

 **HCMUN**
MARCH 3RD, 2018

U.S. CABINET

BACKGROUND GUIDE

GUEST CHAIR: ROWAIDA HUSSEIN
DIRECTOR: HANNAH ZHAO

Dear Delegates,

I hope you are well! I am Hannah Zhao, your director for the HCMUN IV U.S. Cabinet committee. I am a grade 10 student at Havergal and I have been actively participating in Model United Nations since grade nine, attending many conferences, including SSUNS, UTMUN, and OMUN. This is my first year directing- I am so excited to share my experience with you! On behalf of your U.S. Cabinet Dais and the HCMUN team, welcome to HCMUN IV!

Delegates - welcome to HCMUN IV! I am Rowaida Hussein, Havergal alumnus and guest chair for the U.S. Cabinet Committee. I am currently at the University of Toronto studying Neuroscience and Cell Biology, but I still enjoy debating (and MUN!) as much as I did in high school. I look forward to the fruitful debate in the upcoming committee sessions! If you have any questions regarding this committee, feel free to email me at rowaida.hussein@mail.utoronto.ca. Best of luck in your preparations!

All position papers must be submitted in Word or PDF format no later than 11:59 pm on March 1, 2018, to hzhao@havergal.on.ca. Delegates who fail to submit their position paper before then will not be eligible for an award. Position papers should be limited to three pages and fully cited in Chicago style, those who plagiarize will not be eligible for an award.

To get started with your research and position paper, we recommend that you read over this background guide and take note of the questions to consider at the end of each section. We highly encourage you to conduct your own research in order to bring new ideas to the table.

We are hoping to focus on a productive, respectful and progressive debate. We would also like to highlight how important collaboration is in a committee like the U.S. Cabinet— controversial national issues cannot move forward without compromise and cooperation. We cannot wait to meet you and hear your diverse and innovative ideas!

Should you have any questions at all regarding this committee, conference, or Model UN in general, feel free to contact myself or Rowaida. We really want you to enjoy your time at HCMUN and to have a thought-provoking and fun weekend! We can't wait to see you soon- until then, good luck and happy researching!

Best,

Hannah Zhao and Rowaida Hussein
U.S. Cabinet
HCMUN IV

Committee Summary

The U.S. Cabinet, President, Vice-President, and the Executive Office of the President make up the Executive Branch of the U.S. government, which enforces and administers federal law.¹ The power of the Executive Branch lies with the President, who is the head of state and government.² The role of the U.S. Cabinet is to advise the President based on the Cabinet members' varying perspectives and roles.³

Another important branch of the federal government is the legislative branch, which is made up of the House of Representatives and the Senate. These two chambers form the Congress. It has the sole authority to enact legislation and confirm or reject presidential appointments.⁴ However, only the President has the power to sign legislation into the law or veto bills that are enacted by Congress, although a veto may be overridden with a two-thirds vote on both chambers.⁵

Currently, 24 people serve with President Donald J. Trump in his Cabinet—however, for the purpose of this committee, certain roles are slightly different.⁶ At the end of this background guide, a list of all the characters in this committee can be found. Over the course of the day, this committee will address three deep-rooted and multifaceted domestic issues—the repeal of DACA, decriminalization of cannabis, and gun control. Please note that this committee is based in the present so it will be helpful to remain up to date with current news. This background guide was published on January 19, 2018; any events after this date will not be discussed in the guide.

Topic #1: Repeal of DACA

Role of the Cabinet

Over the course of the committee sessions, the Cabinet must determine its future course of action after Donald Trump's repeal of DACA. While considering their course of action, the Cabinet must consider the various social, economic, and political repercussions of their decisions, both domestically and internationally.

A Brief History

The Deferred Action for Childhood Arrivals program, DACA, is a federal government program created by former President Barack Obama via a Department of Homeland Security (DHS)

¹ "The Executive Branch." The White House. Accessed December 10, 2017. <https://www.whitehouse.gov/about-the-white-house/the-executive-branch/>.

² Ibid

³ "The Cabinet." The White House. Accessed December 10, 2017. <https://www.whitehouse.gov/administration/cabinet>.

⁴ "The Legislative Branch." The White House. Accessed December 10, 2017. <https://www.whitehouse.gov/about-the-white-house/the-legislative-branch/>.

⁵ Ibid, 1

⁶ Ibid

memorandum issued on June 15th, 2012.⁷ This program was implemented to allow minors under the age of 16 who were illegally brought into the country to obtain temporary permits to live, study, and work. The immigrants who benefit from DACA are commonly referred to as “DREAMers”. The government has the right to revoke the license of those who do not abide by the rules of the program such as by committing a crime or failing to show that they go to school or work.⁸

On November 20th, 2014, the DHS expanded the parameters of DACA, making eligible those of a wider age range and range of arrival dates, and lengthening the temporary license time from 2 to 3 years.⁹ It also established a new program known as DAPA, or Deferred Action for Parents of Americans and Lawful Permanent Residents, where it granted deferred action status to certain illegal immigrants who had lived in the U.S.A. since 2010 and have children who are citizens or lawful permanent residents.¹⁰

Current Situation

During the divisive election of 2016, Donald Trump promised to abolish DACA and immediately deport all illegal immigrants. When he took office, he stated that he would severely modify or terminate the DACA program.¹¹ On September 5th, 2017, the DHS officially announced a plan to end DACA. According to the plan, the program will be phased out on March 5, 2018, leaving six months for Congress to determine what measures will be used to address the DREAMer population. President Trump stated that this 6-month window will motivate Congress with its sense of urgency and that this period will not be extended.¹²

