



How Can State Laws Differ From Federal Laws?

When members of the League of Women Voters of the Fairfax Area studied “Improving Firearms Safety in Virginia,” they learned that in Virginia, contrary to Federal law, convicted perpetrators of misdemeanor domestic abuse were permitted to keep firearms already in their possession. Members of the League asked the question, “How can state law differ from state law? This month’s study responds to that question.

Attend the unit meeting of your choice to discuss how “conflict of law,” jurisdiction, the doctrine of preemption as well as express and implied powers have been applied in our dual court systems and how ongoing conflicts are being resolved.

Calendar

June, 2016

- 3 LWVNCA Board meeting
- 3 LWV-VA Board meeting
- 4 LWV-VA Council meeting - Richmond
- 4 **LWVFA Briefing and At-Large meeting**
- 8 Skyline Plaza community election
- 8-14 **LWVFA Unit meetings**
- 15 **LWVFA Board meeting**
- 16-19 LWV 2016 Convention

July, 2016

- 12 LWV-VA Board meeting
- 18-21 Republican National Convention, OH
- 20 LWVFA Retreat
- 25-28 Democratic National Convention, PA

August, 2016

- 1 *Fairfax VOTER* deadline
- 19 LWVFA Board meeting
- 26 Women’s Equality Day: 19th Amendment ratified

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Presidents' Message



Happy June! This very successful League year is almost at an end. Our firsts for 2016 include a presentation to high school social studies teachers last September, and invitations to speak about registration and voting to high school government classes. We will also be working with a part-time high school intern for two weeks in the middle of July.

This month, we'll also be attending the LWVUS Convention in Washington, D.C. We're looking forward to interesting discussions and a hilarious performance by the Capitol Steps.

While most of you are taking a break from League activities, we'll be preparing for the fall. We hope to arrange a televised candidate forum for each of the three Congressional districts in Fairfax County. When we have the details, we'll share them with you, so you can help out. If that's not possible, we hope you'll not only watch from home with your friends and neighbors but also send in questions. e like questions from as many different sources as possible.

Of course, the presidential campaign will continue to grab most of the attention, and as Election Day nears, the advertising dollars. Virginia is a swing state, so we can expect plenty of robocalls and attack ads.

But through it all, we'll do what we do best – give voters unbiased information about the candidates and the referenda that will appear on the ballot. So many people have told us that they appreciate what we do. And we appreciate what all of you do for us – help us do what we do best. We couldn't do it without you.

We wish you a fun-filled summer spending time with the people you care about and the activities you enjoy. And to all you Dads, we wish you a Happy Father's Day.

* * * * *

This month, Helen Kelly is completing four and one half years as co-president. I would like to thank her for her continued service to and support of the League. She has been a wonderful co-president and mentor to me. Helen

has been great to work with and to share responsibilities. I will miss her as my partner next year. Since Helen has agreed to be Action Chair, we will still be seeing

Peggy & Helen

Just a Gentle Reminder that Dues are Due

It's that time of year again: time to renew your membership for 2016-17. Individual memberships remain \$65, households are \$90, students \$32.50. We are also willing to consider members' special financial circumstances.

You can pay by check or PayPal. To pay by check, go to **Membership Renewal form with Payment via Check** on our website. You will also find an automatic renewal option via PayPal. If you pay with this automatic online renewal option, your credit card will renew on the same date year after year -- no need to remember to pay your membership dues the following year

There is a PayPal link on the membership page, too: **<http://www.lwv-fairfax.org/join.html>**

We welcome you!

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The League of Women Voters of the Fairfax Area
4026-B Hummer Road
Annandale, VA 22003-2403
703-658-9150 (Info/fax/answering machine)
www.lwv-fairfax.org league@lwv-fairfax.org

Co-Presidents: Peggy Knight 703-532-4417
peggy.knight1@verizon.net
Helen Kelly 703-437-3087
hmkelly1@verizon.net
Editor: Ron Page 703-690-0908
pagegolfer@cox.net
Coordinator: Liz Brooke 703-281-3380
lizbrooke@cox.net

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or call 703-658-9150

Thomas Lovejoy: A Local Environmental Leader

By Elizabeth Lonoff,

Congratulations to GMU environmental science and policy professor Thomas E. Lovejoy on receiving the Amazon Center for Environmental Education and Research Foundation's Legacy Award. This was presented during a February day of National Geographic Society seminars to recognize his 50 years of working in the Brazilian Amazon and his many innovations in conservation biology. In accepting the award, Professor Lovejoy said his goal was to "try to get a better world for us all." Lovejoy since has been appointed to the U.S. Science Envoy program to develop partnerships and improve collaborations across the globe.

