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Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
FACSIMILE (202) 225-4784
MINORITY (202) 225-5074

www.oversight.house.gov

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Statement of Rep. Henry A. Waxman Chairman, Committee on Oversight and Government Reform H.R. 6842, "The National Capital Security Act" September 16, 2008

The bill that is before us is a very simple bill. It directs the District of Columbia to comply with the recent Supreme Court decision in the Heller case, which held that the Second Amendment gives individuals the right to have a handgun at home for personal protection.

The Heller decision is now the law of the land, and the District of Columbia — just like every other state or local government in this country — has a legal obligation to follow it.

Our Committee, the Oversight and Government Reform Committee, has jurisdiction over the District of Columbia and so our Committee reported this measure last week to underline the District's legal obligations. The bill tells the city government in very clear, unequivocal terms that it has to conform its law to comply with the Heller decision.

It even sets a deadline for the District to complete this effort in 180 days.

This measure, sponsored by Ms. Norton and myself, was adopted by the Committee of jurisdiction by a vote of 21-1. An amendment could have been offered like the amendment that will be being offered today. It was not offered in Committee. The Committee recommended on a vote of 21-1 on a bipartisan basis that we support this legislation.

Now I know there is going to be an amendment proposed to this bill, but that amendment would trample on the principle of home rule for the District.

If the District of Columbia adopts legislation that complies with the Supreme Court, it is no business of any Representative from other areas in this country to override the decision of the District of Columbia.

D.C. residents are the only Americans who pay federal taxes but are denied a vote in Congress. That is fundamentally wrong. And when Congress overrules the City Council and the Mayor, we compound that wrong.

The District, I believe, is acting responsibly, and I think we ought to let them pursue their legislation to comply with the Supreme Court decision.

I ask my colleagues to imagine how you would feel if the Congress of the United States tried to dictate the gun laws or any other laws for your district. I think you would be outraged. Yet that is exactly what some Members want to do today.

The substitute amendment that will be offered to Congresswoman Norton's bill does more than trample on home rule. It is also an exceptionally dangerous proposal. It repeals key safeguards the District has established to protect our Nation's capital and the many officials who live and work here. Even basic commonsense measures like gun registration which tells law enforcement who possesses a weapon and enables background checks would be repealed.

I urge support of the underlying bill and rejection of the substitute.