MARKUP OF H.R. 38; H.R. 4477;
AND H.R. 2666
Wednesday, November 29, 2017
House of Representatives,
Committee on the Judiciary,
Washington, D.C.

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

Present: Representatives Goodlatte, Sensenbrenner,
Smith, Chabot, Issa, King, Franks, Gohmert, Jordan, Poe,
Marino, Gowdy, Labrador, Collins, DeSantis, Buck, Ratcliffe,
Roby, Gaetz, Johnson of Louisiana, Biggs, Rutherford,
Handel, Nadler, Lofgren, Jackson Lee, Cohen, Johnson of
Georgia, Deutch, Bass, Jeffries, Cicilline, Swalwell, Lieu,
Raskin, and Schneider.

Staff Present: Shelly Husband, Staff Director; Branden
Ritchie, Deputy Staff Director; Zach Somers, Parliamentarian and General Counsel; Jason Cervenak, Counsel, Subcommittee on Crime, Terrorism, Homeland Security, and Investigations; Meg Barr, Counsel, Subcommittee on Crime Terrorism, Homeland Security, and Investigations, Alley Adcock, Clerk; Joe Graupensperger, Minority Counsel; David Greengrass, Minority Counsel; Monalisa Dugue, Minority Deputy Chief Counsel; Matthew Morgan, Minority Counsel; Danielle Brown, Minority Legislative Counsel; Perry Apelbaum, Minority Chief Counsel and Staff Director; Rachel Calanni, Minority Professional Staff Member; and Keenan Keller, Minority Staff.
Chairman Goodlatte. The Judiciary Committee will come to order, and without objection, the chair is authorized to declare a recess at any time. Pursuant to notice, I now call up H.R. 38 for purposes of markup and move that the committee report the bill favorably to the House. The clerk will report the bill.

Ms. Adcock. H.R. 38, to amend Title XVIII United States Code to provide a means by which nonresidents of a State whose residents may carry concealed firearms may also do so in the State.

[The bill follows:]

********** INSERT 1 **********
Chairman Goodlatte. Without objection, the bill is considered as read and open for amendment at any time. And I will begin by recognizing myself for an opening statement.

The Second Amendment to the Constitution of the United States reads, “A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.” In District of Columbia v. Heller, the United States Supreme Court held that the Second Amendment protects an individual’s right to possess a firearm unconnected with service in a militia, and to use that firearm for traditionally lawful purposes, such as self-defense.

Further, the Court concluded that the Second Amendment guarantees the individual right to possess and carry weapons in case of confrontation, and that central to this right is the inherent right of self-defense. Finally, in McDonald v. City of Chicago, the Supreme Court ruled that the right of an individual to keep and bear arms as protected under the Second Amendment is incorporated by the due process clause of the 14th Amendment against the States. H.R. 38, the Concealed Carry Reciprocity Act, would ensure these time-honored rights extend to all law-abiding Americans.

We know that citizens who carry a concealed handgun are not only better prepared to act in their own self-defense, but also in the defense of others. For instance, in 2015,
an Uber driver who possessed a concealed carry permit witnessed Everardo Custodio firing into a crowd of people. The driver pulled out a handgun and fired six shots at Custodio, hitting him several times, according to court records. Responding officers found Custodio lying on the ground, bleeding. No other injuries were reported. Without this citizen’s quick thinking and actions, who knows how many could have fallen victim to this shooter?

Likewise, in 2014 at a Philadelphia-area hospital Richard Plotts shot and killed the psychiatric caseworker with whom he was meeting. He also shot and wounded his psychiatrist, Lee Silverman. Silverman, however, returned fire and incapacitated Plotts. Delaware County DA Jack Whelan stated that “if the doctor did not have a firearm, and the doctor did not utilize the firearm, he would be dead today, and I believe that other people in that facility would also be dead.” Police Chief Donald Molineux echoed the DA by stating that he believed the doctor saved lives. Plotts had an additional 39 unspent rounds of ammunition when he was arrested.

It is not just anecdotal evidence that supports passing this important piece of legislation. A 2013 peer-reviewed study in Applied Economic Letters found that between 1980 and 2009, States with more restrictive concealed carry laws had gun-related murders rates that were 10 percent higher.
A little over 3 years ago amidst an increase in crime, Detroit Chief of Police, Larry Craig, said, "Permitted concealed weapons are a deterrent, and good Americans with concealed permit licenses translates into crime reduction." Also, a 2013 survey of 15,000 current and retired police officers found that more than 90 percent of them support the concealed carry of guns by civilians.

H.R. 38 maintains the right of each State to determine permitting requirements, but allows citizens who meet the qualifications for concealed carry in their home States to carry in any State they may be traveling in as long as they follow the local concealed carry laws. Finally, I want people to remember that this bill will not arm criminals. If someone is a criminal who is prohibited from purchasing or possessing a firearm, nothing in this bill would allow that person to purchase or possess a firearm, let alone carry one in a concealed fashion. That is currently illegal and will remain illegal under this bill. I strongly believe the way to combat gun violence is not to infringe the rights of law-abiding citizens, but to enforce the laws against criminals. This bill is about the simple proposition that law-abiding Americans should be able to exercise their right to self-defense, even when they cross out of their State's borders. That is their Constitutional right.
I commend Richard Hudson, Member of Congress from North Carolina, for introducing this vital legislation to protect our cherished constitutional rights and the lives of our fellow Americans. I urge my colleagues to support this bipartisan bill, and it is now my pleasure to recognize the Ranking Member of the Judiciary Committee, the gentleman from New York, Mr. Nadler, for his opening statement.