Dr. Lovejoy works at the interface of science and environmental policy. He holds the Biodiversity Chair at the Heinz Center for Science, Economics and the Environment, of which he was president from 2002-2008. He also chairs the Scientific and Technical Panel for the Global Environment Facility, which funds projects related to the international environmental conventions. Dr. Lovejoy previously served as a senior adviser at the United Nations Foundation, the Inter-American Development Bank, and the Smithsonian Institution, as well as Executive Vice President of World Wildlife Fund-US.

Dr. Lovejoy's accomplishments include:

- bringing attention to tropical deforestation starting in the 1970s, publishing the first estimate of global extinction rates in 1980, and providing the vision for an ongoing long-term study on forest fragmentation in the Amazon to determine the minimum size of sustainable ecosystems, which is the world's largest experiment in landscape ecology,
- coining the term "biological diversity,"
- originating the concept of debt-for-nature swaps and helping Costa Rica to implement its sustainability policies, and
- founding the PBS series "Nature."

His previous awards include the 1988 Order of Rio Branco in 1988, the first given to an environmentalist, the 2001 Tyler Prize for Environmental Achievement, and the 2012 Blue Planet Prize, equivalent to a Nobel Prize. Books he has

co-authored include *Atlas of Bird Migration: Tracing the Great Journeys of the World's Birds*, *Blueprint for a Green School*, and *Toward Unity Among Environmentalists*. Watch one of his talks online, such as "The Science and Physical Implications of Climate Change" at <https://www.youtube.com/watch?v=p8WxGDEHDUs>.



Thomas E. Lovejoy, called "the leading botanist in the world" by a colleague and "the Indiana Jones of the Amazon" by the *Washington Post*, says "We still tend to think in the very short term and locally when in fact we are disturbing global systems and the way that the planet actually works. We need to consciously manage the planet."

An invitation from the Arlington League

The Immigrant Experience in Northern Virginia

Learn about the experience of new immigrants in order to better understand how to engage them in voter registration and education.

Presenters: Angelo Rivero, Director of CASA in Virginia; Michael Lukens, Pro Bono Director at Capital Area Immigrant Rights (CAIR) Coalition; Leni Gonzalez, President of LULAC Council 4609, League of United Latin American Citizens



Location: Falls Church Welcome Center, 330-B S. Virginia Ave., Falls Church, 22046

Date: Sunday, June 12, 2 to 3:15 p.m.

RSVP: karen_kimball@netacc.net www.lwv-arlingtonva.org [facebook.com/lwvarlington](https://www.facebook.com/lwvarlington)

Did You Ever Really Think About Domestic Violence?

Do You Know That

1. Domestic violence (DV) is a significant public health problem all over the United States.
2. It is “a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain control over another intimate partner.” (United States Department of Justice, Office on Violence Against Women)
3. The abuse can be physical, emotional, sexual, or psychological, financial, or emotional. Stalking, cyberstalking, and threats are also forms of domestic violence. There can be more than one form of abuse in a relationship.
4. Therefore, there may be physical injuries resulting from abuse but many times there are not.
5. It does not discriminate. It affects people of different ages, economic levels and levels of education, racial groups, national origins and religions. It affects men and women, homosexuals, lesbians and transgender people as well.
6. Over 90 percent of DV victims are women abused by male partners.

Do You Know What Effects DV Has on Children?

1. Children are the innocent and vulnerable victims of DV.
2. They are profoundly affected by DV whether they

are abused, exposed or witness it or are neglected because of it.

3. They may witness it by sight or hearing it.
4. Often, they are abused by the same males as their mothers.
5. The consequences of witnessing and/or experiencing it may result in the children:
 - a. Suffering from body aches and developmental delays.
 - b. Having difficulty in focusing on their studies at school and acting out.
 - c. Being more aggressive toward their peers as well as animals and being punished for such actions.
 - d. Having a higher predisposition for substance abuse, and/or becoming juvenile delinquents than their peers who have not experienced DV, and,
 - e. Believing that acting violently or being a victim of domestic violence is normal.

