

The Washington Post

Voting rights vs. gun laws

Topic A

Sunday, April 18, 2010; A15

The Post asked whether Congress should pass legislation giving D.C. residents a vote in the House, or whether amendments to the legislation that roll back the city's gun-control laws is too high a price. Below, responses from Tom Davis, Paul Helmke, Robert A. Levy, Wade Henderson and Kristopher Baumann.

TOM DAVIS

Former U.S. representative from Virginia; president of the Republican Main Street Partnership

For voting-rights activists, the answer is clear. As distasteful as the gun amendments may be, the District should reluctantly accept them as the compromise for a vote in Congress. I say this because the Senate's coloration will change in November, and the 60 votes needed to pass voting rights for Washington simply will not be there for several more years at best. Moreover, the National Rifle Association has the votes now and will have the votes in the next Congress to impose gun rights on the city. The compromise that gives red Utah an extra seat to offset the blue one Washington will get also expires with this Congress.

The worst outcome would be to allow this opportunity to pass and have the next Congress impose gun rights anyway. Senate Democrats are likely to lose at least three seats in the upcoming election and will lose the 60 votes needed to pass this bill, which they currently have. And the 2012 Senate election cycle has 21 Democrats facing reelection and only 12 Republicans, making further GOP (and anti-voting rights) gains probable.

Voting rights for the D.C. delegate to Congress are too important to put off for another generation. Those who advocate waiting for the perfect bill do not understand the political realities and do their constituents a disservice by pretending otherwise.

PAUL HELMKE

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President of the Brady Campaign to Prevent Gun Violence

After the Supreme Court struck down the District's handgun ban, the D.C. Council enacted common-sense laws to keep guns from criminals and ensure gun safety. D.C. homicide rates are at their lowest level in decades. A federal court recently ruled that D.C. gun laws are constitutional and protect public safety. Now political leaders are faced with a false choice between sacrificing the city's gun laws and obtaining voting rights in Congress. They should not take the trade.

Illegal guns continue flooding into the District from states where it is too easy for dangerous people to get deadly weapons. Rather than strengthen atrociously weak federal laws that allow many sales at gun shows without background checks, Congress would force the District to abandon its ability to regulate guns.

The gun lobby's amendment would endanger residents and tourists and threaten national security by repealing the District's ban on sniper rifles that can penetrate armored vehicles. It would make it legal for teenagers to possess assault rifles, weaken restrictions on gun possession by drug criminals and the mentally ill, and repeal safe-storage laws.

Democratic leaders should not force the District to sacrifice its ability to protect its residents from gun violence. And President Obama, who has so far abdicated any leadership role on preventing gun violence, should veto any repeal of the District's lifesaving gun laws, lest his legacy be tarnished with the deaths of more innocents lost to gun violence he will have helped enable.

ROBERT A. LEVY

Chairman of the Cato Institute

Residents of Washington, D.C., like residents of every other jurisdiction in the United States, should have voting representation in the House of Representatives. The District government should also be permitted to enact its own gun regulations without interference from Congress.

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But the crystalline pronouncements of the Constitution trump those policy preferences.

First, voting representation is accorded only to states. The District is not a state. Congress's exclusive legislative authority over the District does not supersede other constitutional provisions. Congressional representation must be conferred by constitutional amendment -- the same process that granted Washington presidential electors. So the pending voting rights bill is unconstitutional.

Second, the D.C. Council has constructively banned firearms in the city. According to The Post, gun registration entails fees of \$834, four trips to the Metropolitan Police Department, two background checks, fingerprints, a five-hour class and a 20-question examination. Moreover, gun dealerships are nonexistent due to prohibitive restrictions. Because the city is blatantly circumventing the Supreme Court's decision in the *Heller* case -- in which I was co-counsel to the plaintiff -- remedial action is required. Out of respect for home rule, I would rather see a judicial remedy than a congressional remedy. But if the courts don't liberalize the District's gun laws, Congress should, voting rights bill or no. Home rule is not a license to violate the Constitution.

WADE HENDERSON

President and chief executive of the Leadership Conference on Civil and Human Rights

Voting is the language of American democracy -- if you don't vote, you don't count. Yet for more than 200 years, residents of the District of Columbia have been denied this fundamental right. Even though we pay federal taxes, fight in wars and fulfill all other obligations of citizenship, we still have no say when Congress makes decisions. Without representation, the District is not just a capital -- it's a colony. As a native Washingtonian and lifelong advocate of civil rights, I have dreamed of the day when the District of Columbia would enjoy full representation.

Unfortunately, the fulfillment of voting rights that we are so close to realizing has been sullied by an attempt to

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undermine the very democracy this legislation is meant to foster. Without a single vote by District residents, an amendment to the bill would overturn a purely local ordinance regulating firearms possession. We strongly oppose this effort to interfere in local D.C. affairs.

But, as it has done throughout history, the civil rights community recognizes that it must sometimes accept difficult trade-offs in the name of long-term progress. Given the fundamental importance of gaining a vote in Congress for D.C. residents, we are prepared to move forward with the bill.

KRISTOPHER BAUMANN

Chairman of the D.C. Fraternal Order of Police

Supporters of D.C. voting rights should not scuttle that effort in order to maintain restrictions on legal gun ownership in the city, particularly given the evidence that restrictive gun laws are not the answer to addressing crime in Washington. For more than three decades, the District government has relied on the city's gun ban as an excuse to avoid developing true crime-fighting strategies. While the gun ban was in place, there were more than 30,000 registered firearms in the city. Neither the police department nor the U.S. Attorney's

office has any record of a registered gun having been used in the commission of a crime. The problem is not individuals who legally own guns; the problem is criminals and our failure to take strong measures to protect law-abiding citizens. If local politicians and Congress are truly concerned about crime, we need to get serious about imposing mandatory minimum sentencing, ending the revolving door for adult and juvenile violent offenders, and addressing the underlying causes of crime.

Passage of the law proposed by Congress will provide two benefits: (1) the likely court challenges to the law will bring the District's status and ability to obtain representational rights to judicial resolution; and (2) politicians will be forced to stop making excuses and focus on more effective ways to fight crime.

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