DEFENDING THE SECOND AMENDMENT
Congressman
Mike Simpson on the Issues

Defending the Second Amendment

Recent tragedies have prompted intense debate about gun control and the rights of Americans to own and carry guns. Like most Americans, I was horrified to learn of the shootings that took place at Virginia Tech in 2007. This act of senseless violence in what many considered a safe place is difficult for anyone to understand. It is important, however, that any policy discussion considers what the U.S. Constitution says about this issue.

The Second Amendment to the Constitution reads: "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." I firmly believe this provision prohibits the federal government from denying citizens this right.

I will not support any legislation that requires a waiting period for the purchase of a firearm, bans the ownership of firearms, or promotes or requires the rationing or taxation of firearms or ammunition. Contrary to the claims of gun control advocates, gun ownership is not the source of our gun-related crime problem. Illegal firearms trafficking and our "revolving door" justice system are significant contributing factors. I will continue to support legislation to reform our justice system to impose stiff sentences on criminals who use a gun while committing a crime. Individuals must understand that criminal behavior will not be tolerated and will be met with grave penalties.

1994 Ban on "Assault Weapons":
Semi-automatic rifles, including many defined as "assault weapons" by the 1994 federal gun ban, are generally used for lawful activities like marksmanship competitions, hunting, and target shooting. Very rarely is a weapon covered by the ban used for illegal activities. In fact, Senator Dianne Feinstein (D-California), one of the principal authors of the 1994 bill, admitted during an interview with the *San Diego Union-Tribune* (1-30-94) that the number of crimes committed with a semi-automatic rifle is "probably less than 3 percent." Furthermore, in a piece aired by CBS's *Sixty Minutes* (2-5-95), she stated that the legislation was essentially a step towards a complete and total ban on the ownership of firearms by the general citizenry of the United States.

The 1994 ban on certain semi-automatic weapons and on magazines over ten rounds expired in September 2004. I am pleased Congress chose not to reauthorize the ban. Should any attempt be made in the future to reinstate the ban, I will support the rights of law abiding Americans and defend the Second Amendment to the U.S. Constitution by voting against the reauthorization attempt.

The DC Gun Ban:
On June 26, 2008, the Supreme Court ruled in *District of Columbia v. Heller* that the District of Columbia's ban on guns in the home is unconstitutional, violating the individual rights protected by the Second Amendment. Like many Idahoans, I was pleased that the Supreme Court declared the gun ban unconstitutional. The D.C. law was one of the most draconian gun bans in the United States, and the Court's decision reaffirmed the individual right of Americans to bear arms.

Unfortunately, after the decision, the D.C. city government created several new restrictions on handgun ownership. In response, I supported the National Capital Security and Safety Act in order to bring the second amendment laws in Washington, D.C., in line with the requirements set forth by the Supreme Court in its historic decision.

Reform of the Bureau of Alcohol, Tobacco, and Firearms Enforcement (BATFE):
I have heard from many Idahoans regarding their concern about conflicts between Idaho businesses and the Bureau of Alcohol, Tobacco, and Firearms Enforcement (BATFE). I share these concerns and recognize the need to reform BATFE to ensure that Idaho companies are treated fairly. This is why I have cosponsored legislation to reform administrative penalties for licensed dealers, manufacturers, and importers of firearms, making them fairer for firearms dealers.

###