[The prepared statement of Chairman Goodlatte follows:]

******* COMMITTEE INSERT **********
Mr. Nadler. Thank you, Mr. Chairman. Mr. Chairman, I strongly oppose the Concealed Carry Reciprocity Act, and I am disappointed that this legislation is before us today. Before I begin, I want to acknowledge the many advocates we have in the audience who are demanding that Congress take action to address gun violence and who are outraged that the Republican solution is to flood our streets with more guns, we appreciate that you are watching us and watching this committee closely and holding us accountable.

The level of gun violence in our country is astounding and unacceptable. Our gun violence problem is much more than the periodic, but all too frequent, horrors of mass shootings. Every day in America, on average, 32 people are murdered with a firearm, and 164 people are shot in addition to those who died. We must summon the will in Congress to close loopholes and to address the weaknesses in our patchwork of gun laws. Instead, this bill takes us dangerously in the opposite direction. This bill would overrule restrictions on the concealed carrying of firearms that States have carefully crafted to make the practices safer based on the needs and circumstances in each State.

I will explain more fully the dangers this bill passes when we discuss the amendment in the nature of a substitute to be considered shortly, but suffice it to say now that public safety would suffer if we were to unwisely adopt this
legislation. I want to emphasize that this bill is not about protecting Second Amendment rights. The Supreme Court has interpreted the Second Amendment to be an individual right unconnected with service in a militia and has held that individuals may use firearms for traditionally lawful purposes.

However, even Justice Scalia in delivering the opinion of the court in the District of Columbia v. Heller in 2008 recognized that the rights secured by the Second Amendment is not unlimited. In fact, in discussing lawful restrictions on firearms, he specifically recognized the tradition of courts in holding that, "Prohibitions on carrying concealed weapons were lawful under the Second Amendment or State analogs." This bill in overriding the ability of States to restrict concealed carry by nonstate residents runs counter to the traditional ability of States to enforce such restrictions in order to make their citizens safer while still respecting the Second Amendment. And it shakes the underpinnings of public firearms safety laws.

By discarding the concealed carry restrictions enacted by the majority of States, the bill will only endanger the citizens of the States whose laws will be overruled. While it is currently up to each State to determine whether it will allow concealed carry; and, if so, under what conditions, we know that expansive concealed carry
permitting laws are linked to an increase in violent crime. A 2017 study by researchers at Stanford University found that 10 years after enacting permissive concealed carry laws, States experienced a 13 to 15 percent increase in violent crimes.

This study shows that undermining strong State restrictions on concealed carry, as this bill would do, would jeopardize public safety in the States into which individuals carrying handguns under permissive laws will travel. This legislation is terrible public policy, and it caters to some of the worst themes of our current public discourse, particularly at a time when some national leaders are fomenting division in our communities.

Just 2 weeks ago the FBI disclosed that hate crimes are on the rise in our country, and recently this committee adopted a bill to strengthen our laws against violence intended to interfere with the free exercise of religion, largely to respond to recent bomb threats and vandalism against several Jewish community centers. This is not the time to encourage the interstate carrying of loaded concealed guns in violation of the restrictions many of our States have adopted specifically to reduce the likelihood of violence by those carrying concealed guns.

At our core, I know that our Nation is much better than this, and it is up to us in Congress to do much better than
This. That is why I urge my colleagues to reject this bill and to engage in a serious effort to strengthen our gun laws in a way that will actually make us safer. I yield back the balance of my time.

[The prepared statement of Mr. Nadler follows:]

******* COMMITTEE INSERT **********
Chairman Goodlatte. Thank you, Mr. Nadler. I now recognize myself for purposes of offering an amendment in the nature of a substitute, and the clerk will report the amendment.

Ms. Adcock. An amendment in the nature of a substitute to H.R. 38 offered by Mr. Goodlatte of Virginia. Strike all --

[The amendment of Chairman Goodlatte follows:]

********** INSERT 2 **********
Chairman Goodlatte. Without objection, the amendment will be considered as read. And I will recognize myself to explain the amendment. This amendment in the nature of a substitute makes two very important changes to H.R. 38, the Concealed Carry Reciprocity Act of 2017. First, it adds any land managed or administered by the United States Forest Service to the list of Federal areas in which a person may possess or carry a concealed handgun in the areas of a State that are open to the public.

Second, it would close a loophole by allowing off-duty law enforcement officers and qualified retired law enforcement officers to carry a concealed firearm onto school grounds. This affords our school children an extra layer of security to prevent possible tragedies. I urge my colleagues to support this amendment.

I first recognize the gentleman from New York, Mr. Nadler, for his remarks.

