

1 NATIONAL CAPITOL CONTRACTING  
2 RPTS VIEIRA  
3 HJU137000

4 MARKUP OF H.R. 2561  
5 Thursday, May 17, 2018  
6 House of Representatives,  
7 Committee on the Judiciary,  
8 Washington, D.C.

9       The committee met, pursuant to call, at 11:00 a.m., in  
10 Room 2141, Rayburn House Office Building, Hon. Bob Goodlatte  
11 [chairman of the committee] presiding.

12       Present: Goodlatte, Chabot, King, Poe, Marino, Collins,  
13 DeSantis, Buck, Ratcliffe, Gaetz, Johnson of Louisiana,  
14 Biggs, Handel, Rothfus, Nadler, Lofgren, Jackson Lee, Cohen,  
15 Deutch, Cicilline, Lieu, Raskin, Jayapal, Schneider, and  
16 Demings.

17       Staff Present: Shelley Husband, Staff Director; Branden  
18 Ritchie, Deputy Staff Director; Zach Somers, Parliamentarian  
19 and General Counsel; Jason Cervenak, Counsel, Subcommittee  
20 on Crime, Terrorism, Homeland Security and Investigations;

21 Alley Adcock, Clerk; Joe Graupensperger, Minority Chief  
22 Crime Counsel; Matthew Morgan, Minority Counsel; Monalisa  
23 Dugue, Minority Counsel; Danielle Brown, Minority Deputy  
24 Chief and Legislative Counsel; Veronica Eligan, Minority  
25 Professional Staff; and Milagros Cisneros, Minority Counsel.

26 Chairman Goodlatte. The Judiciary Committee will come  
27 to order. Without objection the chair is authorized to  
28 declare a recess at any time. Pursuant to notice, I now  
29 call up H.R. 2561 for purposes of markup and move that the  
30 committee report the bill favorably to the House.

31 The clerk will report the bill.

32 Ms. Adcock. H.R. 2561. To amend title 18, United  
33 States Code, to permit uniformed law enforcement officers to  
34 carry agency-issued firearms in certain Federal facilities  
35 and for other purposes.

36 [The bill follows:]

37 \*\*\*\*\* INSERT 1 \*\*\*\*\*

38 Chairman Goodlatte. Without objection, the bill is  
39 considered as read and open for amendment at any time, and I  
40 will begin by recognizing myself for an opening statement.

41 Today I am pleased to consider for markup H.R. 2561,  
42 the Protecting Officers of the Law in Civilian  
43 Establishments Act of 2017 or the POLICE Act. The POLICE  
44 Act was introduced a year ago this Saturday by  
45 Representative Trey Hollingsworth.

46 We are all too familiar with the spate of attacks  
47 plaguing law enforcement officers across this Nation. Our  
48 law enforcement officers are facing increasing levels of  
49 hostility and violence fueled by a growing antipolice  
50 sentiment. This is why we saw the Protect and Serve Act  
51 receive overwhelming support by the House yesterday.

52 Piggybacking off of that effort, Congress should be  
53 examining ways to ensure that, if attacked, law enforcement  
54 officers have the means to defend themselves.

55 Unfortunately, however, under existing law, uniformed  
56 State and local police officers must remove their firearms  
57 before entering Federal public facilities when not  
58 responding to an emergency or acting in an official  
59 capacity. This makes them vulnerable to attack and  
60 potentially unable to adequately respond to developing  
61 situations should they arise.

62 Just like the rest of us, law enforcement officers are

63 often required to take care of personal business in the  
64 middle of the work day or immediately before or after their  
65 shifts. These can include medical appointments or even  
66 paperwork appointments.

67       Regrettably, Federal law requires the same police  
68 officers entrusted to protect our communities and respond  
69 during an emergency to disarm when they enter into public  
70 buildings. This places these officers in significant  
71 danger, considering that uniformed law enforcement officers  
72 already are highly visible targets to those wishing to cause  
73 harm to men and women in uniform.

74       The solution is simple, and it is before us today.  
75 H.R. 2561 amends Federal law to modify the restriction on  
76 possessing a firearm in a Federal facility, so the  
77 prohibition will not apply to the lawful carrying of agency-  
78 issued firearms by a uniformed law enforcement officer in  
79 certain publicly accessible Federal facilities.

80       This is a narrow, commonsense solution to a problem  
81 that puts law enforcement in dangerous situations, and I  
82 urge my colleagues to support this important measure.

83       It is now my pleasure to recognize the ranking member  
84 of the committee, the gentleman from New York, Mr. Nadler,  
85 for his opening statement.

86       [The prepared statement of Chairman Goodlatte follows:]

87

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

88 Mr. Nadler. Thank you, Mr. Chairman. Mr. Chairman,  
89 certainly we must assist our law enforcement officers who  
90 work long hours under stressful and dangerous conditions to  
91 protect all of us. However, I cannot support the bill  
92 before us today.

93 H.R. 2561, the POLICE Act, would allow uniformed law  
94 enforcement officers to carry agency-issued firearms into  
95 certain Federal facilities that are low security and open to  
96 the public. While there may be some merit to this proposal,  
97 there may also be risks. This committee has held no  
98 hearings about the need for this bill, and it would be  
99 unwise to move forward without a greater understanding of  
100 the potential benefits and potential dangers that may result  
101 from this legislation.

102 I understand that the bill is intended to make it  
103 easier for police officers to conduct nonofficial, personal  
104 tasks such as visiting a VA hospital or Social Security  
105 office while in uniform. We should learn more about the  
106 problem, however, about possible ways to address it, and the  
107 implications of enacting this bill as is.

108 For instance, the bill would allow any uniformed  
109 officer from any jurisdiction to carry a loaded firearm or  
110 "other dangerous weapons" into certain Federal facilities.  
111 This would place an enormous burden on security guards at  
112 Federal facilities who would have to recognize the uniforms

113 of law enforcement agencies from any jurisdiction in the  
114 United States. This could also facilitate the ability of  
115 armed individuals impersonating private security guards to  
116 gain access to these facilities.

117         Given the potential risk presented by this legislation  
118 and the lack of any documented need for it, there is no  
119 reason to rush the bill through the legislative process  
120 without the benefit of a hearing where we could consider its  
121 merits and any possible concerns or necessary changes. We  
122 should consult with law enforcement, with the General  
123 Services Administration, with gun violence prevention  
124 experts, among others, to evaluate this proposal.

125         This bill may be well-intentioned, but it raises  
126 questions that should be addressed before the committee  
127 adopts it and reports it for floor consideration.

128         In addition, I must note that as we once again consider  
129 legislation to loosen restrictions on gun possession, we  
130 continue to take no action to address the nationwide  
131 epidemic of gun violence. When 35,000 Americans lose their  
132 lives to gun violence each year while in some other major  
133 industrial countries this figure barely cracks 100, we  
134 cannot allow this to continue.

135         I urge the committee to hold hearings and to adopt  
136 legislation that will make us all safer without further  
137 delay. I yield back the balance of my time.

138 [The prepared statement of Mr. Nadler follows:]

139 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

140 Chairman Goodlatte. The chair thanks the gentleman.  
141 Are there any amendments to H.R. 2561? For what purpose  
142 does the gentleman from Rhode Island seek recognition?