(The information was gathered from the Domestic Violence Roundtable, The Advocate for Human Rights, and the Child Welfare Information Gateway websites)

By Barbara Nunes, Domestic Violence Committee Chair and Adarsh Trehan, a Committee member

It May Not Be Too Late: LWVUS Convention Needs Volunteers For June 16-19

The LWVNCA is the host League for this year’s national convention, which will be Thursday, June 16 through Sunday, June 19 at the Marriott Wardman Park Hotel in Washington, D.C. The League’s room block at the Marriott Wardman Park is already filled to capacity during the convention, but those of us in Fairfax County are still able to commute.

Olga Hernandez, LWVFA’s own Fairfax Citizen of the Year of 2015, is the registration chair. She would like to see more Fairfax Leaguers volunteer! Sign up to

volunteer: [LWVUS Convention Volunteers](#)

Each volunteer receives a FREE ticket for the Capitol Steps!

Do you have a question? Email Zaida Arguedas at zaida2015@comcast.net.



How Can State Laws Differ From Federal Laws?

By Leslie Vandivere,

When members of the League of Women Voters of the Fairfax Area studied “Improving Firearm Safety in Virginia,” included in the February 2015 *The Fairfax VOTER*, they learned that federal law includes provisions to keep guns out of the hands of those who are convicted of domestic violence crime,¹ even those who might not be considered “violent” in another context.²

Members also learned that no Virginia law explicitly granted Virginia law enforcement officers the authority to remove a firearm from a convicted domestic violence abuser. In Virginia, contrary to federal law, convicted perpetrators of misdemeanor domestic abuse were permitted to keep firearms already in their possession. (LWVFA Voter, Feb 2015). This conflict between federal and state law was resolved in February 2016 when the Virginia General Assembly passed and Governor Terry McAuliffe signed HB 1391, which provides that it is a felony for a person who is subject to a permanent protective order for family abuse to possess a firearm while the order is in effect.³

Conflict of Laws

The Cornell University School of Law Legal Information Institute defines “conflict of law” as the following:

A difference between the laws of two or more jurisdictions with some connection to a case, such that the outcome depends on which jurisdiction’s law will be used to resolve each issue in dispute. The conflicting legal rules may come from U.S. federal law, the laws of U.S. states, or the laws of other countries.⁴

Jurisdiction

Jurisdiction is defined as the power of a given court to adjudicate cases and issue orders, as well as the territory within which a court or government agency may properly exercise its power.⁵

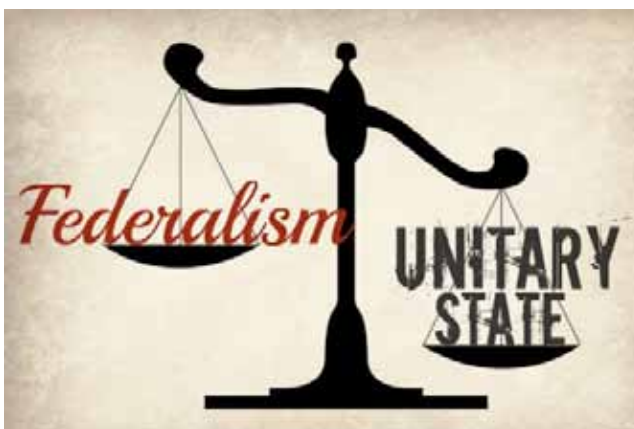
The Supremacy Clause and Preemption Doctrine

The Constitution of the United States grants the federal courts and federal agencies their power in the Supremacy Clause. The Supremacy Clause, included in paragraph two, Article VI, of the Constitution, states that “This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby.”⁶

The doctrine of preemption states that federal law preempts conflicting state laws and applies whether or not the conflicting laws come from legislatures, courts, administrative agencies, or constitutions. For instance, FDA regulations may preempt state court judgments in cases

about prescription drugs.⁷

The Constitution grants the federal government both express and implied powers. Express powers are specifically enumerated in the Constitution, including the power to collect taxes, regulate interstate commerce, coin money, regulate currency, set standards of weights and measures, declare war, and raise and maintain an army and navy. The elastic clause (Article I, § 8, clause 5), grants implied powers, those considered “necessary and proper” for carrying out express powers. Some of the implied powers of the federal government are to establish a national bank; to regulate agriculture; to establish military academies; to generate electrical power; to dredge rivers; and to spend money for public education, for Social Security, for public assistance to the poor, and for public housing.



