
U.S. Senate on Gun Legislation
St. John Preparatory School - Danvers, Massachusetts - December 2018



A Letter From the Chair

Dear Delegates,

My name is Jack Dubow and I am currently a sophomore here at St. John's Prep. I have been part of our Model UN club since 8th grade. I will be chairing this committee concerning gun control issues at this year's conference. At St. John's I am part of Model UN, the Young Democrats, and the sailing team. This committee is all about how we can solve our nation's gun issues. This issue affects every single citizen as a shooting can happen anywhere and at anytime. Considering recent shootings across the nation, this topic poses a degree of importance now more than ever. I look forward to hearing your solutions and meeting you this upcoming December! If you need to contact me at any time please feel free to email me at:

jdubow21@stjohnsprep.org

Sincerely,

Jack Dubow SJP '21

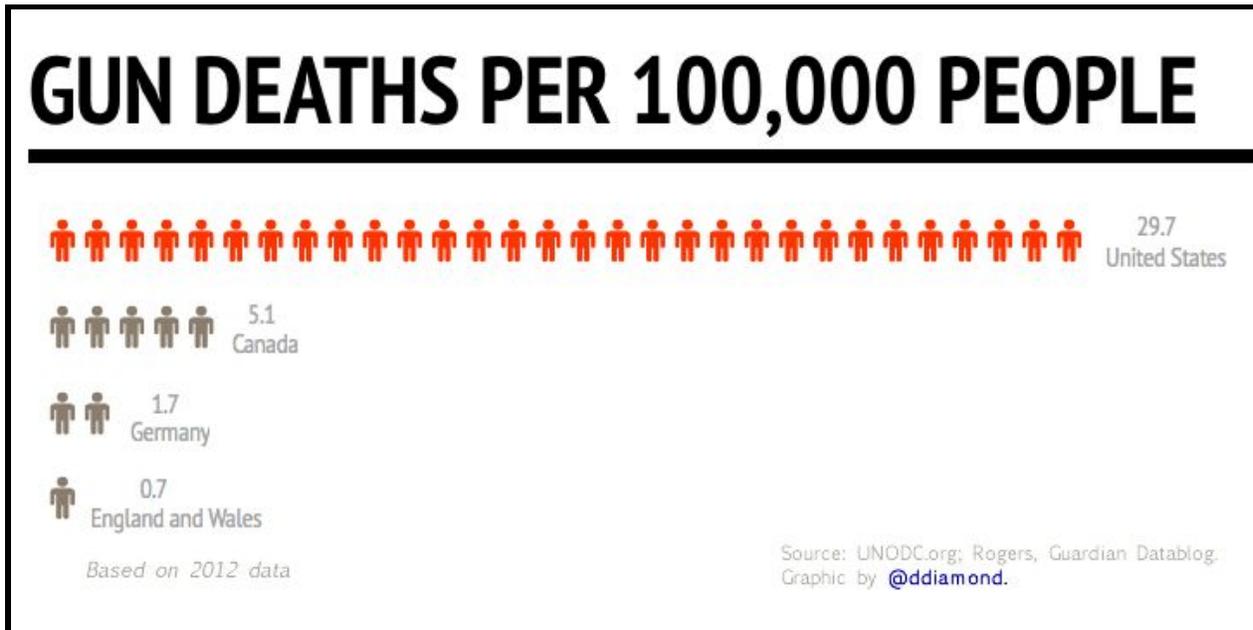
Committee Description

Since the formation of its body, the goal of the United States Senate is to represent the voices of every American. In this committee you, the delegates, will be representing states in the United States Senate.

This committee is formed to solve the political issues surrounding firearms so that the Senate can pass legislation to reform gun or expand gun laws in the United States. The Senate is also responsible for exploring the advantages and disadvantages of the current system. During this committee, delegates will be given the power to propose and pass legislation and amend current legislation, including our Second Amendment. Delegates will also be allowed to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF).

During this committee, to pass a resolution delegates will need a two-thirds majority. Since there are 50 delegates in our Senate, you will need 33 delegates votes to pass a resolution/amendment/reform/etc. This committee is very powerful and should use the power granted to it wisely.

History of the Problem



<https://www.forbes.com/sites/dandiamond/2015/08/26/americas-gun-violence-problem-in-three-charts/#7890efdc3e53>

As a citizen you are granted certain inalienable rights by the Constitution. The 2nd Amendment grants every U.S. citizen the right to bear arms: "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." The founding fathers felt that, in order to create and keep a free society, citizens need to be able to protect themselves, their property, and their family. During the Revolutionary War, the British wanted to disable Revolutionary militias by inhibiting their right to bear arms. This prohibition of arms angered many as it seemed to threaten their way of life. The anger of these citizens would lead through the revolution and into the creation of the "right to bear arms". As the country progressed into the modern age, so have our gun laws. The first national gun control law was passed in 1934. Named the National Firearms Act, the NFA was used to reduce "gangland crime of that era such as the St. Valentine's Day Massacre." The NFA created a tax

on manufactured “short-barrel shotguns and rifles, machine guns, firearm mufflers and silencers.” This tax was \$200 which is roughly \$3,658.51 in today’s dollar. The NFA was challenged in the Supreme Court in *United States v. Miller*. The Court decided that Congress can regulate the interstate selling of a short-barrel shotguns. They also decided “we cannot say that the Second Amendment guarantees the right to keep and bear such an instrument.”