143 Mr. Cicilline. I move to strike the last word.

144 Chairman Goodlatte. The gentleman is recognized for 5  
145 minutes.

146 Mr. Cicilline. I just want to echo the sentiments of  
147 the ranking member. I think this is an issue which if, in  
148 fact, we were attempting to address a very discrete problem  
149 of law enforcement officers not being able to access a  
150 Federal building during a break, we could do that, but I am  
151 fearful that this bill does much more than that, and I think  
152 this is one of the regrettable consequences of not having  
153 hearings where you could actually ask these questions and  
154 understand the problem that we are attempting to address in  
155 the legislation.

156 But I am struggling with a couple of things in terms of  
157 the language, and I am hoping the chairman can assist or the  
158 author of the bill or his representative.

159 It says on page 2 that "lawful carrying of agency-  
160 issued firearms and other dangerous weapons." Does that  
161 mean a nonagency-issued firearm would constitute a dangerous  
162 weapon so that you could in fact have someone who has a gun  
163 not issued by an agency? Because there is no definition  
164 that I can see of dangerous weapons. That is the first

165 question.

166       The second question, it says on page 3, it defines  
167 uniformed officer, agent, or employee means "an officer,  
168 agent, or employee wearing a clearly identifiable agency  
169 standard issued uniform with a badge." It seems as if that  
170 does not have a requirement in the definition that the  
171 person be, in fact, a law enforcement officer.

172       It simply says an employee is an agent, officer, or  
173 employee wearing a badge, and so you have some inconsistency  
174 between that definition and the definition on page 2 where  
175 it says, "by a uniformed officer, agent, or employee of the  
176 United States, a State, or political subdivision thereof who  
177 is authorized by law to engage in supervised prevention,  
178 detection, investigation, or prosecution of any law." So  
179 there seems to be an inconsistency in the definition.

180       And then thirdly, it seems as if this also would cover  
181 anyone involved in prevention, detection, investigation, or  
182 prosecution of a violation of law, which would seem to me to  
183 be a much larger group than law enforcement. It could  
184 involve clinical social workers, family court investigators,  
185 a whole series of people who are not who we would typically  
186 identify as law enforcement that are part of this group we  
187 are attempting to address at least in the description of the  
188 bill.

189       So I think there are a lot of questions about its

190 strict application here, and I think we would obviously have  
191 benefited from a hearing to get these answered, but with all  
192 of these uncertainties, it seems like it would be opening  
193 the floodgate maybe unintentionally to lots of people who  
194 may not even be properly trained in firearms to go into  
195 Federal buildings, which I think is a dangerous precedent.

196 Not sure why anyone would want to do that, and in the  
197 absence of some explanation for any of these questions, it  
198 is not a bill I can support. And I do not know if the  
199 chairman can respond to some of those real concerns that I  
200 have.

201 Chairman Goodlatte. If the gentleman would yield.

202 Mr. Cicilline. Sure.

203 Chairman Goodlatte. First of all, the language that  
204 the gentleman cites tracks the already existing Federal  
205 statute LEOSA, the Law Enforcement Officers Safety Act.  
206 Secondly --

207 Mr. Cicilline. Well, I am just going to ask, Mr.  
208 Chairman, that may well be that it tracks it, but do you  
209 agree that there is inconsistency in the language? And the  
210 fact that it may be inartfully written at a prior time does  
211 not mean we ought to reaffirm it.

212 Chairman Goodlatte. I do not agree that it is  
213 inconsistent.

214 Mr. Cicilline. So who does it apply to? Does it apply

215 to officers who --

216 Chairman Goodlatte. First of all, to the first  
217 question the gentleman had, it only applies to a firearm  
218 issued by the agency, not to other weapons of various kinds  
219 or even firearms that are not issued by the agency.

220 Mr. Cicilline. That is not in the bill. It says "the  
221 lawful carrying of agency-issued firearms and other  
222 dangerous weapons" with no explanation of what other  
223 dangerous weapons means. So is someone who is carrying a  
224 dangerous weapon that is a firearm that is not agency-issued  
225 does not qualify as "other dangerous weapon?"

226 Chairman Goodlatte. If the item is not issued by the  
227 agency, it is not allowed under this bill.

228 Mr. Cicilline. Well, that may be the intention, but  
229 that is not what the language says.

230 Chairman Goodlatte. I think it is the language. I  
231 mean, it is pretty clear. Are there any amendments to H.R.  
232 2561?

233 Ms. Jackson Lee. Mr. Chairman, I have -- I am sorry.

234 Chairman Goodlatte. The gentlewoman from Texas, the  
235 ranking member of the Crime, Terrorism, Homeland Security,  
236 and Investigations Subcommittee is recognized for her  
237 opening statement or anything else she might want to say.

238 Ms. Jackson Lee. Responding to having an amendment at  
239 the desk.

240 Chairman Goodlatte. Okay, well, the clerk will report  
241 the amendment.

242 Ms. Adcock. Amendment to H.R. 2561, offered by Ms.  
243 Jackson Lee. Page 2, line 17, strike --

244 [The amendment of Ms. Jackson Lee follows:]

245 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

246 Chairman Goodlatte. Without objection, the amendment  
247 is considered as read, and the gentlewoman is recognized for  
248 5 minutes on her amendment. The gentlewoman is recognized.

249 Ms. Jackson Lee. Mr. Chairman, I want to start by  
250 acknowledging on many occasions the collegiality in this  
251 room and with the members of this body, including  
252 Republicans and Democrats. I want to, specifically, take  
253 note of the work of Mr. Rutherford and Ms. Demings. We,  
254 specifically, voted on a bill yesterday that both of them  
255 sponsored, and I am reminded of the emotion with which Mr.  
256 Rutherford spoke.

257 And having been a locally elected official, my  
258 interaction with law enforcement has been close and  
259 continuing. Even today, as I check on my police department,  
260 my constables, my sheriff, my rangers, we work together. We  
261 are eager to dialogue and to be of help to each other.

262 Number two, I think it is important to know that any  
263 law enforcement certified can go into any Federal building  
264 across the Nation for official business and as well for any  
265 emergency. In fact, I would make the argument that they are  
266 welcomed in that instance, and I also want to acknowledge  
267 that they have utilized their profession to save lives  
268 beyond their jurisdiction.

269 But I do think it is important that we recognize the  
270 vulnerability of uniforms being misused or other

271 misrepresentation that may be generated by a bill that has  
272 not, to my knowledge, had any hearings before our committee.  
273 And I want to take note of the fact that it is important for  
274 this committee to be fact finders, because we have experts  
275 on the committee. We have former judges, lawyers, defense  
276 counsel, prosecutors, and certainly law enforcement, of  
277 which we are pleased.

278         And then I would like to, if I might, I am a little  
279 stunned. In the memo that was sent out by the majority,  
280 "Police agencies in the U.S. are currently facing a crisis  
281 resulting from a spate of high-profile incidences involving  
282 the use of force by police officers, many involving minority  
283 citizens. As a result, police officers are facing  
284 increasing levels of hostility and violence fueled by this  
285 growing antipolice sentiment. In the aftermath of the  
286 August 2014 event in Ferguson, Missouri, there has been an  
287 increase in ambush-style attacks on police officers."

288         And I would only ask and put on the record to not  
289 associate minority citizens, I am not sure if it is African  
290 Americans or others, to take a broad brush and suggest that  
291 there is that kind of sentiment in my community. I take  
292 issue. I want it to be noted on the record that I believe  
293 the memo could have been written in a more appropriate  
294 style, because there are incidences to be documented that  
295 represent people from all walks of life. And certainly my

296 community, in the minority community, with so many of us in  
297 the law enforcement agencies, take great issue with that  
298 assessment.