No new applicants will be accepted as of September 5th, 2017 and existing 2-year licenses expiring after March 5th, 2018 will not be renewed. Within this half-year period, applicants can apply to temporarily renew their licence. Unless Congress passes legislation allowing DREAMers to stay, those who are currently in the program will lose their status by 2020, with the first permits expiring in March 2018.¹³

Currently, 690,000 undocumented immigrants are registered under DACA.¹⁴ 787, 580 people have benefited from this program since 2012, with 39,514 immigrants having gone on to become lawful residents and 1,056 who have become U.S. citizens.¹⁵ Although the agency has stopped accepting new requests as of September 5th, 2017, they will continue to process all requests made

⁷ "Memorandum on Rescission Of DACA." Department of Homeland Security. September 05, 2017. Accessed December 10, 2017. <https://www.dhs.gov/news/2017/09/05/memorandum-rescission-daca>.

⁸ Ibid

⁹ Ibid

¹⁰ "2014 Executive Actions on Immigration." USCIS. Accessed December 10, 2017. <https://www.uscis.gov/archive/2014-executive-actions-immigration>.

¹¹ Kopan, Tal. "One-quarter of DACA renewals not in by deadline." CNN. October 05, 2017. Accessed December 10, 2017. <http://www.cnn.com/2017/10/05/politics/daca-renewal-deadline-immigration/index.html>.

¹² Ibid

¹³ Ibid, 2

¹⁴ Nakamura, David. "How many people will Trump's DACA rollback affect? About 100,000 fewer than initially reported." The Washington Post. September 07, 2017. Accessed December 10, 2017. https://www.washingtonpost.com/news/post-politics/wp/2017/09/07/how-many-people-will-trumps-daca-rollback-affect-about-100000-fewer-than-initially-reported/?utm_term=.ef0db860dde5.

¹⁵ Ibid

before that date. According to the DHS, there were 106,341 pending requests as of August 20th, 2017- 34,487 initial requests and 71,854 renewals.¹⁶

Social Impacts

The fate of all 690,000 DREAMers is at stake. It is the choice of Congress to allow expulsion of DREAMers from the U.S. and find methods to navigate this process. However, they may also choose to enact new legislation that will allow DREAMers to remain in the U.S. or set up measures of protection for DREAMers. It is important to note that allowing DREAMers to remain in the U.S. and terminating the DACA program are not mutually exclusive— this distinction can lead Congress to effectively terminate DACA but to pass a new legislation which allows the DREAMers to legally and permanently remain in the country.

As President Trump has stated that he wishes to deport the DREAMers, this is a large concern at this time. Socially, the expulsion of DREAMers is problematic because DREAMers are acclimated to American society as they have, on average, arrived in the U.S. before the age of six.¹⁷ However, the DHS and Congress have made no official statements regarding future actions and it is currently solely up to Congress to enact future steps of action.¹⁸

DACA increases the accessibility of higher education for undocumented students by allowing them to openly apply for post-secondary education without fear of deportation. Further, the DREAMers may legally apply for work permits and thus attain higher-paid jobs which can help to finance their education and better their standard of life.¹⁹ This may be particularly important because undocumented immigrants are not eligible for federal financial aid.²⁰ Although individual states cannot grant deferred action status to undocumented immigrants, they may choose to provide in-state post-secondary education tuition to DREAMers.²¹

Economic Impacts

Many, including the Trump administration, believe that the presence of unauthorized immigrants in the United States harms the economy. The Trump Administration has stated that the repeal of DACA will open up job opportunities for struggling Americans.²² They claim that DACA

¹⁶ Ibid

¹⁷ Hoban, Brennan. "The reality of DACA, the Deferred Action for Childhood Arrivals program." Brookings. September 22, 2017. Accessed December 10, 2017. <https://www.brookings.edu/blog/brookings-now/2017/09/22/the-reality-of-daca-the-deferred-action-for-childhood-arrivals-program/>.

¹⁸ Ibid, 14

¹⁹ Quintero, Diana, and Elizabeth Mann. "With DACA's uncertain future, how will states address access to higher education?" Brookings. August 23, 2017. Accessed December 10, 2017. <https://www.brookings.edu/blog/brown-center-chalkboard/2017/08/23/with-dacas-uncertain-future-how-will-states-address-access-to-higher-education/>.

²⁰ Ibid

²¹ Ibid

²² Davidson, Paul. "DACA's end would hurt economy, hiring." USA Today. September 08, 2017. Accessed December 10, 2017. <https://www.usatoday.com/story/money/2017/09/08/dacas-end-would-hurt-economy-hiring/638835001/>.

plays a large role in the high unemployment rate of Americans in many states and Attorney General Jeff Sessions stated that “[DACA] denied jobs to hundreds of thousands of Americans by allowing those same jobs to go to illegal aliens.”²³ The current unemployment rate in the U.S. is hitting a 16-year low and the Trump Administration firmly believes that the many jobs occupied by DREAMers, whom they call “illegal aliens”, should be filled by Americans instead.²⁴

However, many economists are concerned that the repeal of DACA can cost the government a large amount of tax revenue and in turn, potentially detriment the economy. The Cato Institute has estimated that the immediate deportation of the Dreamers would cost over \$60 million, alongside a \$280 million economic reduction in the next decade.²⁵ A study by the Centre for American Progress has cited that the loss of DACA recipients will reduce the GDP of the U.S. by \$433 billion in the next decade, with California, a large DACA state, losing \$11.3 billion GDP a year.²⁶

International Ramifications

The United Nations has named “arbitrary deportation or forceful transfer of population... committed in a systematic manner or a large scale” to be a crime against humanity under Article 18 of the *Draft Code of Crimes Against the Peace and Security of Mankind*.²⁷ This text was adopted by the International Law Commission in 1996 and submitted to the General Assembly. However, the committee did not define deportation as it feels that it should be defined by circumstance.²⁸ As President Trump has not yet publicly declared an action plan, it is uncertain if his decisions will violate this U.N. Code and whether this will have international ramifications.