Mr. Nadler. Thank you, Mr. Chairman. Mr. Chairman, I oppose this amendment for the same reasons I opposed the underlying bill because it would not protect us from gun violence, but instead would make us far less safe. Under current law, each State makes its own determination about who may carry a concealed firearm in public, including deciding which other States' concealed carry permits to recognize. This amendment would eviscerate the core public
safety determinations that each State makes concerning the
concealed carrying of guns in public based on the unique
circumstances in each State and on the desires of its
citizens.

In fact, the standards and requirements adopted in the
States vary dramatically. Thirty-one States and the
District of Columbia require gun safety training to carry
concealed guns in public, and 21 of those States require
live-fire training. Twenty-seven States and the District of
Columbia prohibit individuals convicted of misdemeanor
crimes of violence from concealed carry. Twenty-eight
States and the District of Columbia prohibit convicted
stalkers from carrying concealed weapons. Thirty-four
States and the District of Columbia prohibit those under 21
years of age from carrying concealed guns. Many States
prohibit gun possession and concealed carry by abusive
dating partners, exceeding Federal protections against
abusive spouses.

All of these States would have their carefully
considered laws governing concealed carry overridden by this
amendment. The obvious solutions to the varying State laws
is to continue to do what is currently done by many States,
which is to choose which other State permits they will
recognize. Some States, including my State of New York,
have chosen not to recognize permits issued by any other
State. Most States, however, have chosen to recognize permits from at least some other States, basing the choice on the strength of the standards employed by the other States.

We should not disregard these determinations, which is what this amendment would do. Furthermore, while most States have laws restricting concealed carry to those who meet certain standards and training requirements, 12 States impose no requirements and allow concealed carry without permits. Under this amendment, all of the States that do have standards would have to allow concealed carry by individuals from the States that have no requirements and by individuals who have met no standards. That is dangerous and absurd.

In fact, when Missouri repealed its permit requirement, aggravated assaults with a firearm increased over 22 percent in St. Louis. While it is up to Missouri to decide whether it will require a permit and related standards for concealed carry within its borders, other States should not be forced to accept concealed carry in their States by individuals from Missouri's permitless system for those States may suffer the same harm to public safety.

To make matters worse, it appears that this amendment would allow someone who resides in a State that has strict requirements to obtain a permit from another State that has
little or no requirements. The person could then carry a concealed gun in their own State using the out of State permit, thereby subverting their own State laws.

Aside from these threats to public safety, this bill also jeopardizes police officer safety, as more concealed handguns will flood the streets. In addition, the bill puts law enforcement in legal jeopardy merely for doing their job. It would be difficult for police officers encountering someone with a concealed weapon to know if an out-of-State permit is valid, but this amendment allows officers to be sued if they attempt to verify the validity of an out-of-State permit.

These are the central flaws of the bill, although there are others such as changing current law to allow individuals who have not been screened by law enforcement to carry concealed guns in gun-free school zones. And the bill would also in effect allow concealed carrying of handguns equipped with high-capacity magazines even if such magazines are illegal under the laws of the State into which the carrier is traveling.

These are the reasons that law enforcement organizations such as the Fraternal Order of Police, the International Association of Chiefs of Police, and the Police Foundation and the major cities' Chiefs Associations have denounced concealed carry reciprocity, which is the
heart of this bill. Anyone whose goal is to protect our citizens from gun violence should oppose this amendment and this bill. I ask that my colleagues join me in doing so, and I yield back the balance of my time.

Chairman Goodlatte. Are there any amendments to the amendment in the nature of a substitute? For what purpose does the gentleman from Florida seek recognition?

Mr. Rutherford. Mr. Chairman, I would like to offer an amendment at the table.

Chairman Goodlatte. The clerk will report the amendment.

Ms. Adcock. An amendment to the amendment in the nature of a substitute to H.R. 38 offered by Mr. Rutherford.

Page 5 after --

[The amendment of Mr. Rutherford follows:]

********** INSERT 3 **********
Chairman Goodlatte. Without objection, the amendment is considered as read, and the gentleman is recognized for 5 minutes on his amendment.

Mr. Rutherford. Thank you, Mr. Chairman. Mr. Chairman, it is always important for law enforcement when conducting their official duties to be able to use all of their knowledge, skills, and abilities to conduct brief investigative stops to further determine whether a violation of law may have been committed. And the reasonable suspicion standard is one that is often used by law enforcement, and this is simply an affirmative statement in the bill so that there is no chilling effect on the law enforcement officer's desire based on his knowledge, skills, and abilities to further conduct a brief investigation in accordance with the Constitution.

Chairman Goodlatte. The chair thanks the gentleman. A question occurs on the amendment offered by the -- for what purpose does the gentleman from New York seek recognition? Mr. Nadler. I move to strike the last word.

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Nadler. Mr. Chairman, in my statement on the substitute amendment a moment ago, I pointed out that the bill would enable a police officer to be sued for seeking to verify a permit from another State. This amendment is a fig
leaf trying to undo that problem. It goes in the right
direction, which is why I will not oppose the amendment, but
it does not solve the problem. And it is a fig leaf and
does not change the unfortunate provision with respect to
police officers of that provision nor the general
obnoxiousness of the bill. I yield back.

Chairman Goodlatte. The question occurs on the
amendment offered by the gentleman from Florida.

All those in favor, respond by saying aye.

Those opposed, no.

In the opinion of the chair, the ayes have it, and the
amendment is adopted.