The implied rights of individuals are not expressly listed in the Constitution, but the Supreme Court has determined that these rights could be reasonably implied. One of the first Supreme Court cases in which Supreme Court justices recognized rights that could be reasonably implied from rights mentioned in the first eight amendments was *Olmstead v. United States*, 237 U.S. 438 (1928). The majority

opinion was that federal wiretapping obtained without a court order and used as evidence did not violate the defendants’ Fourth or Fifth Amendment rights.⁸ The decision was overturned in *Katz v. U.S.*, 389 U.S. 347 (1967). The Supreme Court found that the right to privacy is implied in three amendments: the Fourth Amendment (unreasonable search and seizure), the Ninth Amendment (individuals have rights not listed in the Constitution), and the Tenth Amendment (the people keep powers not given

to the government).⁹ Many implied rights are based on the Fourteenth Amendment (citizenship rights and equal protection of the laws), including the right to adopt, to travel, to marry and have children, to associate with whom they please, to study a foreign language, and to educate one's children.

When Federal and State Laws Conflict, Which Prevails?

In accordance with the Supremacy Clause, if a state law directly conflicts with a federal law, the federal law prevails. If a state law expressly permits something that a federal law expressly prohibits or limits, the federal law prevails. If the state law limits or restricts its citizens' rights more than the federal law does, the federal law prevails. However, if a state law grants more rights to its residents than the federal law, the state law prevails. But it cannot limit or restrict them. In other words, a state law can afford more rights to its residents than federal law, but it cannot limit them.

Federal Court and State Courts

Tables 1 - "Court Structure" and 2 - "Types of Cases Heard" present an excellent comparison of the federal and state court systems.

Role of the Supreme Court in Federal-State Law Conflicts

The first three articles of the Constitution of the United States describe the division of the federal government into three branches to ensure a central government in which no individual or group gains too much control. Simply stated, the legislative branch makes the laws, the executive branch carries out the laws, and the judicial branch evaluates the laws. The Supremacy Clause states that the Constitution and the laws and treaties of the United States are the supreme law of the land and the preemption doctrine explains how conflicts are to be resolved. Section 1, Article III vests the judicial power of the United States in one supreme court as well as in federal inferior courts.

Article III, Paragraph 2, defines the jurisdiction of the Supreme Court:

"The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;-to all Cases affecting Ambassadors, other public Ministers and Consuls;-to all Cases of admiralty and maritime Jurisdiction;-to Controversies to which the United States shall be a Party;-to Controversies between two or more States;—between a State and Citizens of another State;-between Citizens of different States;—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

Under the authority given Congress by the Constitution, appellate jurisdiction has been conferred upon the Supreme Court by various statutes. The basic statute that confers and controls jurisdiction of the Supreme Court is in 28 U. S. C. §1251 et seq., and various special statutes.¹⁰ The framers of the Constitution intended to insure that there be "one supreme Court" to harmonize what Justice Joseph Story termed "jarring and discordant judgments" of lower courts given rise to "public mischiefs."¹¹

The late Justice Antonin Scalia wrote his last opinion in a capital punishment case, *Kansas v Carr*, in which the Supreme Court reversed two decisions of the Kansas Supreme Court. Justice Sotomayor wrote the sole dissenting opinion that the Supreme Court should have left the case where it was and deny certiorari, leaving the lower court ruling in place. Justice Scalia replied that

. . . had the Kansas Supreme Court decisions been grounded in state law they would indeed have been "none of our business." On the other hand, he said, "what a state court cannot do is experiment with our Federal Constitution and expect to elude this Court's review as long as victory goes to the criminal defendant. Turning a blind eye in such cases would change the uniform 'law of the land' into a crazy quilt."¹²

Complicating Factors in the Federal Court System

The Council of State Governments points out that states have disagreed and objected with some frequency to federal laws, including federal statutes or constitutional law in the form of U.S. Supreme Court decisions interpreting the scope of federal power and constitutional rights.¹³ These disagreements and conflicts as well as their consequences are not always addressed by the Supreme Court because it has an historically small docket.¹⁴ Of the many requests for review, the Supreme Court accepts only about 100 cases a year. Not only are the number of cases increasing but also judicial vacancies have been rising in the federal courts. According to a 2014 study by the Brennan Center for Justice, vacancies result in unresolved motions, petitions waiting years to be heard, judges spending less time on cases, and longer wait times for trial.¹⁵

The ninth seat on the Supreme Court has been vacant for three months. *The New York Times* explains how this vacancy affects cases during the 2015–2016 term:

The empty seat left by Justice Antonin Scalia's death, which Senate Republicans have vowed not to fill until after the election, leaves the court with two basic options for cases left on the docket this term if the justices are deadlocked at 4 to 4. One is an automatic affirmance of the lower court decision. The other is setting the case aside for re-argument in the term that starts in October in the hope that it will be decided by a full court.¹⁶

Table 1 - Court Structure

The Federal Court System	The State Court System
Article III of the Constitution invests the judicial power of the United States in the federal court system. Article III, Section 1 specifically creates the U.S. Supreme Court and gives Congress the authority to create the lower federal courts.	The Constitution and laws of each state establish the state courts. A court of last resort, often known as a Supreme Court, is usually the highest court. Some states also have an intermediate Court of Appeals. Below these appeals courts are the state trial courts. Some are referred to as Circuit or District Courts.
Congress has used this power to establish the 13 U.S. Courts of Appeals, the 94 U.S. District Courts, the U.S. Court of Claims, and the U.S. Court of International Trade. U.S. Bankruptcy Courts handle bankruptcy cases. Magistrate Judges handle some District Court matters.	States also usually have courts that handle specific legal matters, e.g., probate court (wills and estates); juvenile court; family court; etc.
Parties dissatisfied with a decision of a U.S. District Court, the U.S. Court of Claims, and/or the U.S. Court of International Trade may appeal to a U.S. Court of Appeals.	Parties dissatisfied with the decision of the trial court may take their case to the intermediate Court of Appeals.
A party may ask the U.S. Supreme Court to review a decision of the U.S. Court of Appeals, but the Supreme Court usually is under no obligation to do so. The U.S. Supreme Court is the final arbiter of federal constitutional questions.	Parties have the option to ask the highest state court to hear the case.
	Only certain cases are eligible for review by the U.S. Supreme Court.

Table 2 - Types of Cases Heard

<i>The Federal Court System</i>	<i>The State Court System</i>
<ul style="list-style-type: none"> ➤ <i>Cases that deal with the constitutionality of a law;</i> ➤ <i>Cases involving the laws and treaties of the U.S.;</i> ➤ <i>Cases involving ambassadors and public ministers;</i> ➤ <i>Disputes between two or more states;</i> ➤ <i>Admiralty law;</i> ➤ <i>Bankruptcy; and</i> ➤ <i>Habeas corpus issues.</i> 	<ul style="list-style-type: none"> ➤ <i>Most criminal cases, probate (involving wills and estates);</i> ➤ <i>Most contract cases, tort cases (personal injuries), family law (marriages, divorces, adoptions), etc.;</i> <p><i>State courts are the final arbiters of state laws and constitutions. Their interpretation of federal law or the U.S. Constitution may be appealed to the U.S. Supreme Court. The Supreme Court may choose to hear or not to hear such cases.</i></p>
<p><i>United States Courts</i></p> <p>http://www.uscourts.gov/about-federal-courts/court-role-and-structure/comparing-federal-state-courts</p>	

The first option affirms the lower court opinion without creating any Supreme Court precedent and increases the patchwork quilt of laws among the states. The second might delay a resolution for a year or more.

Not only are a lack of nominations and confirmations leading to an overburdened court but also the total number of federal judgeships has not kept up with the increase in the number of overall filings.

Examples of Federal-State Law Conflicts

Listed below are a few of the many federal-state law conflicts, some of which have been in the news recently.