Past Governmental Actions

The U.S. government defines an illegal immigrant as anyone who violates American immigration policies.²⁹ As of the *Homeland Security Act of 2000*, all matters regarding immigration, including law enforcement and adjudication, is now fully in the power and responsibility of the

²³ Rugaber, Elliot Spagat And Chris. "FACT CHECK: What the Trump administration said about DACA." Global News. September 05, 2017. Accessed December 10, 2017. <https://globalnews.ca/news/3720245/fact-check-trump-daca/>.

²⁴ Ibid

²⁵ Albright, Ike Brannon and Logan. "The Economic and Fiscal Impact of Repealing DACA." Cato Institute. January 18, 2017. Accessed December 10, 2017. https://www.cato.org/blog/economic-fiscal-impact-repealing-daca?utm_content=buffer8d3a8&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer.

²⁶ Mathema, Silva. "Ending DACA Will Cost States Billions of Dollars." Center for American Progress. July 21, 2017. Accessed December 10, 2017. <https://www.americanprogress.org/issues/immigration/news/2017/01/09/296125/ending-daca-will-cost-states-billions-of-dollars/>.

²⁷ *Draft Code of Crimes against the Peace and Security of Mankind with commentaries*. PDF. UN. Accessed December 10, 2017. http://legal.un.org/ilc/texts/instruments/english/commentaries/7_4_1996.pdf

²⁸ Ibid

²⁹ "Illegal Immigration - Immigration | Laws.com." Immigration. Accessed December 14, 2017. <https://immigration.laws.com/illegal-immigration>.

DHS.³⁰ Common ways in which immigrants are termed as illegal are by entering the state without the proper credentials and authorization, and overstaying their legal visa.³¹ The charges for illegal immigration can result in a term of 6 months in prison for a first offence and up to 2 years for subsequent offences, or the deportation of the immigrant. The U.S. government holds approximately 300,000 illegal immigrants in illegal immigrant detention centers each year.³² Citizens of the U.S. can petition to legalize the immigration status of illegal immigrants through a variety of methods such as family immigration, marriage, employment, and education.³³ Exact procedures for legalization may vary depending on the location, background, and residency status of the immigrant.³⁴

Further, Temporary Protected Status (TPS) is a legal status available to certain undocumented immigrants, comparably to DACA. TPS is granted by the DHS to individuals who temporarily cannot return to their country because of events such as a violent conflict, natural disaster, or epidemic.³⁵ This program was initiated in 1990, two decades before DACA was implemented. Once granted TPS, immigrants are temporarily not detained or deported by the DHS on the basis of their immigration status.³⁶ Although a temporary status, immigrants under TPS may file for other immigration benefit programs, such as applying for asylum and nonimmigrant status during their time in the U.S.³⁷ However, only citizens of designated TPS countries can apply for such status. It is within the duty and power of the DHS to extend or terminate TPS to states after reviewing their conditions. This program may, to some extent, be useful when determining the future course of action of the United States Cabinet.

Guiding Questions

1. What action should this administration take to address DACA? How should Congress address this issue?
2. What programs should be instituted to address problems associated with DACA?
3. How can possible mass expulsion be addressed or how may protection programs be put in place to address the rights lost with the termination of the DACA program?
4. How can the safety of those previously licensed with DACA be ensured following the termination of the program?
5. How may the repeal of DACA cause future political ramifications domestically and internationally?

³⁰ "History of U.S. Immigration Laws." Federation for American Immigration Reform. Accessed December 14, 2017. <https://fairus.org/legislation/reports-and-analysis/history-of-us-immigration-laws>.

³¹ Ibid, 28

³² Ibid, 28

³³ Ibid, 28

³⁴ Ibid, 28

³⁵ "Temporary Protected Status." USCIS. Accessed December 14, 2017. <https://www.uscis.gov/humanitarian/temporary-protected-status>.

³⁶ Ibid

³⁷ Ibid

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initially reported." The Washington Post. September 7, 2017. Accessed December 10, 2017.
https://www.washingtonpost.com/news/post-politics/wp/2017/09/07/how-many-people-will-trumps-daca-rollback-affect-about-100000-fewer-than-initially-reported/?utm_term=.ef0db860dde5.

Quintero, Diana, and Elizabeth Mann. "With DACA's uncertain future, how will states address access to higher education?" Brookings. August 23, 2017. Accessed December 10, 2017.
<https://www.brookings.edu/blog/brown-center-chalkboard/2017/08/23/with-dacas-uncertain-future-how-will-states-address-access-to-higher-education/>.