Are there further amendments? For what purpose does
the gentleman from New York seek recognition?

Mr. Nadler. Mr. Chairman, I have an amendment at the
desk.

Chairman Goodlatte. The clerk will report the
amendment.

Ms. Adcock. Amendment to the amendment in the nature
of a substitute to H.R. 38 offered by Mr. Nadler of New
York. Page one, line 11 --

[The amendment of Mr. Nadler follows:]

********** INSERT 4 **********
Chairman Goodlatte. Without objection, the amendment is considered as read, and the gentleman is recognized for 5 minutes on his amendment.

Mr. Nadler. Thank you, Mr. Chairman. Mr. Chairman, this amendment would prohibit offenders who have been convicted of a violent misdemeanor in the past 3 years from carrying a concealed weapon in a State where that conviction would otherwise disqualify them from carrying in public. Several States have made the deliberate determination to bar violent misdemeanor offenders from possessing guns at all, and a majority of States -- 30 plus the District of Columbia to be precise -- will not issue concealed carry permits to individuals convicted of various violent misdemeanor offenses. Depending on the State, this may include people convicted of sexual battery, aggravated assault, and strangulation.

Without my amendment, this legislation would gut these States' public safety decisions and would subvert the will of their citizens. It would allow violent offenders to seek permits from those States that will happily grant them and then to take those permits and legally carry guns in States that would otherwise bar them from doing so. Any permit from a State that does not bar a violent misdemeanant from carrying or mere residency in a permitless carry State that does the same would allow these offenders who have committed
violent misdemeanors to legally travel around the country with a hidden gun.

In fact, as written, this bill would even enable these offenders to circumvent their own home State's laws. If their conviction for assault, for inciting violence, or even for negligent homicide blocks them from getting a permit from local law enforcement, they can simply find another State that is willing to issue a permit, and then use that permit to carry back at home. This bill is not simply an affront to local decisionmaking and to State's rights, it is also a danger to public health and safety.

We know from research that a history of misdemeanor convictions predicts future criminal activity for gun purchasers. One study showed that buyers with at least one conviction were more than seven times more likely to be charged with a new crime compared to gun buyers who do not have that criminal history. In fact, if you look at men with at least two violent misdemeanor convictions, they are 10 to 15 times more likely to be charged with gun crimes or violent crimes after that gun purchase. To those States that have made the reasonable decision not to allow individuals with such violent criminal history to carry a concealed weapon, this bill overrides that decision.

We should respect the public safety determinations of those States, and make sure that these violent offenders
cannot use this legislation to circumvent their laws. I urge adoption of this amendment, and I yield back the balance of my time.

Chairman Goodlatte. The chair recognizes himself in opposition to the amendment. Federal law currently prohibits someone convicted of a felony or certain misdemeanors from possessing or carrying a firearm. In the cases where these crimes are not State felonies, it is because either the facts of the case did not warrant such treatment or the State has decided across the board that the violations do not rise to the level of felony.

The Supreme Court has recently ruled that the right to bear arms is a fundamental right grounded in the right to self-defense. Congress should not limit fundamental constitutional rights with no time limit based on situations that do not rise to a sufficiently serious level. Therefore, I oppose the amendment.

For what purpose does the gentleman from Rhode Island seek recognition?

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

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Cicilline. Thank you, Mr. Chairman. I strongly support Mr. Nadler's amendment. And if I follow the logic of the chairman's argument, it is that there is a Federal
law that prohibits possession of a firearm of a conviction of a felony. Mr. Nadler's amendment attempts to address another issue, that is violent misdemeanors that States may have already determined make someone dangerous and ineligible to possess a firearm. But that prohibition evaporates with this legislation. And so, Mr. Nadler's amendment attempts to restore it.

Let's remember this is a determination made at the State level that a conviction for a particular offense ought to warrant prohibition to carry a loaded, concealed weapon, and that determination made by the State legislature in that jurisdiction will be overridden because a carry concealed permit from another State will now allow that individual to have a firearm loaded in that jurisdiction. So, the amendment is incredibly important if we are actually intending to try to protect public safety and not override the determination made by State legislatures in terms of how to protect the public safety.

So, I thank Mr. Nadler for his amendment. I encourage my colleagues to support this, and I yield the balance of my time to the gentlelady from California.

Ms. Lofgren. I just wanted to thank Mr. Nadler for this amendment. It is an important one. My State of California has taken action to make sure that those who are under a restraining order for abusing a partner or convicted
of domestic abuse are ineligible for a concealed carry weapons permit. That we would think that we would override this -- I mean, this is a Congress that says we are for States' rights -- is appalling and dangerous. And I hope that all of us will support Mr. Nadler's amendment, and I would yield back to Mr. Cicilline. Thank you for yielding to me.

Mr. Raskin. Would the gentleman yield?

Mr. Cicilline. Yes, I am happy to yield to Mr. Raskin.

Mr. Raskin. Thank you, Mr. Cicilline. I also want to add my voice on behalf of the gentleman from New York's excellent amendment. I was quite baffled to see this legislation even being introduced, and I was waiting for a hearing to find out what was behind it. But there was no hearing. I assumed it must have been law enforcement that was asking for it, except now we learn that the Fraternal Order of Police is opposed to the legislation, the Chief of Police are opposed to the legislation, every law enforcement organization I have heard from is against it.