- Same-sex marriage—The Supreme Court held that Section 3 of the federal Defense of Marriage Act (DOMA), which defined marriage as a union between one man and one woman as husband and wife, is unconstitutional under the Fifth Amendment Due Process Clause’s guarantee of equal protection. The federal government must recognize same-sex marriages that have been approved by the state. DOMA, before it was determined to be unconstitutional in 2015, complicated tax preparation for same-sex couples in states where their marriage was recognized.
- Interracial marriage—A Virginia statute that prevented marriages between persons solely on the basis of racial classifications was held by Supreme Court to violate the Equal Protection and Due Process Clauses of the Fourteenth Amendment in *Loving v. Virginia* in 1967.
- Clean Water Act—The CWA has been an issue of contention between small business and two government agencies, the Environmental Protection Act and the Army Corps of Engineers. Recently, the National Federation of Independent Business filed the *Army Corps v. Hawks* suit claiming the Army Corps exceeded its authority by requiring a small business to obtain a costly permit before using land the business had bought.¹⁷
- Marijuana—In 2012, Colorado and Washington were the first two states to permit the legal purchase of marijuana by adults for recreational use. Federal law still classifies marijuana as a Class I drug and prohibits its distribution and possession. In 2013, the Department of Justice updated its guidance to federal prosecutors concerning marijuana under the Controlled Substances Act. So long as the states operated under the strict provisions of their new marijuana laws, the federal government would not interfere with recreational marijuana stores.¹⁸
- Immigration—In January 2015, Virginia Attorney General Mark Herring answered questions from Virginia Beach Sheriff Ken Stolle about the appropriate response to federal Department of Immigration and Customs Enforcement (ICE) requests to continue to detain otherwise releasable prisoners because of the person’s immigration status. Attorney General Herring advised that an ICE detainer is merely a request that does not create an obligation or authority to maintain custody of a prisoner otherwise eligible for release.¹⁹
- Child pornography—The federal Adam Walsh Child Protective Act prohibits copying of child pornography for any reason, but California law allows court-ordered reproduction for defense counsel.²⁰
- Sanctuary cities—An informal term for localities which, by means of a state or local act, ordinance, policy, or fiscal constraints, place limits on their assistance to federal immigration authorities seeking to apprehend and remove unauthorized aliens.²¹ About 300 localities nationwide have adopted the designation. Candidates for Roanoke City Council were asked in a recent campaign forum whether or not they supported making Roanoke a sanctuary city. All candidates in attendance answered “yes.” Congressman Bob Goodlatte (Virginia Sixth District), chairman of the House Judiciary Committee, issued a stinging rebuke, claiming that the policy provided a haven for criminal aliens.²²

Other federal-state law issues that are in frequent dispute include the following:

- Exemption of employers with religious objections to coverage of contraception in their employee care plans
- State-sponsored personhood amendments or laws declaring life to begin at conception
- Labor and industry working hours and conditions
- Community property law
- Abortion jurisprudence under federal law
- Operation of drones
- Firearms
- Federal healthcare law
- Federal voter registration.

Resolving Federal-State Law Conflicts

When there is a clear conflict between state and local law, the Supremacy Clause leaves no doubt that federal law will prevail. Nevertheless, throughout the history of the United States, the idea of states' rights, nullification, interposition, or massive resistance has been asserted by states. The general idea of all these terms is that the states can legitimately declare federal law null and void within their borders. In 1798, a Federalist Congress passed the Alien and Sedition Acts, which made criticism of the federal government illegal. In response, Thomas Jefferson and James Madison wrote resolutions adopted by the legislatures of Virginia and Kentucky that called upon states to "interpose" themselves between the federal government and the citizenry. Two years later, the crisis of the moment had passed, and Jefferson was elected president.²³

Other states' rights moments came during the Civil War and again a century later during the massive resistance to racial integration in Virginia following the Supreme Court decision in *Brown v. the Board of Education*. States also object to and resist *Roe v. Wade* and related abortion cases, as well as to requirements of the federal healthcare law. However, state legislatures do not have the authority to veto federal laws. The Heritage Foundation states plainly that nullification is unlawful and unconstitutional.²⁴

Rejecting nullification as an option doesn't mean that there is no path to changing a federal law with which states or its residents strongly disagree. Citizens can object to the law, lobby, and work to change opinions. They can campaign and vote to change political leadership. Individuals affected by the federal law, in other words, those who have standing, can challenge an objectionable law in court. Another option is amending the Constitution, a process that was the topic of a November 2015 LWVUS study.

LWVUS Statement of Position on Individual Liberties

The League of Women Voters of the United States believes in the individual liberties guaranteed by the Constitution of the United States. The League is convinced that individual rights now protected by the Constitution should not be weakened or abridged.

(as Announced by National Board, March 1982)