Rugaber, Elliot Spagat And Chris. "FACT CHECK: What the Trump administration said about DACA." Global News. September 5, 2017. Accessed December 10, 2017.
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Topic #2: Decriminalization of Cannabis

A Brief History

In the 1920s, the Federal Bureau of Narcotics was established to oversee narcotics regulations.³⁸ Not too long after, the *Maribjuana Tax Act of 1937* was passed, which instated a “high-cost transfer tax stamp for every sale of marijuana”.³⁹ Shortly after this act was enacted, the possession of cannabis was deemed a crime.⁴⁰

While the mid-20th century saw a shift in drug abuse treatment, from the use of punishment to the use of medicinal treatments, new types of drugs, such as crack cocaine, emerged and enforcement rose again.⁴¹ Under the Reagan administration (1981-1989), both the number of drug-related convictions and the budget for drug law enforcement increased.⁴² At this time, Congress passed *The Comprehensive Crime Control Act of 1984* and *Anti-Drug Abuse Acts of 1986 and 1988* to control drug supply and demand.⁴³

As of 2017, it is legal for adults in eight states and the District of Columbia to have small amounts of cannabis for recreational use. There are bills pending in 20 states on the topic of cannabis legalization.⁴⁴

Decriminalization and Legalization

Decriminalization and legalization are terms often used interchangeably, however, they are not synonymous. Regarding cannabis laws, legalization means that as long as the age of the drug user, their location, and the amount of consumption are compatible with the state’s laws, then one cannot be arrested or convicted.⁴⁵ Even though it is legal for adults to use cannabis recreationally in states such as Colorado and Washington, if the citizen does not adhere to state regulations (such as when growing or selling cannabis), their actions are illegal.⁴⁶

On the other hand, decriminalization means that the possession of small amounts of cannabis will not lead to a criminal record or a jail sentence.⁴⁷ In cases of cannabis decriminalization, criminal penalties such as persecution may be replaced with civil penalties, such as a fine.⁴⁸

³⁸ Sacco, Lisa N. "Drug Enforcement in the United States: History, Policy, and Trends." Congressional Research Service. <https://fas.org/sgp/crs/misc/R43749.pdf>.

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ National Conference of State Legislatures. "Legalization." <http://www.ncsl.org/research/civil-and-criminal-justice/marijuana-overview.aspx>.

⁴⁵ FindLaw. "Marijuana Legalization and Decriminalization Overview." <http://criminal.findlaw.com/criminal-charges/marijuana-legalization-and-decriminalization-overview.html>.

⁴⁶ Ibid.

⁴⁷ W, T. "The difference between legalisation and decriminalisation." The Economist. <https://www.economist.com/blogs/economist-explains/2014/06/economist-explains-10>.

Massachusetts decriminalized adult possession of recreational cannabis under an ounce, replacing previous criminal punishments with “a maximum civil penalty of \$100 fine and forfeiture of the marijuana (anyone under 18 must also complete a drug awareness program)”.⁴⁹ Arrest rates for possession of cannabis have dropped 85% per year after the implementation of this policy.⁵⁰

Medical and Recreational Usage

While decriminalization and legalization efforts regarding recreational use are fairly recent, the legalization of cannabis for medical use has been underway since California became the first state “to allow for the medical use of marijuana” in 1996.⁵¹ According to the National Conference of State Legislatures, studies have shown that the use of cannabis can relieve “some of the symptoms of HIV/AIDS, cancer, glaucoma, and multiple sclerosis”.⁵² Although it is said that “the psychological effects of cannabinoids, such as anxiety reduction, sedation, and euphoria can influence their therapeutic values...”, the psychological effects associated with cannabis may actually lead to adverse effects for some patients.⁵³

Some may raise concerns about the abuse of cannabis, even when used for medical purposes. New Jersey Governor Chris Christie, who is also head of the presidential commission on opioids, recently reported that “there is a lack of sophisticated outcome data on dose, potency, and abuse potential for marijuana. This mirrors the lack of data in the 1990s and early 2000s when opioid prescribing multiplied across health care settings and led to the current epidemic of abuse, misuse and addiction”.⁵⁴ Even though Christie cited that “marijuana use led to a 2 ½ times greater chance that the marijuana user would become an opioid user and abuser”, Dr. Chinazo Cunningham, from the Albert Einstein College of Medicine, has found that “states where medical marijuana is legal had 25% fewer opioid overdose deaths than those without medical marijuana laws”.⁵⁵ It was also revealed that Attorney General Jeff Sessions penned a letter to Congress in May of 2017 to repeal the Rohrabacher-Farr Amendment, an amendment which would prevent the Justice Department from interfering with state laws regarding the legalization/decriminalization of medical cannabis.⁵⁶ However, contrary to Sessions’ proposition is research acknowledged by the National Institute on Drug Abuse that opiate deaths and overdoses decrease in states where medical

⁴⁸ American Civil Liberties Union. "The War on Marijuana in Black and White." <https://www.aclu.org/files/assets/1114413-mj-report-rfs-rel1.pdf>.

⁴⁹ American Civil Liberties Union. "The War on Marijuana in Black and White." <https://www.aclu.org/files/assets/1114413-mj-report-rfs-rel1.pdf>.

⁵⁰ Ibid.

⁵¹ National Conference of State Legislatures. "State Medical Marijuana Laws." <http://www.ncsl.org/research/health/state-medical-marijuana-laws.aspx>.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ Drash, Wayne. "Opioid commission's anti-marijuana stance stirs anger." CNN. <http://www.cnn.com/2017/11/13/health/marijuana-opioid-commission/index.html>.

⁵⁵ Ibid.