299 Yes, there have been incidences, but our communities  
300 continue to try to work together. Yes, there are  
301 organizations of young people, Black Lives Matter, and their  
302 premise has not been refuted. They believe that we should  
303 assess issues dealing with young African Americans.

304 Quickly, my amendment would alleviate the security risk  
305 posed by the bill, only allowing local law enforcement  
306 officers to carry firearms and dangerous weapons in Federal  
307 facilities in a State where they serve. Under the current  
308 bill, a law enforcement officer from any State or Federal  
309 jurisdiction would be authorized to enter certain low-  
310 security Federal facilities carrying agency-issued firearms  
311 or dangerous weapons. This puts security personnel at  
312 Federal facilities in a position of having to determine and  
313 assess someone from out of State on whether or not there is  
314 an impostor or legitimate law enforcement officer, and I  
315 would venture to say that the police people would understand  
316 that.

317 And one can imagine a scenario in which a person who is  
318 not, in fact, a law enforcement officer puts on a police  
319 officer's uniform from an out-of-State jurisdiction and  
320 wants to bring a loaded gun into a facility. Security

321 personnel may have difficult visually determining whether or  
322 not someone is a legitimate law enforcement officer, with  
323 the resulting confusion leading to at least some of the  
324 impostors carrying successfully weapons past security.

325       Let me very clear: officers can go into any Federal  
326 building on the basis of an emergency or on official  
327 business. My amendment is intended to provide extra  
328 security, not only for those in those buildings, but for law  
329 enforcement officers themselves.

330       And so I would ask my colleagues to support the Jackson  
331 Lee amendment and acknowledge the fact that we want to make  
332 sure that our officers are safe, and we really want to  
333 reemphasize, because that is what the Police Working Group  
334 is about, that we are working to improve our relationships.  
335 And we are not suggesting that incidences which have  
336 occurred, and one of them occurred in the State of Texas.  
337 An ex-military person in Dallas that is alleged of maybe  
338 suffering from PTSD, as well as the individual that came in  
339 under the sovereign nation label, as I understand it, in  
340 Baton Rouge.

341       But we want to improve police-community relations, not  
342 suggest that out of incidences that have occurred, certain  
343 minority communities may be at the core of these kinds of  
344 lack of police-community relations. I ask my colleagues to  
345 support this in the name of improved police-community

346 relations.

347 Chairman Goodlatte. The chair recognizes himself for 5  
348 minutes. First, the chair wants to say to the gentlewoman  
349 from Texas that he takes to heart her comments regarding the  
350 first paragraph in the memo and would note that, surely, no  
351 one should suggest that the shootings are all involving  
352 minority citizens, nor would it matter. If there are  
353 ambushes taking place of any kind of anybody by any race, we  
354 would want to make sure that added measures are taken to  
355 make sure that people are protected.

356 And I also agree and share with her her concern that  
357 other things can be done besides additional protections for  
358 law enforcement officers to try to improve that situation so  
359 that the number of those incidents are reduced.

360 However, the amendment before us today does not take  
361 into account the realities of modern-day commuting or work  
362 habits. Take the region around us right here as an example.  
363 We have workers that come from Maryland, Virginia,  
364 Washington, D.C., and some as far away as West Virginia or  
365 Pennsylvania. I am not comfortable telling those who work  
366 across State lines or those who might need to travel across  
367 State lines to visit a VA facility that they cannot defend  
368 themselves.

369 In my own district, particularly at the northern end of  
370 it, many residents travel to the closest VA facility, which

371 is in Martinsburg, West Virginia. Law enforcement officers  
372 in uniform who will make that trip are no less a target when  
373 they travel across State lines than when they remain within  
374 Virginia.

375 Further, LEOA already allows these law enforcement  
376 officers to travel across State lines with their firearms.  
377 There is no reason to treat them differently than those law  
378 enforcement officers in the State where the Federal facility  
379 is located.

380 Finally, the VA as a Federal agency is organized by  
381 geographic regions, not States. A uniformed law enforcement  
382 officer of one State's police department should be allowed  
383 to head across the border, complete a physical, pick up a  
384 prescription, and be back at work all on a lunch hour.

385 It is for these reasons that I must oppose the  
386 amendment. I urge my colleagues to do the same, and I would  
387 note that the underlying bill is supported by a wide array  
388 of law enforcement officers, including the National  
389 Association of Police Organizations, and therefore the issue  
390 of determining whether or not one is a legitimate police  
391 officer or somebody posing as one is certainly a concern but  
392 one I think that the law enforcement organizations and the  
393 Federal facilities that they are protecting should be  
394 prepared to address.

395 So for those reasons I must oppose the gentleman's

396 amendment.

397 Mr. King. Would the chairman yield?

398 Chairman Goodlatte. I would be happy to yield.

399 Mr. King. Over to your right, Mr. Chairman. Thank  
400 you, Mr. Chairman. I just want to put a short point in that  
401 I did not hear in anybody else's dialogue. And that is that  
402 under current law or under the gentlelady's amendment, what  
403 will happen in practical application is the officers are  
404 likely to leave their weapons in their car and lock the car  
405 up and get out.

406 And I am going to suggest that they are safer on the  
407 officer than they are in the car subject to potential theft,  
408 which would be more mischief than you might have with an  
409 officer that is duly licensed and trained to carry that  
410 weapon. I want to add that point to this and yield back to  
411 the chairman.

412 Chairman Goodlatte. Reclaim my time. The gentleman  
413 makes a very good point. There have been instances where  
414 weapons have been stolen out of vehicles and used for  
415 unlawful purposes, and people have been harmed as a result  
416 of that.

417 I also would ask for unanimous consent to place in the  
418 record the letter from the National Association of Police  
419 Organizations supporting the legislation. Without objection  
420 it will be made.

421 [The information follows:]

422 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

423 Chairman Goodlatte. For what purpose does the  
424 gentleman from Tennessee seek recognition?

425 Mr. Cohen. I move to strike the last word.

426 Chairman Goodlatte. The gentleman is recognized for 5  
427 minutes.

428 Mr. Cohen. Would the Chair yield? I missed a little  
429 bit of your --

430 Chairman Goodlatte. You have got the time.

431 Mr. Cohen. -- your opening statement. And can you  
432 tell me the situation, the incident that provoked this bill  
433 where somebody went into a Federal facility and either their  
434 gun was stolen at the Federal facility in the parking lot or  
435 the officer was endangered at the Federal facility and  
436 needed a gun to protect himself?

437 Chairman Goodlatte. If the gentleman would yield.

438 Mr. Cohen. Yeah, I do yield, please. Thank you.

439 Chairman Goodlatte. What I say would only be hearsay  
440 because it is not my bill. It is introduced by a gentleman,  
441 Mr. Hollingsworth, who I believe is from Indiana, and he was  
442 contacted by law enforcement officers in his district  
443 requesting that he undertake this. I think that is the  
444 genesis of this.

445 Mr. Cohen. But is there any example that we know of  
446 that somebody is --

447 Chairman Goodlatte. I do not have one that I can offer

448 for you right now.

449 Mr. Cohen. All right. I suspect, sir, that there is  
450 no example that somebody has gone into a VA and been shot or  
451 attacked and they did not have a gun to stop a bad guy with  
452 a gun. And I am just concerned about us telling folks who  
453 might have PTSD going into visit their psychiatrist that  
454 they are taking a gun, and one day this could cause more of  
455 a problem than we think we are solving, because there is no  
456 example of a situation where this has caused an officer to  
457 lose their life. This is supposed to be protecting police.

