

**OPENING STATEMENT OF SENATOR PATRICK LEAHY (D-VT.),
CHAIRMAN, SENATE JUDICIARY COMMITTEE
HEARING ON:
“WHAT SHOULD AMERICA DO ABOUT GUN VIOLENCE?”
JANUARY 30, 2013**

On December 14, America’s heart was broken when 20 young children and six dedicated educators were murdered. This is the first Judiciary Committee hearing of the 113th Congress. I ask all assembled here today to join in the discussion as part of a collective effort to find solutions to help ensure that no family, no school, and no community ever has to endure such a grievous tragedy again.

We must come together today as Americans seeking common cause. Let us forego sloganeering, demagoguery and partisan recriminations. This is too important for all that. We all abhor the recent tragedies – in just the last two years – in an elementary school in Connecticut, in a movie theater in Colorado, in a sacred place of worship in Wisconsin, and in front of a shopping mall in Arizona.

Americans are looking to us for solutions and for action. This Committee is a focal point for that process. I have introduced a measure to provide law enforcement agencies with stronger tools against illegal gun trafficking. Others have proposed restrictions on military style weapons and the size of ammunition clips. Others have proposed modifications to the background check systems to keep guns out of the wrong hands, while not unnecessarily burdening law-abiding citizens.

I know gun store owners in Vermont. They follow the law and conduct background checks to block the conveyance of guns to those who should not have them. They wonder why others who sell guns do not have to follow these same protective rules. I agree with these responsible business owners. If we can all agree that criminals and those adjudicated as mentally ill should not buy firearms, why should we not try to plug the loopholes in the law that allow them to buy guns without background checks? It is a simple matter of common sense. And if we agree that the background check system is worthwhile, should we not try to improve its content and use so it can be more effective? What responsible gun owner objects to improving the background check system?

At the outset of this hearing, I note that the Second Amendment is secure and will remain secure and protected. In two recent cases, the Supreme Court has confirmed that the Second Amendment, like other aspects of our Bill of Rights, secures a fundamental individual right. Americans have the right to self-defense and to have guns in their homes to protect their families. No one can or will take those rights or our guns away. Second Amendment rights are the foundation on which our discussion rests. They are not at risk. But *lives* are at risk when responsible people fail to stand up for laws that will keep guns out of the hands of those who will use them to commit mass murder. I ask that we focus our discussion on additional statutory measures to better protect our children and all Americans. Ours is a free society, an open society. We come together today to consider how to become a safer and more secure society.

No one begrudges the government assistance provided to victims of mass tragedies made possible by the law we passed after the bombing at Oklahoma City. The bill I introduced last week against gun trafficking will similarly prove helpful and become an accepted part of our crime control framework. It, too, is a commonsense reform. It fills a hole in our law enforcement arsenal so that straw purchasers who acquire weapons for criminals can be prosecuted more effectively.

Last Thursday the President nominated the U.S. Attorney from Minnesota to direct the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives. I trust that all Senators will cooperate in a prompt hearing and action on that nomination and will join in good faith to strengthen our law enforcement efforts against gun violence and to protect public safety.

As a responsible gun owner and someone who cherishes all of our constitutional rights; as a Senator who has sworn an oath to uphold those rights, and as a father and grandfather; and as a former prosecutor who has seen the results of gun violence first hand, I undertake these efforts with hope that this hearing can build consensus around commonsense solutions. Previous measures to close the gun show loophole or to improve the background check system have been bipartisan. I hope in this new Congress, further improvements will also become bipartisan. I have said what kinds of measures I can support. I challenge other Senators to come forward and do so, as well. I will ask our witnesses what legislative proposals they support to make America safer, and I thank everyone for joining today's discussion.

#####