

# *GrassRoots GunRights*

P.O. Box 2446 Lexington, SC 29071 <http://www.SCFirearms.org>

February 13, 2008

The Honorable Mike Pitts  
South Carolina House of Representatives  
P.O. Box 11867  
Columbia, SC 29211

Re: S. 856

Dear Mike,

S. 856 is a very dangerous bill that threatens our gun rights. Unfortunately, it has already passed the Senate and is in the House. S. 856 asks Congress to call for a constitutional convention. The alleged intent of S. 856 is to give states the power to fight illegal immigration. The problem is that S. 856 opens a Pandora's box that can not be constitutionally closed or controlled once it is opened.

It is important to understand that the last constitutional convention that was called was to amend the Articles of Confederation. Once called, the constitutional convention completely threw out the Articles of Confederation and adopted an entirely new Constitution - the very same Constitution we allegedly operate under today.

While S. 856 explicitly limits the request for a constitutional convention to only the issue of immigration, such a limit is not constitutionally allowed. Thus, once the constitutional convention is called for - and regardless of the motives of those states calling for the constitutional convention, the constitutional convention is empowered to propose any amendments it so desires. Please read Article V of the U. S. Constitution. An excellent detailed explanation (it lasts 10 minutes) of this subject can be found at (I have sent you the link in an email): <http://youtube.com/watch?v=O7rN6btlyMI>

The problem with a constitutional convention is that once it is called, it can not be controlled. Gun rights advocates are fearful the 2<sup>nd</sup> Amendment would be used as a bargaining chip by so-called "conservative" politicians to get things they valued more than our gun rights from liberal politicians who want to get rid of the 2<sup>nd</sup> Amendment altogether. Gun owners know they have everything to lose and nothing to gain from a constitutional convention.

The answer to illegal immigration is not a constitutional convention. The answer is to use existing laws or for Congress to propose a specific amendment.

If politicians feel a constitutional amendment is necessary to address the illegal

immigration problem, then they need to get Congress to propose such an amendment. If Congress proposes an amendment, then only that amendment can be considered - and the rest of the Constitution remains safe from the wheeling and dealing that would occur in a constitutional convention.

Every single one of the existing twenty-seven (27) amendments to the U. S. Constitution were made by having Congress propose a specific amendment, not one has been enacted through the use of a constitutional convention. Why put the entire Bill of Rights at risk when there is a better way to do things?

Look at the politicians "leading" our country today. McCain has a rating of "F-" from Gun Owners of America. Romney proudly signed a state level assault weapon ban. Giuliani proudly supports gun control. The Bush administration provided an amicus brief in the D.C. v. Heller case that all sides see as supporting D.C. and gun control, and Bush campaigned on a promise to sign a new assault weapons ban if it came to his desk. Hillary and Obama are obviously not friends of gun owners. Then, there is Kennedy, Schumer, Feinstein, McCarthy, Boxer, Reid, etc., etc.. So, how well do you think the 2<sup>nd</sup> Amendment will fare once politicians like these get together to decide which rights we will retain and which rights are expendable?

GrassRoots GunRights respectfully asks that you please work to protect the rights of gun owners by amending S. 856 to delete the call for a constitutional convention, and instead insert a call for Congress to propose a specific amendment. Such a change would still accomplish the claimed intent of the bill. But more importantly, such a change would protect the rights of gun owners by not putting our 2<sup>nd</sup> Amendment rights at risk in a constitutional convention.

Sincerely,

A handwritten signature in black ink that reads "RD Butler". The letters are bold and slightly slanted, with a cursive-like flow.

Robert D. Butler, J.D.  
Vice President  
GrassRoots GunRights SC