458 Well, we do not have a situation where police have ever  
459 had a gun stolen at a Federal facility when they locked it  
460 in their car or an example of someplace where somebody has  
461 been attacked and they did not have a gun to protect  
462 themselves and were not as capable as James Shaw in being  
463 able to defend themselves without a gun.

464 So I do not know why we are doing this. Mr. Chairman,  
465 do you yield? What is the definition of a Level I and Level  
466 II Federal facility?

467 Chairman Goodlatte. Generally, it is open to the  
468 public and low security is a Level I facility.

469 Mr. Cohen. So would this permit people to take weapons  
470 into the Federal office buildings where many of us have our  
471 offices?

472 Chairman Goodlatte. Yes. Well, it depends on where

473 your office is located. If it is a United States  
474 courthouse, it would not. If it is shared with other  
475 Federal agencies that are not in a courthouse, like a VA  
476 building or something like that, then yes.

477 Mr. Cohen. So a Federal courthouse is not a Level I or  
478 Level II building? Is that for sure it is not?

479 Chairman Goodlatte. Yes. I am so informed.

480 Mr. Cohen. Okay. So we have no example of anybody at  
481 the VA who needed this help?

482 Chairman Goodlatte. Does the gentleman yield back?  
483 The gentleman yields back.

484 For what purpose does the gentlewoman --

485 Mr. Cohen. No, I do not yield my time back. I want  
486 you to respond.

487 Chairman Goodlatte. I do not have any further  
488 response.

489 Mr. Cohen. All right. So the bottom line is we have  
490 got some hypothetical thing, and you say the police would  
491 like this. Sure, the police would like to have their guns  
492 everywhere, and that does not mean we let them have guns  
493 everywhere. They should have them when they are on patrol  
494 and when they are working and when they are in their  
495 jurisdiction or whatever their State controls and determines  
496 they should have their guns.

497 But you know, this really looks like a show business,

498 and meanwhile we are having, you know, the Senate  
499 Intelligence Committee says that Russia interfered with our  
500 elections and preferred Trump and is basically saying the  
501 House did not do their job in our Intelligence Committee  
502 that closed their investigation. And we are talking about a  
503 hypothetical about somebody carrying a gun into a VA  
504 facility. I mean, this is misplaced priorities.

505       The Republic is on fire, and some of the things we have  
506 been seeing and learning from media reports should cause  
507 this committee concern to have a hearing on some of these  
508 issues that the Intelligence Committee in the House failed  
509 and did not live up to their duties to be a check and  
510 balance as the Senate Intelligence Committee did.

511       Senator Burr made clear that he believes that the  
512 Russians favored Trump and that the report is totally  
513 accurate, and we see so much about Russians and money and  
514 young Trump who does not know if his father has a blocked  
515 call phone or not. I mean, young Trump is like a cat that  
516 goes out and gets a chipmunk. They bring it back to their  
517 owner. Young Trump would have told the owner what went on.  
518 Yield back.

519       Chairman Goodlatte. The time of the gentleman has  
520 expired.

521       For what purpose does the gentlewoman from Florida seek  
522 recognition?

523 Ms. Demings. I move to strike the last word.

524 Chairman Goodlatte. The gentlewoman is recognized for  
525 5 minutes.

526 Ms. Demings. Thank you so much, Mr. Chairman. As you  
527 all know, we just recognized law enforcement officers from  
528 all over the country, particularly those who lost their  
529 lives in the performance of their duties last year. I wore  
530 the uniform for 27 years, and I was subject to the same  
531 restrictions that we are talking about today.

532 And I am sensitive, of course, based on my direct  
533 knowledge and experience, to the challenges of officers who  
534 may need to take care of personal business while "on duty."  
535 But I do believe, and I am concerned that allowing any law  
536 enforcement officer from any agency from within the country  
537 to carry firearms in any Federal facility, I do believe that  
538 it puts an undue burden on security in those buildings to  
539 verify the credentials that those officers have.

540 I think we want to get this right. We have to get it  
541 right. I know it is police week, which I am very much in  
542 tune with that, but I do believe we should take the time,  
543 have hearings on the matter, hear from those who are  
544 directly impacted, adversely impacted, as opposed to pushing  
545 the legislation through today. And with that I yield back.

546 Ms. Jackson Lee. Would the gentlelady yield? Would  
547 the gentlelady yield?

548 Ms. Demings. Yes.

549 Ms. Jackson Lee. Thank you. Let me thank you for your  
550 comments, and as I started out, I indicated that there were  
551 no hearings, but I think you have raised a very important  
552 point about getting the facts and understanding the facts.  
553 I would like to encourage my colleagues in the interim to  
554 support at least a small limitation which could then be more  
555 efficiently regulated, is to -- if this is to go forward, to  
556 allow it to the States.

557 But the idea of us being fact finders, as you have  
558 indicated, to do what is right for all of our constituents,  
559 and law enforcement are constituents of the Judiciary  
560 Committee, and I am proud of that. And so I would ask my  
561 colleagues to consider, and I am very grateful for the  
562 thoughtful comments that the Congresswoman has just made.  
563 With that, I yield back. Thank you for yielding.

564 Mr. Raskin. Would the gentlelady yield?

565 Ms. Demings. I yield.

566 Mr. Raskin. Would you yield for a question?

567 Ms. Demings. Yes.

568 Mr. Raskin. I am also impressed by your statement,  
569 having been a law enforcement officer for a few decades, is  
570 I am reading this bill -- and again, I am laboring under the  
571 same disability you are, which is we have had no hearing on  
572 it, so it is unclear exactly what it means, but part of it

573 says, "the term uniformed officer, agent, or employee means  
574 an officer, agent, or employee, wearing a clearly  
575 identifiable agency standard-issued uniform with a clearly  
576 identifiable agency-issued ID badge."

577 If you were a law enforcement officer, and you were  
578 looking at that, would you think that you have to admit not  
579 just officers but other employees? They might be postal  
580 employees or firefighters or someone who has got some kind  
581 of uniform and a badge on.

582 Ms. Demings. I would definitely interpret it in that  
583 way. I think you would need to verify or limit it to sworn  
584 law enforcement officers as defined by law.

585 Mr. Raskin. Would you think that it should be sworn  
586 law enforcement officers just from the State if -- the  
587 justification for this bill -- and its provenance does seem  
588 mysterious -- but if the justification is that it is for the  
589 convenience of the officers to be able to keep their  
590 firearms on them, should it just be officers, sworn law  
591 enforcement officers, from the State itself?

592 So, it is not someone traveling from across America who  
593 is not subject to the laws and the regulations of law  
594 enforcement authorities within the State.

595 Ms. Demings. And I do think we have to consider, and  
596 that is why I think the hearings would be beneficial,  
597 officers could be off duty, performing a personal matter,

598 and an emergency arises at that time. So, it is very  
599 possible that they could be on unofficial business but then  
600 need to be pressed into service. I understand that without  
601 a doubt.

602 But I do think limiting it to a State as opposed to in  
603 its current form would at least, I think, make the  
604 credentials more recognizable, and they would be more  
605 familiar within the State that issued them.

606 Mr. Raskin. Thank you. I yield back to you.

607 Mr. Cicilline. Mr. Chairman?

608 Chairman Goodlatte. For what purpose does the  
609 gentleman from Rhode Island seek recognition?

610 Mr. Cicilline. I move to strike the last word.

611 Chairman Goodlatte. The gentleman is recognized for 5  
612 minutes.

613 Mr. Cicilline. Thank you, Mr. Chairman. I rise in  
614 strong support of the Jackson Lee amendment. The most  
615 compelling testimony that we have heard on this bill just  
616 came from Chief Demings, and I thank her for that.