Endnotes

1. Title 18, United States Code, Section 922(g)(9) (the Lautenberg

- Amendment, 1996) of the Federal Gun Control Act of 1968, [http://uscode.house.gov/view.xhtml?req=\(title:18%20section:922%20edition:prelim\)%20OR%20\(granuleid:USC-prelim-title18-section922\)&f=treesort&edition=prelim&num=0&jumpTo=true](http://uscode.house.gov/view.xhtml?req=(title:18%20section:922%20edition:prelim)%20OR%20(granuleid:USC-prelim-title18-section922)&f=treesort&edition=prelim&num=0&jumpTo=true)
2. US Supreme Court Decision in *United States v. Castleman*, www.justice.gov/ovw/blog/supreme-court-decision-limits-batterers-access-guns
 3. <http://lis.virginia.gov/cgi-bin/legp604.exe?161+sum+HB1391>
 4. www.law.cornell.edu/wex/conflict_of_laws
 5. www.law.cornell.edu/wex/jurisdiction
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 8. <http://usciviliberties.org/themes/3958-implicit-rights.htm>
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 18. www.denverpost.com/breakingnews/ci_23973568/federal-government-wont-block-colorado-marijuana-legalization
 19. Official advisory opinion, letter from Mark R. Herring to The Honorable Ken Stolle, January 5, 2015.
 20. www.nbcbayarea.com/investigations/Conflict-Between-State-and-Federal-Child-Porn-Statutes-Leaves-Authorities-Breaking-Law-353217121.htm
 21. www.ilw.com/immigrationdaily/news/2011,0106-crs.pdf
 22. www.roanoke.com/news/local/roanoke/goodlatte-criticizes-embrace-of-sanctuary-city-idea/article_2da31300-68b2-5429-b8f0-18199278241b.htm
 23. <https://newrepublic.com/article/74169/the-essence-anarchy>
 24. www.heritage.org/research/factsheets/2012/02/nullification-unlawful-and-unconstitutiona

Questions for Unit Discussions

1. The Constitution grants the federal government both express and implied powers. Discuss each of these and give examples.
2. Under what conditions can state laws prevail?
3. Federal law prohibits possession of marijuana for recreational use, but many states, beginning with Colorado and Washington, have passed laws that seem to conflict

- with the law. How can this be?
4. Are there other current examples of state laws in conflict with federal law?

5. Were the terms and concepts (i.e., conflict of laws, jurisdiction, etc.) mentioned in the article clearly defined and understandable?
6. Do you have any further questions or comments about the article's content?

“Creative Civility” – This Is A Video Presentation Worth Watching

A message from the Co-Presidents of LWV-VA:

Below is the link to the video of a talk given by Peter Davis from Falls Church, a millennial who is speaking to one of the LWV Falls Church community forums. It is rather long, but we found it riveting and an important message for all Leaguers. It illustrates one of the reasons why our panel on “Millennials Matter” at Council on June 4, which we will video tape, may energize us to continue our mission with renewed ideas on how to do it. We’re hoping that we can also learn how to make use of the technology he demonstrates.

View this video of Peter Davis’s “Civic Creativity” presentation, Falls Church LWV on “How to get non-engaged millennials civically engaged rather than <finger wagging> - moving from isolation to community.” <https://www.youtube.com/watch?v=FG20wz9Anjs>

A Reminder for the November 8, 2016, General and Special Elections

Voter registration deadline: October 17, 5 p.m.
Online voter registration deadline: 11:59 p.m. www.vote.virginia.gov

Mail-in absentee ballot request deadline: NOW
through November 1, 5 p.m.

In-person absentee voting begins: September 23
Check website for in-person absentee voting updates mid-summer. www.fairfaxcounty.gov/elections

If you have moved or changed your name in the last four years, register your new address or name at: vote.elections.virginia.gov.

Cortes Speaks Out About Achievements and the Future

Edgardo Cortes, Commissioner for Virginia Department of Elections, speaking at the April 23 LWVFA Annual Meeting, defined his job in the words of his son, “Make sure everyone gets a [I Voted] sticker.”

He is proud of several significant achievements in his tenure so far:

- The Department’s interactive technology now works
- The statewide registration database is now supported by in-house staff
- People can now request and receive an absentee ballot online
- Above all, voting rights have been restored of over 200,000 felons in Virginia who have served their prison and supervised-release time.

Moving forward, Cortes hopes to see the following happen soon:

- Improving voter registration processes, especially with the DMV
- Transitioning all Virginia precincts from touch-screen equipment
- Simplifying the absentee voting process (he would like to see a no-excuse needed version)
- Revising the design of the voter registration form to make it more user-friendly.

During the Q & A that followed, Cortes shared the following: The Department has issued around 6,000 Photo IDs so far for those without drivers licenses or other accepted IDs.

Election Officers Needed

Election Officers are needed to serve on Election Day! More information is available at www.fairfaxcounty.gov/elections/working.htm or call 704-324-4735. Stipend offered!

This Month's Unit Meeting Locations

Topic: How Can State Laws Differ From Federal Laws

Members and visitors are encouraged to attend any meeting convenient for them, including the "At Large Meeting" and briefing on Saturdays when a briefing is listed. As of May 1, 2016, the locations were correct; please use phone numbers to verify sites and advise of your intent to attend. Some meetings at restaurants may need reservations.

