



Aug 9, 2022

The Honorable Senator Richard Durbin, Chairman
The Honorable Senator Charles Grassley, Ranking Member
The United States Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, D.C. 20510

RE: H.R. 1808 (Cicilline) - Assault Weapons Ban of 2022

Position: Strongly Oppose

Dear Senators Durbin, Grassley, and the Honorable Members of the Senate Committee on the Judiciary:

I write you today on behalf of the Firearms Policy Coalition (FPC), a non-profit organization that promotes maximal individual liberty and sound public policy through litigation, research, education, grassroots outreach, and direct advocacy, regarding H.R. 1808, the "Assault Weapons Ban of 2022," and the policies contained therein. FPC Law, the nation's first and largest public interest legal team focused on the right to keep and bear arms, and the leader in the Second Amendment litigation and research space, has reviewed H.R. 1808 and found it to be grossly violative of the rights of the People protected under the United States Constitution. FPC thus strongly opposes H.R. 1808 on its merits and rejects its contempt for the natural rights of the People.

For a legislative body to suppose that it can abrogate the human rights of the very people that delegate limited, enumerated powers to it is the height of conceit. Especially following the United States Supreme Court decision of *N.Y. State Rifle & Pistol Ass'n v. Bruen*, 142 S. Ct. 2111 (2022), to even propose such a measure is to show unbridled recalcitrance and disrespect to the People the Congress serves. And to consider this legislation, which would if enacted increase state violence by orders of magnitude and put peaceable people in government cages for exercising their rights, is an act of tyranny. We urge you to terminate this awful and contemptible legislation.

The deluge of rhetorical and legislative assaults on the fundamental rights of the People by our governmental institutions—rights that are inseparable from those same People—erodes public trust in governmental institutions. Indeed, if Congress does not respect the law, then the People are sure to follow that example.

While H.R. 1808 seeks to create irrational classes of 'good guns' and 'bad guns', and 'good features' and 'bad features', at bottom, the policies represent an arrogant belief that the Congress has the authority to regulate and restrict these constitutionally protected

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instruments. *It does not.* Not only does Congress not have the powers to engage in such regulations (through interstate commerce or otherwise), the right to keep and bear these arms pre-exist the government itself. This right is not negotiable or subject to debate, as “[t]he very enumeration of the right takes out of the hands of government”—even the Congress—“the power to decide on a case-by-case basis whether the right is really worth insisting upon.” *Heller*, 554 U. S., at 634, 128 S. Ct. 2783, 171 L. Ed. 2d 637.

And by whatever term a legislative body chooses to label these arms—be they pejoratively described as “assault weapons” or characterized by their true nature as protected arms—the People are entitled to possess and use them for lawful purposes.

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For the reasons stated above, we urge the Committee to not take up H.R. 1808 or any similar legislation that would violate the Constitution and infringe upon the rights of the People.

Thank you for your time and attention to this important matter. Please do not hesitate to contact us at policy@fpchq.org if we can be of any assistance.

Sincerely,



Richard R. Thomson
Vice President of Communications