⁵⁶ Ingraham, Christopher. "Jeff Sessions personally asked Congress to let him prosecute medical-marijuana providers." The Washington Post. https://www.washingtonpost.com/news/wonk/wp/2017/06/13/jeff-sessions-personally-asked-congress-to-let-him-prosecute-medical-marijuana-providers/?utm_term=.1cb1c7e6c5aa.

cannabis is regulated, and that “cracking down on medical-marijuana laws, as Sessions requested, could perversely make the opiates epidemic even worse”.⁵⁷

In addition to the aforementioned relationship between policies on medical cannabis use and lower rates of opioid-related deaths and overdoses, a study by the American Journal of Public Health found that “after Colorado implemented its recreational marijuana law [a.k.a legalization], opioid deaths fell by 6.5 percent in the following two years”⁵⁸. Although the study is relatively new and researchers are waiting to see if their results are replicated in other states, this new data may provide further support for the benefits of recreational cannabis use.⁵⁹

Social and Economic Impacts

According to the American Civil Liberties Union (ACLU), there is a high racial disparity in the arrests made regarding cannabis possession. Between 2001 and 2010, “the black/white racial disparity in marijuana possession arrests increased by 42%”.⁶⁰ The union recommends legalization as “the most effective way to eliminate arrests for marijuana use and possession, the racial disparities among such arrests, and the Fourth Amendment violations that often accompany such arrests.”⁶¹

Some may believe that legalization will lead to increased use in youths. However, a CATO publication examining data from Colorado prior to and after commercialization of cannabis for medical use and legalization of recreational cannabis, respectively showed that drug-related suspensions in high schools followed a downward trend, and that the number of drug-related expulsions stayed the same (any increases in the data were compared with non-drug-related expulsions, which showed parallel trends).⁶² Analysis of standardized test scores of 8th to 10th graders after cannabis was legalized in Washington State showed no significant changes in scores.

Some may associate the legalization of cannabis with an increase in crime rates. The opposition worries about the expansion of cannabis sales through “violent, underground markets” and the smuggling of cannabis to states where it is not yet legalized or decriminalized.⁶³ Proponents of legalization suggest that a legal market for cannabis will reduce illegal production and sales of cannabis, thus reducing crime.⁶⁴ Crime rates (violent crimes and property crimes) in Denver, as well as other cities in Colorado, remained constant in 2012 after the legalization of recreational cannabis and in 2014 after the opening of cannabis retail stores.⁶⁵

⁵⁷ Ibid.

⁵⁸ Ingraham, Christopher. "Legal marijuana is saving lives in Colorado, study finds." The Washington Post. https://www.washingtonpost.com/news/wonk/wp/2017/10/16/legal-marijuana-is-saving-lives-in-colorado-study-finds/?utm_term=.5472a2f63eb3.

⁵⁹ Ibid.

⁶⁰ American Civil Liberties Union. "The War on Marijuana in Black and White." <https://www.aclu.org/files/assets/1114413-mj-report-rfs-rel1.pdf>.

⁶¹ Ibid.

⁶² Dills, Angela, Sietse Goffard, and Jeffrey Miron. "Dose of Reality: The Effect of State Marijuana Legalizations." CATO Institute. <https://www.cato.org/publications/policy-analysis/dose-reality-effect-state-marijuana-legalizations#full>.

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Ibid.

Data on the economic impacts of cannabis legalization, like data on societal consequences, are limited by the lack of post-legalization data.⁶⁶ Some may argue that the legalization of cannabis will create a cannabis sector, which will in turn create employment and “marijuana tourism”.⁶⁷ This view is supported by seasonally-adjusted unemployment rates after the opening of cannabis retail stores in Colorado in 2014.⁶⁸ The most apparent economic effect related to cannabis legalization would be state tax revenues.⁶⁹ According to a data analysis done by the CATO Institute, states such as “Colorado, Washington, and Oregon all impose significant excise taxes on recreational marijuana, along with standard state sales taxes, other local taxes, and licensing fees”.⁷⁰ Colorado, for example, set aside \$35 million out of the \$135 million tax revenue in 2015 for school construction projects.⁷¹ Again, because data availability is limited by how recent legalization occurred, it is difficult to support strong arguments made by proponents or oppositions of cannabis legalization.⁷²

Federal or State Right

A continuing debate revolves around whether the federal government or individual states can enact regulations and policies on cannabis decriminalization and legalization. At the federal level, cannabis “remains classified as a Schedule I substance under the *Controlled Substances Act*, where Schedule I substances are considered to have a high potential for dependency and no accepted medical use, making distribution of marijuana a federal offense”.⁷³ However, the legalization efforts by individual states are not in accordance with this classification of cannabis in the *Controlled Substances Act*. Despite the states’ and territories’ rights to “have their own statutory framework through which they enforce drug laws...the CSA [*Controlled Substances Act*] places drug control under federal jurisdiction *regardless* of state laws”.⁷⁴ Although the Rohrabacher-Farr Amendment is in place to prevent the Justice Department from interfering with states passing their own legislation on the legalization of cannabis for medical use, the amendment does not include state legislation on the legalization of cannabis for recreational use.⁷⁵ This leaves a grey area in terms of law enforcement—should one who uses cannabis recreationally in accordance with the state’s laws be prosecuted by federal agencies?

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Dills, Angela, Sietse Goffard, and Jeffrey Miron. "Dose of Reality: The Effect of State Marijuana Legalizations." CATO Institute. <https://www.cato.org/publications/policy-analysis/dose-reality-effect-state-marijuana-legalizations#full>.

⁷¹ Ibid.

⁷² Ibid.

⁷³ National Conference of State Legislatures. "State Medical Marijuana Laws." <http://www.ncsl.org/research/health/state-medical-marijuana-laws.aspx>.

