



(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. RES.

Condemning the actions of Governor of New Mexico, Michelle Lujan Grisham, for subverting the Second Amendment to the Constitution and depriving the citizens of New Mexico of their right to bear arms.

IN THE HOUSE OF REPRESENTATIVES

Mr. NEWHOUSE submitted the following resolution; which was referred to the Committee on _____

RESOLUTION

Condemning the actions of Governor of New Mexico, Michelle Lujan Grisham, for subverting the Second Amendment to the Constitution and depriving the citizens of New Mexico of their right to bear arms.

Whereas, on September 8, 2023, Governor Lujan Grisham issued an emergency public health order that suspended New Mexicans' right to open and conceal carry firearms for at least 30 days;

Whereas under this emergency order, citizens could be fined up to \$5,000 and face civil penalties for exercising their Second Amendment rights and directs State agencies and

local law enforcement to coordinate to apprehend any violator of the order;

Whereas the Second Amendment to the Constitution states that the citizens right to bear arms shall not be infringed;

Whereas all rights secured by the Constitution are absolute, and a direct attempt from a Governor to take away the rights of citizens warrants the condemnation from the Congress;

Whereas New Mexico Attorney General Raul Torrez stated he will not defend this emergency order as it violates the Constitution;

Whereas United States District Court Judge David Urias for the District of New Mexico blocked the portion of the emergency order that prohibits lawful firearm owners from carrying their guns in public for 30 days;

Whereas in *District of Columbia v. Heller*, 554 U.S. 570, 595 (2008), the Supreme Court confirmed that “[t]here seems to us no doubt, on the basis of both text and history, that the Second Amendment conferred an individual right to keep and bear arms.”;

Whereas in *McDonald v. City of Chicago*, 561 U.S.742 (2010), the Supreme Court reaffirmed that “[s]elf-defense is a basic right, recognized by many legal systems from ancient times to the present day.”;

Whereas Justice Thomas concurred by pointing out that “the right to keep and bear arms is a privilege of American citizenship.”;

Whereas the Supreme Court further held in *New York State Rifle & Pistol Association v. Bruen*, 142 S. Ct. 2111, 2126 (2022), that the Second Amendment requires the

government to demonstrate that a law regulating firearms “is consistent with 20 this Nation’s historical tradition of firearm regulation”;

Whereas the Governor stated “No Constitutional right in my view, including my oath, is intended to be absolute” at a press conference announcing the emergency public order; and

Whereas the oath of office for the Governor of New Mexico states “Every person elected or appointed to any office shall, before entering upon his duties take and subscribe to an oath or affirmation that he will support the constitution of the United States and the constitution and laws of this state, and that he will faithfully and impartially discharge the duties of his office to the best of his ability.”: Now, therefore, be it

1 *Resolved*, That the House of Representatives con-
2 demns the actions of Governor Michelle Lujan Grisham for
3 blatantly violating the Second Amendment to the Constitu-
4 tion and depriving the citizens of New Mexico of their
5 right to bear arms.