617 I think we all, every time we approach legislation,  
618 want to balance certain interests, and it seems to me this  
619 amendment does a very good job of striking the right  
620 balance, if in fact the argument for this legislation is  
621 that police officers who occasionally have to do personal  
622 errands or run into a -- go to a Federal building while they

623 are on duty, in uniform, that this is a terrible  
624 inconvenience, and one assumes that is the case, then the  
625 Jackson Lee amendment would strike the right balance and  
626 say, okay, the vast majority of those circumstance will be  
627 people who are running errands in their own jurisdiction.

628       It seems odd that someone would put on their police  
629 uniform to go to a pharmacy in another State. So, I think  
630 it would cover most cases. Of course, we do not know that,  
631 because we do not actually know that this is the real reason  
632 for doing it; we do not know whether it is actually a  
633 problem, because we have not had a hearing.

634       But assuming that that claim is the reason this bill  
635 was put forth, I think the Jackson Lee amendment strikes the  
636 right balance, because the danger that someone will be  
637 wearing a police uniform from another jurisdiction,  
638 purporting to be a police officer from another jurisdiction,  
639 when the person required to check that may not be familiar  
640 with uniforms outside their jurisdiction imposes some  
641 danger.

642       And so, let's remediate that, reduce that likelihood,  
643 and focus it on what will actually address the purported  
644 problem, which is exactly what the Jackson Lee amendment  
645 does. It balances, I think, in the right way, and I think  
646 it makes sense.

647       We do not want to inadvertently create greater danger

648 for police officers in an earnest attempt to do something to  
649 accommodate an issue that has been raised to the sponsor of  
650 the bill.

651 So, I thank the Congresswoman from Texas for this very  
652 thoughtful amendment that I think strikes the right balance  
653 that will in fact accomplish a very important objective in  
654 the bill. And with that, I yield to the gentleman from  
655 Maryland.

656 Mr. Raskin. Thank you so much for yielding. I think  
657 if we are going to move forward with this legislation we  
658 absolutely need to have the Sheila Jackson Lee amendment on  
659 it. Again, we have not had a hearing, so we do not really  
660 know what the factual predicate is for changing the law in  
661 this way. It has been suggested that the sponsor believes  
662 that it will make life more convenient for officers who do  
663 not want to remove their weapons and stop off in a Federal  
664 building to do some business.

665 If that is the case, surely it should be confined and  
666 limited to people who are sworn law enforcement officers, or  
667 at least sworn law enforcement officers and employees, which  
668 I guess is imported through this amendment, who are from the  
669 State itself, because there is the problem of imposters.

670 We are opening up a huge loophole here, and the minute  
671 that the word goes out that all you have got to do is put on  
672 something that looks like standard-issue uniform, and you

673 can get into a Federal building with a weapon, that will  
674 certainly be a principal mode of attempting to get into  
675 Federal buildings to conduct mischief, and it is far more  
676 likely that it is going to happen from someone crossing the  
677 country than someone who is within the State itself.

678         So, I think the amendment begins to tighten up what is  
679 a very loose and porous piece of legislation. I yield back.

680         Mr. Cicilline. Thank you. I just want to add before I  
681 yield back to the chairman, the gentleman from Iowa  
682 mentioned this notion about, you know, if you did not get to  
683 bring it into the building you would have to lock it in your  
684 car, and someone could steal from your car. Again, it would  
685 be really useful to have hearings, and we could determine  
686 how often that happens, what kind of risk it is. My  
687 experience is that many Federal buildings have secure,  
688 locked facilities that when you go in they secure your  
689 firearm before you go into the building.

690         It would be nice to know in these Level I, Level II,  
691 Level III, how many of these Federal buildings have locked  
692 facilities for firearms; how many do not; how real is this  
693 risk that it will be left in a car and stolen. I mean, this  
694 is what the American people expect us to do, to have  
695 hearings, to listen to evidence, to determine what is -- how  
696 do we develop good public policy based on those sets of  
697 facts and that kind of circumstances.

698 This is the danger of sort of pulling a bill, having no  
699 hearing, throwing it on for a markup, and just sort of  
700 hoping the emotion of our love for police will compel us to  
701 pass a bill that is poorly written, that may endanger police  
702 officers, and that may be completely unnecessary because it  
703 is National Police Week.

704 Ms. Jackson Lee. Would the gentleman yield for just  
705 one --

706 Mr. Cicilline. I would be happy to yield.

707 Ms. Jackson Lee. -- for just one moment. It will only  
708 be a moment, because it struck me, for those of us -- a  
709 number of us are lawyers on the committee, and we are in and  
710 out of Federal courts. And I just had a moment of being of  
711 great concern for Federal courts for impostors, because who  
712 knows if someone that may have a particular angst against a  
713 decision made in a Federal court and against a judge? With  
714 that, I yield back, and I thank the gentleman for yielding  
715 and ask my colleagues to support the amendment as my  
716 colleague to support the amendment.

717 Mr. Cicilline. I thank the gentlelady. I yield back,  
718 Mr. Chairman.

719 Chairman Goodlatte. I thank the gentlewoman for her  
720 comment. The bill does specifically exclude Federal courts.

721 The question occurs on the amendment offered by the  
722 gentlewoman from Texas.

723 All those in favor, respond by saying aye.  
724 Those opposed, no.  
725 In the opinion of the chair, the noes have it.  
726 Ms. Jackson Lee. I request a recorded vote.  
727 Chairman Goodlatte. A recorded vote is requested, and  
728 the clerk will call the roll.  
729 Ms. Adcock. Mr. Goodlatte?  
730 Chairman Goodlatte. No.  
731 Ms. Adcock. Mr. Goodlatte votes no.  
732 Mr. Sensenbrenner?  
733 [No response.]  
734 Mr. Smith?  
735 [No response.]  
736 Mr. Chabot?  
737 Mr. Chabot. No.  
738 Ms. Adcock. Mr. Chabot votes no.  
739 Mr. Issa?  
740 [No response.]  
741 Mr. King?  
742 Mr. King. No.  
743 Ms. Adcock. Mr. King votes no.  
744 Mr. Gohmert?  
745 [No response.]  
746 Mr. Jordan?  
747 [No response.]

748 Mr. Poe?  
749 [No response.]  
750 Mr. Marino?  
751 Mr. Marino. No.  
752 Ms. Adcock. Mr. Marino votes no.  
753 Mr. Gowdy?  
754 [No response.]  
755 Mr. Labrador?  
756 [No response.]  
757 Mr. Collins?  
758 Mr. Collins. No.  
759 Ms. Adcock. Mr. Collins votes no.  
760 Mr. DeSantis?  
761 Mr. DeSantis. No.  
762 Ms. Adcock. Mr. DeSantis votes no.  
763 Mr. Buck?  
764 Mr. Buck. No.  
765 Ms. Adcock. Mr. Buck votes no.  
766 Mr. Ratcliffe?  
767 Mr. Ratcliffe. No.  
768 Ms. Adcock. Mr. Ratcliffe votes no.  
769 Mrs. Roby?  
770 [No response.]  
771 Mr. Gaetz?  
772 Mr. Gaetz. No.