⁷⁴ Sacco, Lisa N. "Drug Enforcement in the United States: History, Policy, and Trends." Congressional Research Service. <https://fas.org/sgp/crs/misc/R43749.pdf>.

⁷⁵ Ingraham, Christopher. "Jeff Sessions personally asked Congress to let him prosecute medical-marijuana providers." The Washington Post. https://www.washingtonpost.com/news/wonk/wp/2017/06/13/jeff-sessions-personally-asked-congress-to-let-him-prosecute-medical-marijuana-providers/?utm_term=.1cb1c7e6c5aa.

Guiding Questions

1. Should cannabis use be decriminalized, legalized, or penalized?
2. How can the federal government put forward a comprehensive drug policy (whether towards legalization, decriminalization, or penalization) that accounts for the social, economic, and political ramifications of their decision?
3. How can the conflict between state and federal rights on enforcing and enacting cannabis laws be reconciled?

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Topic #3: Gun Control

A Brief History

The right for individuals to possess and bear arms has been written in the U.S. Constitution since the Second Amendment was passed by Congress in 1789.⁷⁶ It states, "...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."⁷⁷ Although Americans today have the same right, much has changed since then.

In 1934, Congress approved the *National Firearms Act*— which regulates the production, sale and possession of fully automatic firearms.⁷⁸ In 1938, the first limitations were placed on the sale of ordinary firearms— those which are not fully automatic.⁷⁹ The *Gun Control Act of 1968* was enacted following the assassination of Former President John F. Kennedy and enforced stricter measures on licensing firearms. It also established new categories of firearm offenses and prohibited the sale of ammunition to criminals.⁸⁰

Following said Act, various bills were proposed and passed by Congress and individual states after various debates regarding gun safety. Notably, *the Violent Crime Control and Law Enforcement Act of 1994* was the first to ban the sale of 19 types of military assault ammunitions.⁸¹ In 2008, Former President Bush signed the *National Instant Criminal Background Check Improvement Act*, which required all gun sellers to screen for legally declared mentally ill individuals who cannot purchase or own ammunition.⁸²

Gun advocates have claimed that ever since the Second Amendment, the ownership of firearms has been an essential element of the American heritage.⁸³ The U.S., which represents less than 5% of the population, owns 35-50% of civilian-owned weapons in the world according to a Swiss-based small arms study conducted in 2007.⁸⁴ Consequently, it ranks first in firearms per capita.⁸⁵ Further, the U.S. also has the highest homicide-by-firearm rate.⁸⁶

⁷⁶ "The 2nd Amendment of the U.S. Constitution." National Constitution Center – The 2nd Amendment of the U.S. Constitution. Accessed December 17, 2017. <https://constitutioncenter.org/interactive-constitution/amendments/amendment-ii>.

⁷⁷ Ibid

⁷⁸ Longley, Robert. "See a Timeline of Gun Control in the U.S. from 1791 to the Present." ThoughtCo. Accessed December 17, 2017. <https://www.thoughtco.com/us-gun-control-timeline-3963620>.

⁷⁹ Ibid

⁸⁰ "Bureau of Alcohol, Tobacco, Firearms and Explosives." Gun Control Act | Bureau of Alcohol, Tobacco, Firearms and Explosives. Accessed December 17, 2017. <https://www.atf.gov/rules-and-regulations/gun-control-act>.

⁸¹ Ibid

⁸² Ibid

⁸³ Masters, Jonathan. "Gun Control Around the World: A Primer." The Atlantic. January 12, 2016. Accessed December 17, 2017. <https://www.theatlantic.com/international/archive/2016/01/worldwide-gun-control-policy/423711/>.

⁸⁴ Ibid

⁸⁵ ibid

⁸⁶ Ibid

Current Situation

Most American citizens of legal age currently have the right to purchase and own guns. Some exceptions for the status quo occur for those who have committed a crime, immigrated to the U.S. illegally, or are deemed mentally unwell.⁸⁷ Gun laws vary by state; while states like California, New York and Massachusetts have adopted stricter laws, many states like Arizona and Nevada have minimal, lenient laws around ammunition.⁸⁸ For example, there are varying rules for which kind of guns citizens can own and where they can utilize them.⁸⁹ In 29 states, permits must be issued to applicants who wish to purchase a gun.⁹⁰ In contrast, in 12 states these permits have been abolished.⁹¹ In 24 states, one does not need to have any gun training in order to carry a gun.⁹²

President Donald Trump is a vehement supporter of the Second Amendment. He believes firmly in the freedom and right of Americans to bear arms.⁹³ President Trump promised to undo Former President Obama's actions regarding gun laws during his campaign.⁹⁴ He has been successful in easing various gun laws in the past months. President Trump signed an important bill in February 2017 which no longer required those with mental illnesses to be screened before purchasing firearms.⁹⁵ Further, President Trump has led the Army Corps of Engineers to reconsider its previous decision of banning firearms on its land, the Justice Department to narrow and redefine its list of fugitives who may not own guns, and the Interior Department to lift the federal ban on lead ammunition in hunting.⁹⁶

Before the mass shooting in Las Vegas on October 1st, 2017, the Trump Administration had been focused on pushing for a high-stake legislation that would simplify the process of purchasing gun silencers and carrying concealed weapons across states.⁹⁷ Due to debate regarding the mass shooting, this legislation is currently halted.⁹⁸

Mental Health and Firearm Ownership

On February 28th, 2017, President Trump signed a bill which terminated an important gun regulation implemented by Former President Obama, which required the Social Security.