Saturday, June 4

10 a.m. At-Large Unit and Briefing

Packard Center
4026 Hummer Road
Annandale, VA 22003
Contact: Judy, 703-725-9401

Wednesday, June 8

9:30 a.m. McLean Day (McL)
StarNut Café
1445 Laughlin Ave.
McLean, VA 22101
Contact: Sharone 703-734-1048
or Adarsh (703) 795-7281

9:45 a.m. Mt. Vernon Day (MVD)

Sherwood Library - Rppm #1
2501 Sherwood Hall Lane
Alexandria, VA 22306
Contact: Gail, 703-360-6561

10 a.m. Fairfax Station (FXS)

8739 Cuttermill Place
Springfield 22153
Contact: Kathleen 703-644-1555

7:30 p.m. Reston Evening

(RE)

Hunter Mill District Community
Room B
1801 Cameron Glen Drive
Reston, VA 21090
Contact: Kelly, 202-263-1311

Thursday, June 9

9 a.m. Reston Day (RD)

11908 Paradise Lane
Herndon, VA 20171
Contact: Charleen 703-620-3593
Note: Potluck Lunch

9:30 a.m. Springfield (SPF)

7827 Anson Court
Springfield, VA 22152
Contact: Marge, 703-451-0589

10 a.m. Centreville-Chantilly (CCD)

Sully District Gov. Center
4900 Stonecroft Blvd.
Chantilly, VA 20151
Contact: Leslie, 571-213-6384

1 p.m. Fairfax/Vienna (FX-V)

Oakton Regional Library
10304 Lynnhaven Pl.
Oakton, VA 22124
Contact: Liz, 703-281-3380

7:45 p.m. Mt. Vernon Evening (MVE)

Paul Spring Retirement
Community
Mt. Vernon Room
7116 Fort Hunt Road
Alexandria, VA 22307
Contact: Jane, 703-960-6820

Monday, June 14

1:30 p.m. Greenspring (GSP)

Hunters Crossing Classroom
Spring Village Drive
Springfield, VA 22150
Contact: Edith, 703-644-3970

September Meetings:

TBA



The League of Women Voters of the Fairfax Area (LWVFA)
 4026-B Hummer Road, Annandale, VA 22003-2403
 703-658-9150. Web address: www.lwv-fairfax.org

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 Peggy Knight, Co-President
 Helen Kelly, Co-President
 Ron Page, Editor
 Liz Brooke, Coordinator**

The League of Women Voters is a nonpartisan political organization that encourages the public to play an informed and active role in government. At the local, state, regional and national levels, the League works to influence public policy through education and advocacy. Any citizen of voting age, male or female, may become a member.

The League of Women Voters never supports or opposes candidates for office, or political parties, and any use of the League of Women Voters name in campaign advertising or literature has not been authorized by the League.

LWVFA MEMBERSHIP APPLICATION
 (Dues year is July 1 through June 30. Current dues year ends June 30, 2016.)

Membership Category: Individual \$65 ____ Household (2 persons–1 *VOTER*) \$90 ____; Donation \$ ____
 Student \$32.50 ____ (Coll. Attending _____)

Membership is: New ____ Renewal ____ Reinstatement ____ Subsidy Requested ____
 We value membership. A subsidy fund is available, check block above and include whatever you can afford.

Dues are not tax-deductible. Tax-deductible donations must be written on a separate check payable to LWVFA Ed. Fund.

Please Print Clearly!

Name _____ Unit _____

Address _____

City _____ State _____ Zip + 4 _____

Phone (H) _____ (M) _____ E-Mail _____

Thank you for checking off your interests:

<input type="checkbox"/> County Govt	<input type="checkbox"/> Voting Procedures	<input type="checkbox"/> Health Care	<input type="checkbox"/> Schools
<input type="checkbox"/> Fiscal	<input type="checkbox"/> Environmental Quality	<input type="checkbox"/> Human Services	<input type="checkbox"/> Other (Specify)
<input type="checkbox"/> Public Libraries	<input type="checkbox"/> Land Use Planning	<input type="checkbox"/> Judicial Systems	<input type="checkbox"/> Affordable Housing
<input type="checkbox"/> Transportation	<input type="checkbox"/> Water	<input type="checkbox"/> Juvenile Problems	<input type="checkbox"/> Domestic Violence

Mail to: LWVFA, 4026-B Hummer Road, Annandale, VA 22003-2403