773 Ms. Adcock. Mr. Gaetz votes no.  
774 Mr. Johnson of Louisiana?  
775 Mr. Johnson of Louisiana. No.  
776 Ms. Adcock. Mr. Johnson votes no.  
777 Mr. Biggs?  
778 Mr. Biggs. No.  
779 Ms. Adcock. Mr. Biggs votes no.  
780 Mr. Rutherford?  
781 [No response.]  
782 Mrs. Handel?  
783 Mrs. Handel. No.  
784 Ms. Adcock. Mrs. Handel votes no.  
785 Mr. Rothfus?  
786 [No response.]  
787 Mr. Nadler?  
788 [No response.]  
789 Ms. Lofgren?  
790 [No response.]  
791 Ms. Jackson Lee?  
792 Ms. Jackson Lee. Aye.  
793 Ms. Adcock. Ms. Jackson Lee votes aye.  
794 Mr. Cohen?  
795 Mr. Cohen. Aye.  
796 Ms. Adcock. Mr. Cohen votes aye.  
797 Mr. Johnson of Georgia?

798 [No response.]  
799 Mr. Deutch?  
800 Mr. Deutch. Aye.  
801 Ms. Adcock. Mr. Deutch votes aye.  
802 Mr. Gutierrez?  
803 [No response.]  
804 Ms. Bass?  
805 [No response.]  
806 Mr. Richmond?  
807 [No response.]  
808 Mr. Jeffries?  
809 [No response.]  
810 Mr. Cicilline?  
811 Mr. Cicilline. Aye.  
812 Ms. Adcock. Mr. Cicilline votes aye.  
813 Mr. Swalwell?  
814 [No response.]  
815 Mr. Lieu?  
816 Mr. Lieu. Aye.  
817 Ms. Adcock. Mr. Lieu votes aye.  
818 Mr. Raskin?  
819 Mr. Raskin. Aye.  
820 Ms. Adcock. Mr. Raskin votes aye.  
821 Ms. Jayapal?  
822 Ms. Jayapal. Aye.

823 Ms. Adcock. Ms. Jayapal votes aye.

824 Mr. Schneider?

825 Mr. Schneider. Aye.

826 Ms. Adcock. Mr. Schneider votes aye.

827 Ms. Demings?

828 Ms. Demings. Aye.

829 Ms. Adcock. Ms. Demings votes aye.

830 Chairman Goodlatte. The gentleman from Texas, Mr.

831 Ratcliffe?

832 Mr. Ratcliffe. How am I recorded?

833 Ms. Adcock. No.

834 Chairman Goodlatte. Has every member voted who wishes

835 to vote? The clerk will report.

836 Ms. Adcock. Mr. Chairman, 9 members voted aye; 12

837 members voted no.

838 Chairman Goodlatte. And the amendment is not agreed

839 to. Are there further amendments to H.R. 2561?

840 For what purpose does the gentleman from Rhode Island

841 seek recognition?

842 Mr. Cicilline. Mr. Chairman, I have an amendment at

843 the desk.

844 Chairman Goodlatte. The clerk will report the

845 amendment.

846 Ms. Adcock. Amendment to H.R. 2561, offered by Mr.

847 Cicilline. Strike and --

848 [The amendment of Mr. Cicilline follows:]

849 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

850 Chairman Goodlatte. Without objection, the amendment  
851 is considered as read, and the gentleman is recognized for 5  
852 minutes on his amendment.

853 Mr. Cicilline. Thank you, Mr. Chairman. My amendment  
854 simply strikes the three words "other dangerous weapons" on  
855 page 2, line 13.

856 As I mentioned in my opening, I am concerned that the  
857 bill authorizes the lawful carrying of an agency-issued  
858 firearm -- which is a very discrete set of things; agency-  
859 issued firearm -- but then says, "and other dangerous  
860 weapons," with no definition of what those other dangerous  
861 weapons could be, or even any qualifier that it would be an  
862 agency-issued dangerous weapon.

863 So, we ought to at least eliminate that someone who is  
864 potentially an imposter can bring in something which is not  
865 a firearm that can cause significant injury to others. And  
866 it also is -- if it is the case that we are saying police  
867 officers need to have their firearms to defend themselves,  
868 it is hard to imagine that this other category would be  
869 necessary if they have their firearms. I do not know what  
870 it means.

871 It seems to be a huge hole in this bill that would  
872 allow the carrying of dangerous weapons -- undefined; not  
873 issued by an agency; by definition, not defined in the  
874 statute or qualified by "agency-issued" -- into

875 jurisdictions in which the person is not a police officer or  
876 law enforcement officer, which I think presents an enormous  
877 potential for mischief and danger. And I think it is  
878 unnecessary, and I urge my colleagues to support the  
879 amendment.

880 Chairman Goodlatte. The chair recognizes himself in  
881 opposition to the amendment. "Dangerous weapons" is a term  
882 that is defined in the underlying statute at 18 U.S.C. 926 -  
883 - I am sorry, 930, subsection G(2). The term "dangerous  
884 weapons" means "a weapon, device, instrument, material, or  
885 substance, animate or inanimate, that is used for or is  
886 readily capable of causing death or serious bodily injury  
887 except that such a term does not include a pocket knife with  
888 a blade of less than two and a half inches in length."

889 And I would just add to that that law enforcement  
890 officers carry a variety of defensive weapons that are  
891 issued by their departments. They can include night sticks;  
892 tasers; flashlights; pepper spray and other similar items.  
893 These items are routinely issued to law enforcement  
894 officers, and, further, they receive training on how to use  
895 these items. And I would note that in most of these  
896 instances these items are less dangerous than firearms, and  
897 therefore it makes no sense to me to tell them they cannot  
898 bring those items into these public buildings.

899 Mr. Cicilline. Would the chairman yield to a question?

900 Chairman Goodlatte. I would be happy to yield to the  
901 gentleman.

902 Mr. Cicilline. I withdraw my amendment if the chairman  
903 agreed to a friendly amendment to add "agency-issued" before  
904 "dangerous weapons."

905 Chairman Goodlatte. The chair would accept that. I do  
906 not think that is necessary, but I would agree to that. It  
907 makes it clear that the words "agency-issued" applies to  
908 both firearms and dangerous weapons.

909 Ms. Jackson Lee. Would the chairman yield?

910 Chairman Goodlatte. Does the gentleman from Colorado  
911 have a concern?

912 Mr. Buck. I do. Oftentimes, in rural agencies  
913 officers buy their own and bring their own weapons to the  
914 department that they are working for, so that would not be  
915 an agency-issued weapon.

916 Chairman Goodlatte. But the statute already provides  
917 for agency-issued weapons, but then it says, "other  
918 dangerous weapons," and I think the solution to your problem  
919 would simply be that they would have the agency authorize  
920 the weapon even the individual purchased it.

921 Mr. Buck. So, the agency would authorize a weapon that  
922 the individual would purchase, then.

923 Chairman Goodlatte. Correct.

924 Mr. Buck. Okay.

925 Chairman Goodlatte. Correct.

926 Ms. Demings. Would the gentleman yield?

927 Chairman Goodlatte. Who is seeking? I would be happy  
928 to yield.

929 Ms. Demings. I think a way to handle that concern -- I  
930 certainly understand it -- would be "agency-issued or agency  
931 approved."

932 Chairman Goodlatte. If the gentleman from Rhode Island  
933 is okay with that, we are considering an amendment that has  
934 not yet been placed in writing, but it would read after --  
935 immediately before "dangerous weapons" add the phrase  
936 "agency-issued or agency-approved."