⁸⁷ "Las Vegas attack: America's gun laws explained - CBBC Newsround." BBC News. October 04, 2017. Accessed December 17, 2017. <http://www.bbc.co.uk/newsround/41483003>.

⁸⁸ "States Where Anyone Can Carry a Concealed Weapon." The Huffington Post. July 08, 2016. Accessed December 17, 2017. https://www.huffingtonpost.com/entry/states-where-anyone-can-carry-a-concealed-weapon_us_577ffbffe4b0f06648f4b9ea.

⁸⁹ Ibid

⁹⁰ Ibid

⁹¹ Ibid

⁹² Ibid

⁹³ Reinhard, Beth, and Sari Horwitz. "The Trump administration has already been rolling back gun regulations." The Washington Post. October 04, 2017. Accessed December 17, 2017. https://www.washingtonpost.com/investigations/the-trump-administration-has-already-been-rolling-back-gun-regulations/2017/10/04/5eaa7d6-a86b-11e7-8ed2-c7114e6ac460_story.html?utm_term=.a915e5754e9d.

⁹⁴ Ibid

⁹⁵ Ibid, 49

⁹⁶ Ibid, 54

⁹⁷ Ibid, 54

⁹⁸ Ibid, 54

Administration to disclose information to the national gun background check system regarding mentally ill people.⁹⁹ While the list of considered mental illnesses was long, the two main criterias for an individual to be considered mentally ill was for them to be unable to work due to their illness and to be unable to manage their own benefits.¹⁰⁰

The Obama Administration has estimated that his legislation annually affected approximately 75,000 individuals.¹⁰¹ Those affected would have received written and oral notices stating that they may be prevented from purchasing guns. Should they be able to show evidence that they do not pose a threat to public safety, they may be allowed an exemption to the law.¹⁰² The Obama Administration argued that the legislation supported pre-existing laws regarding those with mental illnesses and prevented suicides and accidental firearm casualties.¹⁰³ Republican politicians, and various institutions, such as the National Rifles Association (NRA) and the American Civil Liberties Union (ACLU), were in opposition, because they felt that this restricted the rights of those with mental illnesses and supported the generalization that all people with mental illnesses are potentially dangerous and violent.¹⁰⁴

Regulation Loopholes and Enforcement

Although the vast majority of American citizens support background checks for all gun sales, a major loophole in the Universal Background Check results in guns easily finding their way into the hands of illegal buyers. Federal law requires licensed sellers to conduct a background check on all buyers but does not require unlicensed firearm dealers to do so.¹⁰⁵ These unlicensed firearm dealers, called private dealers, are defined by federal law as anyone who has sold less than 4 guns in any 12-month period.¹⁰⁶ Although nine states have extended their state background check laws beyond the federal law, the vast majority have not.¹⁰⁷

Hence, a 2017 study has shown that nearly 25% of those who purchased a gun in 2016 have done so without a background check.¹⁰⁸ Further, 42% of all gun owners have purchased their last gun without a background check, as of a 2017 American study.¹⁰⁹ Note that the percentages of gun owners in each section is different because while the 25% solely represents those who have purchased firearms in the year 2016, all gun owners are considered in the second study. Their last purchase could also be made years prior to the study—hence, a smaller percentage of more recent

⁹⁹ Killough, Ashley, and Ted Barrett. "Trump signs bill nixing Obama-era guns rule." CNN. February 28, 2017. Accessed December 17, 2017. <http://www.cnn.com/2017/02/28/politics/guns-mental-health-rule/index.html>.

¹⁰⁰ Ibid

¹⁰¹ Ibid

¹⁰² Ibid

¹⁰³ "S. 150 (113th): Assault Weapons Ban of 2013." GovTrack.us. Accessed December 17, 2017. <https://www.govtrack.us/congress/bills/113/s150/text>.

¹⁰⁴ Ibid, 58

¹⁰⁵ "Universal Background Checks." Giffords Law Center to Prevent Gun Violence. Accessed December 17, 2017. <http://lawcenter.giffords.org/gun-laws/policy-areas/background-checks/universal-background-checks/>.

¹⁰⁶ Garrett, Ben. "What Is the Gun Show Loophole and Why Does it Exist?" ThoughtCo. Accessed December 17, 2017. <https://www.thoughtco.com/gun-show-laws-by-state-721345>.

¹⁰⁷ Ibid, 1

¹⁰⁸ Ibid, 1

¹⁰⁹ Ibid, 1

buyers who did not conduct a background check could potentially mean that better enforcement measures have been undertaken in recent years. According to the Department of Justice, “individuals prohibited by law from possessing guns can easily obtain them from private sellers and do so without any federal records of the transactions.”¹¹⁰ Indeed, with this loophole, the likelihood of illicit gun activities drastically increases. An investigation across 13 states has shown that 96% of prison inmates were already prohibited from possessing a gun at the time of their crime.¹¹¹

One such method of obtaining guns without a background check is over the internet. Guns can legally be obtained and mailed to your nearest licensed dealer once a background check is conducted. However, private sellers can meet up with their client in person and no such background guide would be required.¹¹² As of 2013, about 67,000 firearms were listed for sale online from unlicensed sellers.¹¹³ According to an undercover investigation in New York City, about 62% of private sellers on the internet agreed to a sale even when their client informed them that they likely cannot pass the background check.¹¹⁴ Although this is illegal, it is very hard to enforce as any individual can claim that they had no knowledge of the situation of the buyer.