So, maybe is it because we are trying to comply with a ruling of the Supreme Court that the Second Amendment demands that those of us in States with more stringent standards have to accept concealed carry permit holders from other States? No, the Supreme Court has not said that, and yet we hear all kinds of rhetoric being thrown about around
the Second Amendment. So, Mr. Nadler's amendment is an absolute necessity here.

In my State, in Maryland, we do not give people concealed carry permits unless there is safety training first, live-fire experience required. We have the right to deny it to people we consider dangerous, no convicted stalkers, no crimes of violence at all -- felony or misdemeanor -- no abusive domestic relationship perpetrators are allowed, and no drunk drivers. And you want to wipe out our State law. You want to override our State laws to allow the lowest common denominator to govern in the State of Maryland. Now, that is an absolute violation of States' rights and federalism which is something that I have heard people on both sides of the aisle talk about.

So, Mr. Nadler's amendment simply says that people who have been convicted of a violent misdemeanor in the last 3 years are exempt from this attempt to nationalize concealed carry law. If you support federalism, if you support States' rights, and you support the right of the people my State and every other State in the country to decide for themselves what public safety is, then you will have to vote for the Nadler amendment. And I want to thank the gentleman from Rhode Island for yielding, and I yield back.

Chairman Goodlatte. Would the gentleman from Rhode Island yield?
Mr. Cicilline. Certainly.

Chairman Goodlatte. I thank the gentleman for yielding. I just want to make it clear something that both the gentleman from New York and the gentleman from Maryland have now said is simply not correct and that is that the Fraternal Order of Police who, after hearing Mr. Nadler's statement, promptly emailed us to make it clear that they do not denounce concealed carry reciprocity. I just simply want to make that a part of the record.

Mr. Cohen. Mr. Chairman?

Chairman Goodlatte. Who seeks recognition? Mr. Cicilline still controls the time.

Mr. Cohen. Mr. Cicilline?

Mr. Cicilline. I yield.

Mr. Cohen. Thank you. I would like to enter for the record a letter from the Association of Prosecuting Attorneys who do oppose the bill, and I would like to introduce that for the record.

Chairman Goodlatte. Without objection, it will be made a part of the record.

[The information follows:]

******* COMMITTEE INSERT *******
Mr. Cohen. They oppose it for several reasons among which is it increases crime. It disregards State laws, and undermines State and municipal laws, increases the danger to officers involved in routine traffic stops, and makes it more difficult for prosecutors to evenly enforce criminal gun possession laws.

Chairman Goodlatte. The time of the gentleman from Rhode Island has expired.

Ms. Lofgren. Mr. Chairman?

Chairman Goodlatte. Who seeks recognition? For what purpose does the gentlewoman from California seek recognition?

Ms. Lofgren. To ask unanimous consent to put into the record a letter from the California State Sheriffs Association. The California State Sheriffs Association has written that they oppose H.R. 38, that it would disrupt the balance between State and Federal authority. And I think this letter from the Sheriffs Association speaks volumes about what law enforcement actually thinks on this bill, and I would ask you to unanimous --

Chairman Goodlatte. Without objection, it will be made a part of the record.

[The information follows:]
Ms. Jackson Lee. Mr. Chairman?

Chairman Goodlatte. For what purpose does the gentlewoman from Texas seek recognition?

Ms. Jackson Lee. I move to strike the last word.

Chairman Goodlatte. The gentlewoman is recognized for 5 minutes.

Ms. Jackson Lee. Mr. Chairman, I rise to support the Nadler amendment. A legislative initiative like this should not juxtapose individuals who see real dangers with the men and women who are on the front lines of protecting this Nation. First of all, let me acknowledge Moms Demand Action who are our guests today who come from States all over the Nation, who I can assure you -- and men are here as well -- have a refined and defined respect for law enforcement.

I see a mom whose son was killed in a gasoline station through no fault of his own. He was not involved in any criminal activity. He was simply riding in a car like our teenagers tend to do, and I want to thank her and others for their ongoing commitment. I will be offering amendments that deal with ensuring that law enforcement are able to do their job, because no one wants them not to do their job. But let me tell you the value of this legislation, this amendment, with Mr. Nadler.

First of all, we often say in this room this is already Federal law. We often say that when we want to counter
someone's amendment, we will always say, "You can go to 18, 14, or U.S.C. and find such and such." There is nothing that undermines a statute when it is not comprehensive, when it is left to chance. If you are talking about opening the floodgates of guns going across State lines, under the pretext of the concealed weapon authority, in my State we have open carry. But if you have that, then you open the floodgates of unregulated anarchy and you jeopardize law enforcement officers of all kinds.

So, what Mr. Nadler is trying to do is to ensure that the bill is comprehensive, that it will, in fact, have -- in the language of the bill -- that if you have been convicted of a violent misdemeanor in the past 3 years from carrying a concealed weapon in a State where the conviction would otherwise disqualify them. Otherwise, law enforcement is in jeopardy. They are the ones out doing the stops.