937 Mr. Cicilline. That is acceptable, Mr. Chairman.

938 Chairman Goodlatte. All right. For what purpose does  
939 the gentleman from Iowa seek recognition?

940 Mr. King. Mr. Chairman, I just think that this has  
941 been turned into a far more complicated issue than it is. I  
942 mean, we have law enforcement officers that are entrusted  
943 with enforcing nearly every aspect of the law that I can  
944 think of. And we want to train them; we want to equip them;  
945 we want them to have the best amount of self-defense they  
946 can have.

947 We want them to use that at the appropriate trained  
948 times, and we are down here slicing and dicing and splitting  
949 hairs about whether an officer can fire up his lathe in his

950 basement and turn out his own billy club and bring it along  
951 or not without getting the permission of the department. I  
952 just think we have gone way deep into the rabbit trail here.

953 And if we are going to give them the authority to move  
954 across State lines and into Federal buildings, we ought to  
955 decide to do it. And I think the bill, the underlying bill,  
956 is written clearly and accurately, and I want to just get on  
957 to the final and pass this bill, so I oppose this amendment,  
958 and I actually also oppose the negotiated components of the  
959 amendment.

960 Let's get to the base bill and pass it, because we owe  
961 it to our law enforcement officers not to complicate their  
962 lives anymore.

963 Chairman Goodlatte. Would the gentleman yield?

964 Mr. King. I would be happy to yield.

965 Chairman Goodlatte. I share the gentleman's concerns.  
966 However, since we have already used the phrase "agency-  
967 issued" firearms I have absolutely no problem applying that,  
968 and as Chief Demings has suggested, the term "agency-issued  
969 or agency-approved" prior to the term "dangerous weapons,"  
970 which are defined in the Federal statute.

971 Mr. King. And reclaiming my time, I do disagree,  
972 because there is such a variety of weapons, and the officers  
973 that are -- some of them are required to equip themselves,  
974 as Mr. Buck said, and the whole variety of that -- the

975 solution that the gentlelady from Texas offered seems to be  
976 a reasonable solution to me, but on the other hand, it is  
977 just too much burden on our officers.

978 Chairman Goodlatte. First of all, I think some members  
979 on both sides would say that there is a semantics issue here  
980 in terms of whether or not the first use of the term  
981 "agency-issued" modifies both "firearms" and "other  
982 dangerous weapons," or whether it is not, and I think all we  
983 are trying to do here is clarify that it modifies both.

984 So, I agree with you that we are making a lot out of a  
985 little, but if it helps, I think it does not hurt in terms  
986 of the clarity of the section to make the change that the  
987 gentleman from Rhode Island has offered, modified by the  
988 gentlewoman from Florida.

989 Mr. King. Reclaiming my time, I maintain my position,  
990 but I yield back to the chair.

991 Chairman Goodlatte. For what purpose does the  
992 gentleman from Arizona seek recognition?

993 Mr. Biggs. I move to strike the last word.

994 Chairman Goodlatte. The gentleman is recognized for 5  
995 minutes.

996 Mr. Biggs. Thank you, Mr. Chairman. If we are going  
997 to make that modification when we are talking about other  
998 weapons, other dangerous weapons, we probably need to make a  
999 modification on line 12 of page 2, "the lawful carrying of

1000 the agency-issued or agency-approved firearms."

1001 Chairman Goodlatte. And if the gentleman from Rhode  
1002 Island has no objection to that I would consider that a  
1003 friendly amendment to the amendment.

1004 Mr. Cicilline. I defer to the congresswoman from  
1005 Florida as to whether or not that that is appropriate. I do  
1006 not know enough about, again, what is agency-approved versus  
1007 agency-issued. "Approved" is fine.

1008 Chairman Goodlatte. The question occurs on the  
1009 amendment offered by the gentleman from Rhode Island.

1010 All those in favor, respond by saying aye.

1011 Those opposed, no.

1012 In the opinion of the chair, the ayes have it, and the  
1013 amendment is agreed to.

1014 The previous amendment is withdrawn -- the previous  
1015 amendment offered by the gentleman from Rhode Island. Are  
1016 there further amendments to H.R. 2561?

1017 Mr. Raskin. Mr. Chair?

1018 Chairman Goodlatte. Who seeks recognition?

1019 Mr. Raskin. I move to strike the last word.

1020 Chairman Goodlatte. The gentleman is recognized for 5  
1021 minutes.

1022 Mr. Raskin. Thank you very much. Again, in lieu of an  
1023 actual hearing where we could explore the dimensions and the  
1024 implications of this legislation, I was hoping that perhaps

1025 you, Mr. Chair, or another member could just answer a couple  
1026 of questions about the intent and the scope of this  
1027 legislation.

1028 As I understand it, this would apply to employees of  
1029 States and political subdivisions as well as of the United  
1030 States. Is that right?

1031 Chairman Goodlatte. That is correct.

1032 Mr. Raskin. Okay. And if the chair would yield for a  
1033 further question, do those people have to be sworn law  
1034 enforcement officers? Could someone be, for example, a  
1035 State agricultural inspection officer? Could they be a  
1036 meter enforcer for the Chicago Police Department? Because  
1037 it says "employee," and so --

1038 Chairman Goodlatte. If the gentleman would yield, I  
1039 think that is defined by lines 17 through 19, "who is  
1040 authorized by law to engage in or supervise the prevention,  
1041 detection, investigation, or prosecution of any violation of  
1042 law."

1043 Mr. Raskin. Right. So, if I am a meter enforcer in  
1044 the city of Chicago, I am interested in preventing,  
1045 detecting, and investigating people who are, you know, not  
1046 conforming to the parking laws.

1047 Chairman Goodlatte. If you are a meter enforcer in  
1048 Chicago who is authorized to carry a firearm, then the  
1049 answer would be yes.

1050 Mr. Raskin. Okay. And the same with an agricultural  
1051 inspector if they are --

1052 Chairman Goodlatte. If they are authorized by their  
1053 agency to carry a firearm, the answer would be yes.

1054 Mr. Raskin. Right, if their gun now is either issued  
1055 by or approved by the State or local -- okay. Again, in  
1056 lieu of a hearing, do you know how many public employees at  
1057 the local, State, and Federal level would be swept into the  
1058 new expansion of this --

1059 Chairman Goodlatte. That I do not.

1060 Mr. Raskin. -- section of the law? Yes?

1061 Mr. Buck. Would the gentleman yield?

1062 Mr. Raskin. Please.

1063 Mr. Buck. Typically, in law enforcement we have sworn  
1064 officers and sworn officers. And so, a sworn officer is  
1065 someone that has the training to carry a firearm, make  
1066 arrests, and go forward in that manner, and this is intended  
1067 to cover sworn officers, not nonsworn or civilian employees.

1068 Mr. Raskin. Oh.

1069 Mr. Buck. So, "authorized by law" is the term that is  
1070 being used to cover sworn officers.

1071 Mr. Raskin. Thank you. Would you be amenable to just  
1072 making that explicit in the way we just made --

1073 Mr. Buck. No, I think it is explicit by saying  
1074 "authorized by law." In law you have a distinction between

1075 sworn and civilian.

1076 Mr. Raskin. Well, are you telling me that there are no  
1077 unsworn employees who have the right to carry weapons or  
1078 arms?

1079 Mr. Buck. I am telling you that is the case in  
1080 Colorado. I do not know about the other States. I do know  
1081 in Colorado that is the case.