Another method of purchasing a gun without a background check is at a gun show. Similarly to the internet loophole and Universal Background Check loophole, private sellers can trade firearms to any individual without a background check in a majority of states.¹¹⁵ Federally, between 2001 and 2013, seven consecutive “gun show loophole” bills have been rejected by Congress.¹¹⁶ In March 2017, Carolyn Maloney, the representative of the District of New York in Congress, introduced the *Gun Show Loophole Closing Act of 2017*, which requires criminal background checks on all gun buyers at gun shows. Her bill has since been referred to the House Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.¹¹⁷

Semi-Automatic Weapons and Mass Shootings

Fully automated ammunition, or machine guns, has been banned since *the National Firearms Act of 1934*.¹¹⁸ However, for states such as Nevada and Connecticut, one can legally own machine guns which were produced and registered before 1986.¹¹⁹ Although semi-automatic assault weapons are deemed less lethal, they can easily be converted into a machine gun or can serve the same

¹¹⁰ Ibid, 1

¹¹¹ Ibid, 1

¹¹² Plumer, Brad. "Just how easy is it to buy a gun over the Internet?" The Washington Post. August 05, 2013. Accessed December 17, 2017. https://www.washingtonpost.com/news/wonk/wp/2013/08/05/is-it-really-so-easy-to-buy-a-gun-over-the-internet/?utm_term=.f7e0253cced2.

¹¹³ Ibid, 1

¹¹⁴ Ibid, 1

¹¹⁵ Ibid, 2

¹¹⁶ Ibid, 2

¹¹⁷ Ibid, 2

¹¹⁸ Miller, Andrea. "What to know about machine gun laws in the US." ABC News. Accessed December 17, 2017. <http://abcnews.go.com/US/machine-gun-laws-us/story?id=50256580>.

¹¹⁹ Ibid

function.¹²⁰ For example, bump stocks can be added to a semi-automatic gun to increase its rate of fire by several times. They are legal in most states and can be purchased for \$100-\$200.¹²¹

For a decade, between 1994 and 2004, military-style semi-automatic assault weapons were banned.¹²² However, during this time period, semi-automatic assault weapons were so infrequently used that Former President George W. Bush deemed this law unnecessary and phased it out in 2004.¹²³ In 2013, the Assault Weapons Ban was proposed following the Sandy Hook Elementary shooting, which included banning semi-automatic assault weapons. However, this bill was rejected and semiautomatic weapons remain legal.¹²⁴ Many argue that this decision poses a great danger to national security—a study of mass shootings over a 30-year period suggested that more than one third of said shootings are committed with semi-automatic guns, and as of 2016, 5 million legal semi-automatic weapons are owned across the U.S.¹²⁵

Guiding Questions

1. How should the federal government address public safety concerns while respecting the rights of civilians?
2. Are President Trump's actions of creating more lenient gun laws beneficial or do they cause more underlying problems?
3. Should those with mental disabilities be allowed to possess firearms? Is President Trump's new bill just?
4. How can private sellers and private methods of obtaining firearms be better regulated to prevent illicit trading?
5. Should semi-automatic weapons continue to be legal? What other factors may contribute to increasing numbers of mass shootings?

¹²⁰ *ibid*

¹²¹ *ibid*

¹²² *Ibid*

¹²³ "Semi Automatic Laws - Gun | Laws.com." Gun. Accessed December 17, 2017. <https://gun.laws.com/semi-automatic-laws>.

¹²⁴ Steinhauer, Jennifer. "Feinstein Unveils Bill to Limit Semiautomatic Arms." *The New York Times*. January 24, 2013. Accessed December 17, 2017. <http://www.nytimes.com/2013/01/25/us/politics/senator-unveils-bill-to-limit-semiautomatic-arms.html>.

¹²⁵ Spitzer, Robert J. "America Used to Be Good at Gun Control. What Happened?" *The New York Times*. October 03, 2017. Accessed December 17, 2017. <https://www.nytimes.com/2017/10/03/opinion/automatic-weapons-laws.html>.

Cabinet Members

The following will be the list of characters that will serve on the U.S. Cabinet for the purpose of this committee. Note that because this committee is set in the present, while characters may change, their roles will remain the same. If you have any questions about your character, please do not hesitate to contact us.

- President—Donald Trump
- Vice President—Michael Pence
- Secretary of Defense—James Mattis
- Director of National Intelligence—Dan Coats
- Attorney General—Jeff Sessions
- Secretary of State—Rex Tillerson
- Secretary of Homeland Security—Elaine Duke
- Secretary of the Treasury—Steven Mnuchin
- Secretary of Labour—Alexander Acosta
- Director of the Office of Management and Budget—Mick Mulvaney
- Secretary of Health and Human Resources—Eric Hargan
- Director of the CIA—Mike Pompeo
- Head of ACLU—Anthony Romero
- President of ACLU—Susan Herman
- Executive Director National Immigration Law Centre—Marielena Hincapie
- Executive Director - Gifford's Law Centre to Prevent Gun Violence—Robyn Thomas
- Executive Director - Coalition to Stop Gun Violence—Josh Horwitz
- Everytown for Gun Safety - Founder of Mayors Against Illegal Guns—Michael Bloomberg
- New Jersey Senator—Cory Booker
- Former Member of the U.S. Air Force—Michael Krawitz
- Founder of Marijuana Majority—Tom Angell

Delegate Resources

<https://www.whitehouse.gov/the-trump-administration/>

<https://www.theatlantic.com/politics/archive/2017/04/trump-cabinet-tracker/510527/>

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