Gun control has become a lot stronger since the first federal law in 1934. This has happened due to the advancement in firearms and technologies that make firearms more lethal. As an example, the Supreme Court case of *McDonald v. The City of Chicago* ruled in 2010 that the Second Amendment’s “right to bear arms” applies “to state and local governments as well as to the federal government.”. The ruling *McDonald v. The City of Chicago* allows “Right-to-carry” laws. These laws are created by states that use “minimally restrictive criteria” to allow citizens of that specific state to conceal carry. In the states with Right-to-carry states the “average murder rate is 28% lower” than states without these laws. However, the states with these laws have a smaller population than states without these laws, which skews the average.

In another Supreme Court case *D.C. v. Heller*, the Supreme Court ruled against the district, saying that its handgun ban was unconstitutional. According to the dissenting opinions by Justices Stevens, Souter, and Ginsburg, “As stated by the local council committee that recommended its adoption, the major substantive goal of the District's handgun restriction is, ‘to reduce the potentiality for gun-related crimes and gun-related crimes and gun-related deaths from occurring within the District of Columbia’”. These justices believe to avoid gun-related deaths there needed to be increased gun control.

In late 2017, a bipartisan gun legislation was brought to the Senate floor called *Fix NICS Act*. This legislation increased background checks and penalised government agencies for not reporting them to NICS (National Instant Criminal Background Check System). This law was popular in both houses of congress and was signed into law by the President on March 23, 2018.

Statement of The Problem

The United States has the largest gun death rate of any developed nation, with some of the weakest gun control laws. The Second Amendment creates a road block for gun control due to the vagueness of it's wording. The Supreme Court has ruled on many decisions about gun control. According to Business` Insider, on November 8th there were 307 mass shootings in 2018 with only 312 days in 2018 showing the pressing gun problem in the United States. However, as Americans, you are granted unalienable rights that can not be infringed upon, that includes the Second Amendment. However, Congress is given permission to amend those unalienable rights for the betterment of the country.



<http://www.petertrumbore.com/mass-killers-weapon-of-choice/>

Americans are divided on the gun control debate because firearms are a huge part of American culture, especially in states where hunting is a way of life. The Founding Fathers saw how important it is to be able to defend oneself and Americans still believe in that principle.

As science has progressed so has the research into mental health. As of 2018, federal law only prohibits firearm purchase if you have been brought “involuntarily to a mental hospital or if a court or government body declares the person mentally incompetent”. This creates a loophole in previous legislation that allows people with mental illnesses to purchase a firearm.

The sale of bump stocks in the United States allows for legal semi-automatic weapons become automatic weapons. The difference between semi-automatic and automatic weapons is when you pull the trigger on a semi-automatic firearm it only shoots out one bullet, but in an

automatic weapon pulling the trigger shots out a burst of bullets. When a bump stock is applied to a semi-automatic weapon it effectively turns into an automatic firearm. This type of gun modifier was used in the Las Vegas mass shooting to spray thousands of bullets on to concert



goers, which killed 58 people.

The weapon that has been used most in mass shootings is the AR-15. The AR-15 is a semi-automatic weapon that was most recently used in the Pittsburgh synagogue shooting that killed eleven people.

<http://googlemapsmania.blogspot.com/2017/10/1518-mass-shootings-mapped.html>

The AR-15 was also used in Parkland, Sutherland Springs, Las Vegas, Sandy Hook, and Pulse Night Club in Orlando. With the AR-15 being the weapon of choice for mass shootings, there must be a connection between the abilities of the firearm and the ability to kill as many people as possible. The AR-15 is a model of gun modeled after M-16 and the M-4 which are used in military combat. The AR-15 was introduced into American culture in the 1950s. Since the firearm was introduced into American culture the government has done very little to regulate the AR-15.

The majority of mass shootings in recent years have used the AR-15, however not every mass shooting has had this type of firearm used. The most recent example is the shooting at a bar in Thousand Oaks, California, which killed twelve people. The shooter used a Glock 21 .45 caliber that was fitted it with an extended magazine. This shows that the AR-15 is not the only reason for mass shootings. Firearm modifiers allow for a very dangerous weapon to turn into a far more dangerous weapon. Between the AR-15 and handguns, there is great potential for mass

destruction. However, how should the Senate move to help protect those in danger, while retaining the effectiveness of the 2nd Amendment? How could pass or amend certain legislation to more effectively protect American citizen and everyone living in the United States?

Bloc Positions

Progressive-leaning states will want stricter gun laws.

- Massachusetts, New York, California

Conservative-leaning states will want looser gun laws.

- Texas, Florida, Kentucky, Idaho

States with larger gun fatality rates will want stricter gun laws.

- Illinois, Florida, California

States with a large game and hunting tradition will want looser gun laws.

- Alaska, Maine, Montana

Questions to Consider

- Is the right to bear arms necessary in a developed nation and should Americans continue to have that right?
- Should the Senate amend the 2nd Amendment?
- Does America need common sense gun legislation?
- Why does the US have the largest fatality rate due to gun violence than any other developed nation?
- Is the problem in America a mental health problem instead of a gun problem?
- Will banning semi-automatic weapons, like the AR-15, help with stopping mass shootings?
- Should extended magazines and other gun modifiers like bump stocks be banned and regulated?

Research

For research I would recommend to start with your state's position on guns. Afterwards, you should look at how your constituents feel about guns and gun control. Remember, the job of a senator is to represent its constituents. Your constituents elected you, so do your job. Also, please don't put your partisan affiliation before your job. If you're liberal on gun control and you're representing Alabama, represent Alabama, not yourself. Same goes for conservative-minded people representing a more liberal state.

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