And with that in mind, I do not think the law enforcement is going to pull out 14 U.S.C., 10 U.S.C., they know there is a bill that we passed that gives the reciprocity, maybe the person driving has it in their pocket. But if it is comprehensive, and you are just not denied under this particular bill, as we will be offering other restrictions, we are not only protecting the public but the law enforcements who see every day.

To my dismay, cops are killed. They do not go home to
their families. Those of us who believe in police-community relations and protecting young boys from being killed in whatever way it is, we are still adherents of the law. And we believe in our law enforcement, just as we fight for those families and others whose loved ones are killed in manners that are inappropriate and devastating. Let us be reminded of the predator in Las Vegas. Let us be reminded as we sit here today, those people are still in pain. You cannot go to one of those families that have lost someone or whose loved one is still laying in a hospital bed or disabled for life. Just imagine that individual having driven and being stopped.

Now, his example is not precise, because to my understanding he has not been convicted of anything. That is unfortunate because his behavior certainly seemed to have warranted being convicted of something with this massive number of guns that he had. But he massacred people. So, take, for example, if hypothetical, he had a misdemeanor and he was coming across with all manner of weapons, you mean the law enforcement would not have that authority under this bill? Please be reminded, I know that there may be all kinds of miscellaneous Federal laws, but what is in this bill?

So, I support the Nadler amendment as my good friend from Maryland has indicated. He is concerned that his State
may be vulnerable because as we know, some States have chosen to bar violent misdemeanor offenders from presenting the guns at all. Mr. Chairman, I will just offer to say let us make the bill comprehensive, and I would ask us to support the Nadler amendment. With that, I yield back. The pain is too deep. I yield back.

Chairman Goodlatte. The time of the gentlewoman has expired.

Mr. Deutch. Mr. Chairman?

Chairman Goodlatte. Who seeks recognition? The gentleman from Florida is recognized for 5 minutes.

Mr. Deutch. I move to strike the last word. Mr. Chairman, I just think that this is an opportunity to have a really honest and frank discussion. Like so many of us here, I have spent time with families who have lost loved ones in Newtown and in Orlando and people who have been victims of gun violence. And when the Newtown families come to talk to legislators, when they come to the Hill, when Orlando Pulse families come here, if you talk to families from Las Vegas who lost loved ones, and I presume in Sutherland Springs, we hear a lot of the same things.

What we hear from them is that we would really like Congress to actually do something that can help save lives, maybe close the terror watch list loophole, maybe require universal background checks, maybe outlaw devices that can
take a semiautomatic rifle and turn it into a fully-automatic killing machine, maybe ban high-capacity magazines.

They acknowledge that this committee and this House is not going to stop all gun violence, but they are right to ask whether we are interested in doing anything, taking even the most modest steps that can help prevent one mass shooting, one. And that is what we hear from those families.

And I think this is an important moment because what we do not hear, what no one has ever come into my office whose been affected by gun violence directly, personally, no one has ever come into my office and said, "You know what we need? We need Congress to step up right now and make sure that you can carry a concealed weapon in every State in this country. That is what we need you to do. We need you to do it quickly." No one.

So, my question is who is it? Who are my friends across the aisle meeting with? Who is coming to them? Who is coming to your office to say, "You know what? In the wake of mass shooting after mass shooting after mass shooting, it is about time that we require and permit and enable anyone to carry a concealed weapon in any State in this country."

I am not trying to be flippant about this. This is an
honest, serious question. I do not understand who it is who is coming to suggest to you that this is an appropriate way to save lives. We talk all the time about polls and closing the terror watch list. If you are too dangerous to get on a plane, well then, you probably should not be able to buy a gun. Well, it is popular. Well, it is popular because it seems fairly obvious to I think anyone who looks at it objectively. It seems pretty clear that anyone that buys a gun ought to get a background check.

And certainly, there was that moment we had after Las Vegas, that moment that split second when it looked like the gun lobby was going to support preventing, outlawing anything with bump stocks, anything that would allow a semiautomatic gun to be turned into a fully-automatic one, that moment passed. But all of these, in every instance, every one of these steps, small steps, baby steps, for all the people who are listening now rolling their eyes saying, "Oh, it is the guns. That guns do not cause these crimes. It is the people. And why are you wasting your time, and you cannot do anything about it."

There are so many small steps that we could take that might prevent just one shooting. That is what people come to talk to me about. I would welcome a full conversation about who it is who is coming into your office to tell you that the response to tragedy after tragedy after horrific
tragedy is to make it possible for anyone to carry a concealed gun in any State.

Chairman Goodlatte. Would the gentleman yield?

Mr. Deutch. I would be glad to.

Chairman Goodlatte. I would be happy to respond to the gentleman. I hear from thousands of my constituents who have concealed carry permits and cannot utilize them in other States. In the State of Florida that the gentleman represents, there are 1,784,395 concealed carry permit holders in the State of Florida, more than any other State in the country. So, those are the people who think that they will be safer and they can keep other people safer if they can use that reciprocity when they travel. That is the reason for this legislation.

Mr. Deutch. Reclaiming my time, Mr. Chairman. While we are having the discussion, and I have some amendments to this bill that point out the many ways why taking this approach is only going to make us less safe. But, again, I ask, and if the good people of Florida are coming to see you to talk about that, I --

Chairman Goodlatte. My constituents are coming to me, but I know there are many Members of the House who represent districts in Florida who are hearing from these and other people in Florida who support this legislation.

