding Americans. The [bill contains three dangerous sections](#):

“SEC 3. REAUTHORIZATION AND IMPROVEMENTS TO NICS. “

- Authorizes \$20,000,000 annually (2025–2029) to enhance the National Instant Criminal Background Check System (NICS). S4104 would expand the already intrusive NICS background check system by requiring federal agencies to provide records that would be used to create a federal gun registry.

“SEC. 4. AVAILABILITY OF RECORDS TO NICS. “

- Requires federal agencies to submit “relevant Federal records” to NICS and prioritize data sharing on a regular and ongoing basis, and would mandate mental health record submissions for red flag confiscation, a clear violation of the Second Amendment’s protections.

“SEC. 15. REDUCTION OF BYRNE JAG FUNDS FOR STATE FAILURE TO PROVIDE MENTAL HEALTH RECORDS TO NICS.”

- Penalizes states for non-compliance with mental health record submissions, withholding 5–10% of Byrne Justice Assistance Grants from states failing to provide 90% of required mental health records to NICS.

[As The New American warns](#), S. 4104’s expansion of NICS and mental-health record-sharing would create a federal database that could be used to disqualify individuals from possessing firearms, risking abuse by bureaucrats to disarm law-abiding citizens through subjective disqualifications based on unverified mental-health concerns.

The bill’s health record data-sharing requirements, and mental-health (red flag) provisions would allow for subjective disqualifications that would strip law-abiding citizens of their constitutionally protected rights without due process, allowing vague subjective criteria to flag individuals as “mentally incompetent,” resulting in firearm confiscations without due process.

This legislation would entrench a Deep State surveillance framework into American firearm ownership, and prioritize federal control over individual liberty. This would allow unelected officials to disarm citizens without due process — violating the God-given rights protected by the Second and Fourth Amendments.

Congress must oppose S. 4104’s firearm database and protect due process for mental-health adjudications. Contact your U.S. representative and senators today, and urge them to oppose S. 4104, stand up for the Constitution, and reject any red flag laws or a federal gun registry.