Congress of the United States
Washington, DC 20515

October 6, 2011

The Honorable Jack Markell
Tatnall Building
William Penn Street, 2nd Floor
Dover, DE 19901

Dear Governor Markell:

I am writing today to bring to your attention H.R. 822 – the National Right-to-Carry Reciprocity Act of 2011. This bill constitutes a threat to the ability of your state and every state to decide for itself important matters of public safety.

The National Right-to-Carry Reciprocity Act would use the power of the federal government to strip your state of the ability to decide for itself the conditions by which individuals in your state can carry a concealed handgun. H.R. 822 would force states to recognize a concealed carry permit issued by any other state. This policy removes the ability of your state to pass laws or regulations regarding armed visitors to your state and forces the citizens of your state to honor the policies of the government of another state over whom they have no electoral control or remedies for addressing ill-advised policies.

States approach the issue of concealed carry in a variety of different ways. They often have different eligibility requirements such as age minimums, firearms training requirements, and the exclusion of individuals guilty of certain crimes. The legislatures and governors of the states, elected by their citizens, have debated these issues and determined the course that they feel is best, given the unique conditions of their state. Why should the federal government now override the wishes of the state legislatures and governors and remove their ability to set whatever standards they feel is appropriate for the carrying of firearms in their state?

Under current law, states can also enter into reciprocity agreements that recognize and honor the concealed carry permits issued by other states. Again, this decision is made by the elected legislatures and governors of the states based on their understanding of the needs of their home state. Every state is different and what may be appropriate for one will not necessarily be appropriate for another. Since states have routinely exercised their ability to enter into reciprocity agreements with some states and not with others, it is obvious that the state governments do not feel it is appropriate to recognize the concealed carry permits issued by every other state. There is nothing to stop a state from doing so if it wished. Why should the federal government now go against the wishes of the state legislatures and governors and force them to recognize the concealed carry permit of a state whose permits they have actively decided not to recognize?

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It has long been the argument of many of the Members of Congress who are cosponsors of this legislation that the states know best how to provide for their own citizens and that a one-size-fits-all federal policy constitutes a dangerous overreach of federal power. It is curious that these Members seem to be abandoning their states' rights principles for this particular issue. I would encourage them, in this case, to rethink their politically-motivated abandonment of their principles and leave this decision to you and your state legislature.

Given the current freedom of any state to enter into a reciprocity agreement with any other state if both of their elected legislatures and state governments feel it is appropriate, H.R. 822 is an ill-advised solution to a problem that simply does not exist. I encourage you to carefully review this bill and the negative impacts that it could have on your state and contact your state's Congressional delegation and request that they oppose this legislation.

Sincerely,

Carolyn McCarthy

Carolyn McCarthy
Member of Congress