Mr. Deutch. And they are also hearing from people who
lost loved ones in Orlando, which is also in Florida. And those people do not understand why it is that this would be the first response, the only response that we have seen, the only legislative effort at all that we have taken up that addresses guns. Why it is that every time we take up any legislation affecting guns it is to expand the opportunity?

Chairman Goodlatte. Without objection, the gentleman is recognized for an additional minute.

Mr. Deutch. I appreciate that, Mr. Chairman. The question again that I have to keep asking is when there are steps that we can take, the steps that we hear about and, look, I know that there are people that want to expand concealed carry, and we are having a good discussion about why that does not make us safer. It makes us less safe, but I also know that there are lots of people that would like to have a full and open debate about all of the kinds of legislation that we think would make us safer, that might prevent one mass shooting.

And I implore the chairman even as this legislation is being debated today, that perhaps, at some point before the end of this session of Congress, we might actually have an opportunity to bring one of those bills up and have that discussion here and have a good discussion and debate it the way that Congress is supposed to debate important measures. And if it passes, it passes. And we will send it onto the
House floor. And if it does not, everyone will at least
know where everyone stands on these issues. I think that we
owe that at least -- at least -- to all of those families
who constantly ponder why it is that this committee and this
House seem so wholly unable to deal with these issues. I
yield back.

Ms. Lofgren. Will the gentleman yield?

Chairman Goodlatte. The time of the gentleman has
expired. For what purpose does the gentlewoman from
California seek recognition?

Ms. Lofgren. Gentlewoman from California.

Chairman Goodlatte. I think I said that.

Ms. Lofgren. I just actually would like to ask you a
question, Mr. Chair.

Chairman Goodlatte. The gentlewoman is recognized for
5 minutes.

Ms. Lofgren. You were referencing that your
constituents when they go to Florida, they are concerned
because they cannot carry a gun? Is that what you were
saying?

Chairman Goodlatte. I was just pointing out the number
of constituents in Florida, but I have heard from many, many
of my constituents who when they travel, want to be able to
utilize their concealed carry permit outside of the State of
Virginia.
Ms. Lofgren. So, is that because people have no confidence in law enforcement because I just would like to -

Chairman Goodlatte. No, no. I think it is because they think that law enforcement is not always present, and that law enforcement and many, many officers recognize that having law-abiding citizens with concealed carry permits can help to prevent further crimes.

Ms. Lofgren. I know the law enforcement in my community, which is Los Angeles, most certainly does not want to see more citizens carrying guns. But I just wanted to know if maybe you could take a minute because I would like to understand where this goes because should everybody in the United States carry guns? And so, then, what role does law enforcement play? It seems like --

Chairman Goodlatte. Well, if the gentlewoman would yield further, the fact of the matter is that not everyone in the United States should carry firearms. Only those who are both law-abiding citizens and make proper application to do so should. But I would quote, if you will yield further, I would quote the Chief of Police in Detroit, Michigan, who I had the opportunity to meet last year. He said that, "Permitted concealed weapons are a deterrent, and good Americans with concealed permit licenses translates into crime reduction."
Ms. Lofgren. So, just a clarification. I am from Los Angeles. My chief of police certainly would not say that, but I thought when you said law-abiding citizens, I thought that you did not want to restrict it to people with violent misdemeanors. They are not law-abiding.

Chairman Goodlatte. They are law-abiding except to the extent that Federal law prohibits them from doing so. And the fact of the matter is I think that to be consistent, we have to have a uniform definition for circumstances under which people can carry weapons in a concealed fashion.

Ms. Lofgren. I will yield to Mr. Nadler, but I thought Mr. Nadler's amendment called for restricting it to violent--

Mr. Nadler. I thank the gentlewoman for yielding. Yes, the chairman is saying that law-abiding citizens ought to be able to carry if they get permits, but law-abiding apparently includes people who have committed violent misdemeanors. And in his statement in opposition to my amendment, he said that, "Well, if it does not rise to the level of a felony." So, in effect, if a State decides that certain acts of violence indicate an inclination to commit other acts of violence -- and we know that once you have committed one, you are more likely than other people to commit another -- but they do not want to classify it as a felony. They want to classify it as a misdemeanor. That
They should not be permitted to restrict gun carry under those circumstances. And that does not make sense because you do not want people who have committed violent acts, even if they are classified as misdemeanors, if the States have said they should not carry to override the rule of that State.

But I want to make one other comment because it was stated that the right to travel does not provide a person with the right to violate other States' laws. Instead it gives a person a right to get the privileges and immunities that another State's laws grants its own residents when the person is in the State. To get what the State is giving its residents, not to get what a State is not giving its own residents. The privileges and immunities clause of the Constitution was not intended to allow a person traveling in a State to do something the State does not allow its own residents to do. So, I just want to clarify that point on the Constitution. I will yield back to the gentlelady. I thank her for yielding.

Ms. Lofgren. Reclaiming my time, I was just wondering if the chairman believes that a person that has had multiple DUIs should they be allowed? Is that considered law-abiding if you have had multiple DUIs? Should you be allowed to carry concealed weapons?
Chairman Goodlatte. First of all, the law prohibits felonies, and multiple DUIs usually translates into a felony after the first offense.

