

TESTIMONY
IN OPPOSITION TO
Amendment No. 36-364 (REVISED) to Bill No. 36-0144

“2026 Second Amendment Rights and Public Safety Act”

Submitted by:

Luis Valdes

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Honorable Chair and Members of the Committee:

My name is Luis Valdes. I serve as the Southeast Regional Director for Gun Owners of America (GOA) and as National Co-Chair of Fuerza 2A, GOA’s national Hispanic & Minority Community coalition dedicated to advancing Second Amendment rights within Latino communities. As a proud Cuban-American whose family fled communist tyranny, I understand viscerally what happens when governments disarm their citizens. I am here today to express my strong and unequivocal opposition to this legislation.

This Bill Fails Constitutional Scrutiny Under Bruen and Heller

While the bill cites the Supreme Court’s decisions in *District of Columbia v. Heller* and *New York State Rifle & Pistol Association v. Bruen*, it fails to implement their holdings in good faith. Bruen made clear that the Second Amendment protects the right of law-abiding citizens to carry commonly used firearms in public for self-defense, and that the District of Columbia, states, territories, nor their political subdivisions, may not condition that right on a showing of “proper cause” or subjective government approval. This legislation creates a shall-issue licensing scheme in name only. In practice, it functions as a prior restraint by combining mandatory registration, a total ban on open carry, a near-total ban on carrying longarms in public, and an expansive list of “sensitive places” that effectively disarms citizens in their daily lives. These restrictions have no genuine historical analogue and would not survive proper application of the Bruen test.

Registration and Licensing as Tools of Control

The requirement that every firearm be individually registered with the government, combined with a licensing regime that can be revoked based on vague “reasonable belief” standards, is deeply troubling. History teaches us that registration is the precursor to confiscation. My own family’s experience escaping communist Cuba — where the regime first registered, then seized, firearms — makes me particularly sensitive to these provisions. As National Co-Chair of Fuerza 2A, I see these same patterns repeating in legislation that claims to be about “public safety” but systematically burdens the fundamental right of self-defense. Law-abiding citizens should not have to ask permission or register their property with the state to exercise a constitutionally protected right.

Unconstitutional Restrictions on Commonly Owned Arms and Accessories

This bill imposes severe restrictions on standard-capacity magazines (over 15 rounds) and effectively bans firearm silencers, bump stocks, and legal accessories this legislation is calling “conversion kits.” These provisions fail the Bruen test. Standard-capacity magazines are in common use by millions of law-abiding Americans for self-defense, target shooting, and competition. Silencers are not “dangerous and unusual weapons” — they are hearing protection devices that reduce noise and prevent hearing damage. There is no historical tradition of banning these

items in the manner proposed here. The enhanced penalties, including mandatory minimums and school-zone enhancements, turn ordinary possession into serious felonies for conduct that has no historical basis for such punishment. These are not reasonable, well-defined restrictions; they are modern policy preferences imposed on a constitutional right.

Disproportionate Harm to Minority Communities

As the National Co-Chair of Fuerza 2A, I must highlight the disparate impact this legislation will have on minority communities in the Virgin Islands and beyond. Many in the minority community have personal or family experience with authoritarian governments that disarmed their populations before oppressing them. When we came to this country and its territories seeking freedom, we embraced the Second Amendment as the ultimate guarantee against tyranny. This bill — with its fees, training mandates, registration requirements, criminal safe-storage penalties, and practical prohibition on meaningful carry — creates barriers that will fall hardest on working families, those who most need the means of self-defense. It tells America's minority communities that their right to bear arms is conditional, expensive, and heavily regulated, rather than fundamental and protected.

Criminalization of Safe Storage and Responsible Ownership

The safe-storage provisions in this bill go far beyond reasonable negligence standards. They impose criminal penalties, including potential imprisonment and forfeiture, simply for how a firearm is stored in one's own home — even in the absence of any actual harm or negligence. This turns responsible gun owners into potential criminals based on government second-guessing of their security choices. Combined with the requirement to present all registered firearms for inspection at renewal, these provisions create an intrusive and punitive regime that has no place in a free society.

Conclusion and Request

Gun Owners of America and Fuerza 2A support the right of law-abiding citizens to keep and bear arms without undue government interference. We support constitutional carry and oppose schemes that treat the Second Amendment as a privilege to be rationed by the state. This legislation does not honor the Supreme Court's clear directives in *Heller* and *Bruen*. It is gun control legislation dressed in the language of rights and safety.

I respectfully urge this Committee to reject Amendment No. 36-364 and Bill No. 36-0144 in their current forms. The people of the Virgin Islands deserve legislation that fully and faithfully protects their Second Amendment rights — not more restrictions that make those rights difficult and dangerous to exercise. I stand ready to work with any member who genuinely wants to craft constitutional, pro-freedom firearms legislation for this territory.

Thank you for the opportunity to testify. I am happy to answer any questions.

Respectfully submitted,

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