

Representative Arlen Siegfried, Chair
Representative Steve Brunk, Vice Chair
House Standing Committee on Federal and State Affairs

Official Written Testimony
Support of HB 2199, Relating to:
2nd Amendment Protection Act
February 19, 2013, 9:00AM, Room 346-S

Brian J. Mull
Wichita, Kansas Resident

Chairman Siegfried, and Members of the Committee,

Thank you for the opportunity to provide my testimony and insight on HB 2199. My name is Brian Mull. I am an engineer from Wichita. My family and I are life-long Kansas residents. We support Kansas in every way possible, and we enjoy our freedom and safety here. We enjoy all the outdoor activities Kansas has to offer, like hunting, fishing, and hiking. We also enjoy marksmanship. We practice safe and responsible use of firearms regularly for both personal defense as well as a pastime. Being concealed carry permit holders, we support, and have exercised our right to keep and bear arms. I want to ensure that as the federal government attempts to ignore our second amendment rights by promoting further firearm control legislation, we are never denied our pastime and our ability to protect ourselves and our families by any means we deem necessary. The crimes committed by few should not be allowed to diminish the rights of the majority of honest, hard working, and law-abiding Kansans.

Personal Experience - Silent Rights Erosion

I was recently made fully aware of the silent erosion of our second amendment rights when I purchased a firearm from an FFL licensed dealer. Because my concealed carry license was issued prior to July of 2010, the dealer conducted a background check, pursuant to federal law. The National Instant Background Check System (NICS) returned a "delay" message. The message did not give reason for the delay, but denied me the ability to purchase the firearm for 5 days. Frustrated, I returned home and immediately called the FBI to inquire. I was informed that information could not be given over the phone. Rather I must submit a form to request the reason for the delay, which I promptly did. After one week, I received a letter from the FBI stating I must submit yet another form along with official fingerprints to process my request. The FBI also advised that I request a UPIN number because Americans' personal identity is no longer secure. Therefore, the FBI must issue a separate unique number. The FBI informed me they are now processing requests for UPINs submitted in October, 2012 (before the Sandy Hook incident). At no point, did the FBI give me a reason why my purchase was delayed. Now, I must find the time from work to drive to the sheriff's office, pay \$20 to have fingerprints taken (again), fill out another federal form, and send all to the FBI for processing, which will take at least six months, but likely much longer.

If any one of you who has ever been delayed or denied your purchase of a firearm due to an anomaly such as misidentification, you understand my frustration. I ask you to consider how current federal laws already silently diminish the rights of the majority of Kansas residents. Now consider that delays for federal background checks and applications for firearms and accessories are likely to at least double with the proposed federal firearm legislation. Consider that identity theft and related crimes may also increase, compromising the personal identity and privacy of Kansans. While law-abiding Kansans are

treated like criminals by being forced to constantly undergo background checks, submit \$20 fingerprints, wait several months or even years to own firearms and accessories because they choose to exercise their second amendment right to keep and bear arms, the real criminals see no change in their ability to own firearms. The federal processes to own firearms and accessories continues to become so convoluted and the FBI's offices continue to be so overwhelmed that our right to keep and bear arms is already being silently eroded.

Economic Benefits

HB2199 could promote and encourage firearm manufacturers to bring their business to Kansas. Wichita's loss of the Boeing company means there will soon be a slew of skilled mechanics, engineers, manufacturing specialists, and project managers searching for a new opportunity. All of which have experience in advanced, high-precision products for military and civilian contracts. I ask that you please consider that Kansas, especially Wichita, consistently ranks very high as a great city to start a business. Many entrepreneurs have found Wichita rich in the resources necessary for a thriving business. Firearm or firearm accessory manufacturing could fit well in Kansas. As firearm sales continue to rise, and firearm-regulated states continue to push businesses out, HB2199 can help attract that business and benefit from the revenue it brings.

Recent Events

There will always be situations which prompt Kansans' exercise of their second amendment rights to protect their families. Recently, the media has reported a number of situations which challenged the ability of law enforcement to provide adequate protection to residents. Fearful for their lives, residents near Big Bear Lake, CA remained home from work and kept their children home from school while authorities searched for a fleeing gunman. Unarmed California residents had no choice but to hope the fleeing gunman would not harm their family, should he choose to break in and seek cover in their home. The following week, Kansas was faced with a manhunt of their own when a convicted killer escaped from the Saline County jail. That same convict was later detained in Wichita. The same week, in Andover, schools were put into lockdown as a fleeing burglary suspect was known to be in the area. Fleeing criminals in these situations can be extremely dangerous, and are unpredictable.

Kansas law enforcement does not have the man power or budget to provide adequate security for each family in these situations. Law enforcement response time may be the absolute best, but people's lives can change in less than one second. Kansans should be able to protect themselves without being bound by the convoluted and time consuming federal processes required to keep and bear firearms and firearm accessories.

Closing

I ask the committee to support HB 2199 and recommend its approval to the Kansas House of Representatives.

Thank You.