1082 Mr. Raskin. Well --

1083 Ms. Demings. Would the gentleman from Maryland yield?

1084 Mr. Raskin. By all means.

1085 Ms. Demings. Just a point of clarification for me.

1086 The bill talks about uniformed officers with a clearly  
1087 identifiable agency standard-issued uniform, which would not  
1088 include detectives or those sworn members who do not wear  
1089 uniform to work every day but would still have the same  
1090 challenges as the uniformed officers. Are we excluding the  
1091 detectives or plainclothes undercover officers? Detectives  
1092 -- they wear no uniform. Would they be excluded in this  
1093 bill?

1094 Mr. Raskin. If the gentlelady would yield back, and  
1095 that is the perfect kind of question that we would be able  
1096 to raise that hearing if we were serious about coming up  
1097 with something that would actually benefit law enforcement  
1098 personnel. So, that is another question to put on the  
1099 table. It might be overinclusive in that it includes the

1100 meter inspectors and agricultural inspectors, but it might  
1101 be underinclusive with respect to actual law enforcement  
1102 officers who are detectives who are plainclothes. What can  
1103 we do about that problem?

1104 Chairman Goodlatte. The gentleman will have to repeat  
1105 this question. If it is directed to me, I was conferring --

1106 Mr. Raskin. No, I was essentially just channeling the  
1107 question of the former police chief of Orlando, Florida, who  
1108 was saying would this not apply to the tens of thousands of  
1109 detectives across the country who are plainclothes, who are  
1110 not wearing a uniform?

1111 Chairman Goodlatte. It does not apply to them.

1112 Mr. Raskin. Okay.

1113 Chairman Goodlatte. But if you want to make -- offer  
1114 an amendment to make it apply to them --

1115 Mr. Raskin. Well, I would love to have a hearing so we  
1116 can explore all of these issues. You see, I mean, what we  
1117 are trying to do is to smuggle a hearing into a markup  
1118 session, and some people are even impatient with having a  
1119 markup session.

1120 But you know, it just seems like it is a -- this is a  
1121 travesty of the legislative process, but -- you know, we  
1122 have passed several bills on a bipartisan basis that I know  
1123 the law enforcement community is interested in, and we are  
1124 able to do that when we actually come together and have a

1125 hearing and answer all the questions.

1126 But here we do not really know what the implications of  
1127 this bill are, so I would move that we have a hearing on it  
1128 and then proceed. I am happy to yield back.

1129 Mr. Deutch. Mr. Chairman?

1130 Chairman Goodlatte. For what purpose does the  
1131 gentleman from Florida seek recognition?

1132 Mr. Deutch. I move to strike the last word.

1133 Chairman Goodlatte. The gentleman is recognized for 5  
1134 minutes.

1135 Mr. Deutch. Mr. Chairman, I appreciate the attention  
1136 that the committee is giving to improving safety for our law  
1137 enforcement officers who put their lives on the line to keep  
1138 our communities safe every day. What I do not understand is  
1139 why we could not, as we have already heard, have spared just  
1140 a little more attention to this bill, why we could not have  
1141 had a hearing to learn more about the problem.

1142 I have heard from officers in my district who are  
1143 concerned that being forced to leave their firearms locked  
1144 in their vehicle just makes their vehicles targets for savvy  
1145 criminals who understand that a marked car is likely to have  
1146 a gun inside. We all want to prevent the cowardly targeting  
1147 of law enforcement, especially as they seek medical care in  
1148 the VA or go about other important personal  
1149 responsibilities, but I genuinely do not understand much

1150 about this problem.

1151       Is it a reasonable solution to check firearms at  
1152 security checkpoints, after which presumably the building is  
1153 secure? Does that solve the problem without having officers  
1154 carry firearms throughout a building? I honestly do not  
1155 know the answer to that, and I am not convinced that it is  
1156 reasonable to solve a problem that I, and, as we have seen,  
1157 other members of this committee, do not fully understand.

1158       I would also love for this committee to examine other  
1159 ways to protect law enforcement officers in our communities,  
1160 like the Jake Laird Act that Representative Brooks and I  
1161 recently introduced. That is a bill named after a police  
1162 officer killed in the line of duty by an individual with a  
1163 history of mental illness who never should have had access  
1164 to firearms.

1165       And I hope the committee can give some attention to  
1166 this issue in the near future so that other officers do not  
1167 have to face preventable dangers in addition to the many  
1168 real dangers that they face as they do so much to keep our  
1169 communities safe. But I also want to raise, Mr. Chairman,  
1170 an unrelated issue that is within our committee's  
1171 jurisdiction.

1172       The New Yorker reported that a law enforcement official  
1173 believes that suspicious activity reports related to the  
1174 transactions by Michael Cohen, President Trump's personal

1175 attorney, are missing from the Treasury Department's  
1176 Financial Crimes Enforcement Network database, and I would  
1177 like to submit for the record this article entitled "Missing  
1178 Files Motivated the Leak of Michael Cohen's Financial  
1179 Records." I would like to submit that for the record.

1180 Chairman Goodlatte. Without objection, that will be  
1181 made a part of the record.

1182 [The information follows:]

1183 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

1184 Mr. Deutch. Thank you. There is a lot that we do not  
1185 know about this story, but the article -- thank you --  
1186 indicates that searches of the database failed to return two  
1187 previous suspicious activity reports referenced in a third  
1188 suspicious activity report filed by First Republic Bank  
1189 related to Michael Cohen's account for essential  
1190 consultants. The details of the first and second suspicious  
1191 activity reports are unknown, but their absence from the  
1192 FinCEN database is a matter that is rightly within the  
1193 jurisdiction of this committee.

1194 This committee must examine both Treasury Department  
1195 and Justice Department policies and procedures related to  
1196 the retention of and access to suspicious activity reports  
1197 to ensure that law enforcement officials are able to conduct  
1198 their work without interference. That is the reason, Mr.  
1199 Chairman, that I am making this request for a committee  
1200 hearing on the policies and procedures regarding the  
1201 retention and access to these records so that law  
1202 enforcement can do its job.

1203 And, Mr. Chairman, we should give Secretary Mnuchin the  
1204 opportunity to testify under oath, whether in public or a  
1205 closed session, in order to understand why seven former  
1206 government officials and other experts familiar with the  
1207 Treasury Department's FinCEN database expressed various  
1208 levels -- varying levels of concern about the missing

1209 reports.

1210 We have an obligation, Mr. Chairman, to do our job, and  
1211 we must understand what is happening here, and we can do it  
1212 by simply doing the work that our constituents expect us to  
1213 be doing in this committee, and that is conducting the  
1214 necessary oversight that we ought to be engaged in.

1215 And I will submit this letter to you and hope very much  
1216 that we are able to have that important hearing and that we  
1217 are able to schedule it soon, and I yield back.

1218 Chairman Goodlatte. The question occurs on final  
1219 passage of the bill.

1220 A reporting quorum being present, the question is on  
1221 the motion report the bill H.R. 2561, as amended, favorably  
1222 to the House.

1223 Those in favor will say aye.

1224 Those opposed, no.

1225 The ayes have it, and the bill is ordered reported  
1226 favorably.

1227 Members will have 2 days to submit views. Without  
1228 objection, the bill be reported as a single amendment in the  
1229 nature of a substitute incorporating all adopted amendments,  
1230 and staff is authorized to make technical and conforming  
1231 changes.

1232 This concludes our business for today, and thanks to  
1233 all our members for attending. The markup is adjourned.

1234 [Whereupon, at 12:25 p.m., the committee was  
1235 adjourned.]