

From: Representative Dan Benishek [<mailto:MI01DBIMA@mail.house.gov>]

Sent: Tuesday, February 26, 2013 6:03 PM

To: dejure@jamadots.com

Subject: Responding to your message

DAN BENISHEK
1ST DISTRICT, MICHIGAN

514 CANNON H
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Congress of the United States
House of Representatives
Washington, DC 20515-2201

February 26, 2013

Dear Bonnie:

Thank you for contacting me regarding your support for the Second Amendment and the protection of a law abiding citizen's right to bear arms. As your elected representative, I appreciate the opportunity to hear from you, and I also agree with you.

As you may know, President Obama has called for Congressional action regarding gun control in addition to the Executive Orders recently issued by his Administration. A number of measures have been introduced in response, including H.R. 437, the "Assault Weapons Ban of 2013" which would amend the federal criminal code to ban the import, sale, manufacture, transfer, or possession of a firearm that meets the bill's definition of "semiautomatic assault weapon." Currently this bill awaits consideration in the House Judiciary Committee.

You may be pleased to know, I am, and will continue to be, a firm supporter of the rights afforded to law abiding citizens under the Second Amendment. I oppose the Obama Administration's plan to limit the Second Amendment rights of law abiding gun owners in Northern Michigan.

In addition, I have joined with some of my colleagues in the House as an original cosponsor on the H.R. 35, the "Safe Schools Act," which seeks to amend the federal criminal code to repeal provisions making it unlawful to possess or discharge a firearm in a school zone. This bill currently awaits consideration by the House Judiciary Committee. Although I do not serve on this committee I look forward to the chance to support this measure should it come to the House floor for a vote.

Please know as Congress continues this important discussion it is my firm belief that we can make important steps to stop criminals from hurting innocent people without taking away anyone's Second Amendment rights. I appreciate the opportunity to hear from you on this important issue. Please know I

will continue to fight on behalf of Northern Michigan gun owners to ensure your Second Amendment rights remain strong. I hope that you will continue to communicate with me in the future on any issue that may be of concern to you or your family.

Sincerely,
Dan Benishek M. D.
Member of Congress

MY REPLY:

Dear Dan,

Thank you for a quick response to my web form submittal earlier today. It is good to know that you support and will defend the 2nd Amendment right of the people of Northern Michigan but you fail to disclose what legislation you are working on to secure this protection against the over-stepping power of the Obama Administration. It is not enough that you are watching when you should be doing.

It would be easier to lock the barn before the thieves run off with everything rather than waiting until it is all gone then attempt to retrieve it. This is why you were sent the 2nd Amendment Preservation Act/Bill to be reviewed by the House Judiciary Committee to be adopted. While H.R. 35, the "Safe Schools Act," is a good move toward taking away the targets that gun free zones have made of our children and I commend you for this must needed legislation, it is also urgent that this 2nd Amendment Preservation Act is also adopted. We cannot wait to see what the Obama Administration is going to do. You were put in Congress to represent the people of Michigan and defend our Constitutional Rights.

There can be no compromising on this very serious issue. It is not just the right to bear arms, but also the right to bear any and all arms that our military is issued. This continuance of making laws against the rights of the law-abiding people must stop. If your office does not over-see state legislative issues, please direct me to the office that does to introduce this legislation. I contacted Representative Kivela as well for my District, but have not heard from him yet.

I will include the 2nd Amendment Preservation Act:

STATE 2ND AMENDMENT PRESERVATION ACT, which shall be known and may be cited as the "2nd Amendment Preservation ACT." To prevent federal infringement on the right to keep and bear arms; nullifying all federal acts in violation of the 2nd Amendment to the Constitution of the United States.

WE The People of Michigan ENACT AS FOLLOWS:

SECTION 1: We The People OF Michigan find that:

A. The 2nd Amendment to the Constitution of the United States reads as follows, "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."

B. All federal acts, laws, orders, rules or regulations regarding firearms are a violation of the 2nd Amendment

SECTION 2: PROHIBITION ON FEDERAL INFRINGEMENT OF THE RIGHT TO KEEP AND BEAR ARMS

A. We The People OF Michigan declares that all federal acts, laws, orders, rules, regulations – past, present or future – in violation of the 2nd Amendment to the Constitution of the United States are not authorized by the Constitution of the United States and violate its true meaning and intent as given by the Founders and Ratifiers; and are hereby declared to be invalid in this State, and shall not be recognized by any county, are specifically rejected by that county, and shall be considered null and void and of no effect in this county.

B. It shall be the duty of the Sheriff of each County to take all measures as may be necessary to prevent the enforcement of any federal acts, laws, orders, rules, or regulations in violation of the 2nd Amendment to the Constitution of the United States.

SECTION 3 This Second Amendment Right to bear arms applies to ALL arms and ammunition for said arms. The citizenry per the second amendment is given the right to bear all weapons made available to the military, and ammunition to said weapons is to be readily available, this cannot be infringed upon. "If the Government is allowed to have it the people (the employers) may have it."

Current Michigan Constitution

§ 6 Bearing of arms. Sec. 6. Every person has a right to keep and bear arms for the defense of himself and the state.

§ 4 Militia.

Sec. 4. The militia shall be organized, equipped and disciplined as provided by law. History: Const. 1963, Art. III, § 4, Eff. Jan. 1, 1964. Former

constitution: See Const. 1908, Art. XV, §§ 1-3.

Again thank you for your response and I'll look forward to hearing what action is being taken on behalf of the people. Also, I await your response to my other issue concerning the "Constitution Free Zone" established by Homeland Security.

Bonnie Frownfelter N.D. (Naturopathy Doctorate)
Representative of "We...the people"