Ms. Lofgren. Okay. So, I think there is an amendment coming that you will probably be supportive of. I yield to Mr. Cicilline.

Mr. Cicilline. I thank the gentlelady for yielding. I just want to quickly say that the two arguments that this somehow creates a national standard for carrying a concealed weapon is not true. A national patchwork of 50 different States will remain. It will just allow an entry point in the least restrictive place. So, this idea that enacting this will be there is a national standard is just not true.

The second argument that has been advanced a number of times now is this will make communities safer. Well, I would ask that a copy of a report be introduced into the record completed in June 2017, a comprehensive report that, in fact, shows that States that have a lax or lenient carry laws have more violent crimes. So, it is just the opposite. I would ask that this be made a part of the record.

[The information follows:]

********** COMMITTEE INSERT **********
Chairman Goodlatte. Without objection, it will be made a part of the record. For what purpose does the gentleman from California, Mr. Swalwell, seek recognition?

Mr. Swalwell. Thank you, Mr. Chairman. I move to strike the last word.

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Swalwell. I would like to support Mr. Nadler's amendment. And the concern is that there are a number of States, at least 12 States, that do not require a permit to carry a concealed gun in public. And just to demonstrate the concerns that States that do have requirements may have.

For example, in the State of Idaho, to get a concealed weapons permit: no safety training is required; no live-fire experience is required; there is no requirement that the individual be 21 years old; there is no requirement that the person has no convictions of being stalker. So, in Idaho, you could have a conviction for being a stalker, be given a concealed carry permit, and then go into another State and that State could have a prohibition against being a stalker and having a concealed carry permit, but they would have to honor that permit.

In Idaho, there is no requirement that the person does not have a conviction for a crime of violence. In Idaho, there is no requirement that the person has no history of
abusive dating partners or domestic violence, and also in
Idaho, there is no requirement that the person not have
multiple drunk driver or driving under the influence
convictions.

And so, essentially, we are telling States who are
responsible in the requirements that they place on their
concealed carry permits that that does not matter anymore.
If another State wants to have the lowest possible standards
where no safety training is required, no live-fire
experience is required, no requirement of how old you can
be, and that you could even be a convicted stalker, you now
have to allow that person to carry a weapon in your State.
Of course, I think this is a breach of many of the norms and
Constitutional requirements for States' rights, but I think
it is really a community's right to want to protect itself
from dangerous individuals and not accept another
community's oversight or lack of any standards. And so,

I think that is why so many people here today are
concerned. And so, I do support the amendment, and I know
other amendments are going to be put forward that will
address this. But unless we clean this up, we are reducing
every community in America to the lowest common denominator,
as far as standards for concealed carry laws. I yield back.

Chairman Goodlatte. For what purpose does the
Mr. Rutherford. I move to strike the last word.

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Rutherford. Thank you, Mr. Chairman. Mr. Chairman, in law enforcement in my 41 years, I can tell you I have seen personally multiple, multiple times that individuals have utilized legal firearms that they had in their possession to protect themselves against deadly force, to protect their families against deadly force, to protect their neighbors against deadly force. The idea that somehow law enforcement is opposed to concealed carry as was suggested earlier -- and I am glad, Mr. Chairman, that you corrected that by a word straight from the Fraternal Order of Police. Because my experience with law enforcement is we want good people carrying guns. We want that ability for an individual to stop a mass shooting, for example, before law enforcement responds.

One of the points that I made after Sandy Hook was on a priority one call -- which is a life at risk call -- law enforcement's targeted response time is 7 minutes. Seven minutes; that is a good response time for law enforcement in a well-secured community, 7 minutes. Now, let's say that that active shooter is killing children at the rate of five a minute. Five a minute, and we want to wait 7 minutes for
police to arrive at their best response time. We are talking about 35 dead children before the police even arrive. Yet one individual, one good citizen, armed with a concealed carry weapon could at least pin down this active shooter and save untold numbers of lives.

Folks, in NRA magazines if you read them, there are stories every single month about cases where individuals in legal possession of firearms are saving lives in this country every day. Now, guns are also used illegally to take life, and I realize that. But that is why I want good people to have those guns, and I do not believe that my right to protect myself, to protect my family, to protect those around me should end at the State line. The Second Amendment right was created for self-defense as well, and my Constitutional rights do not end at the Florida State line. Thank you, Mr. Chairman. I yield back.

Mr. Cohen. Would the gentleman yield?

Chairman Goodlatte. For what purpose does the gentleman from Tennessee, Mr. Cohen, seek recognition?

Mr. Cohen. Five minutes.

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Cohen. I have had people come to me and ask me to be allowed to carry guns in other States with their permit, but I have never had anybody come to me and say I have been
convicted of a violent misdemeanor, and I want to be able to take my gun into another State. And I have never had anybody come to me and say I want people who have been convicted of violent misdemeanors to be able to carry their guns into other States.

And I have never had anybody come to me who was under 21 years of age and say I want to change the law so I can carry my gun into Tennessee where you cannot possess a gun unless you are 21. But I am just 18 or 19, and I am from Alabama and Mississippi, and I want to go to Tennessee and carry my gun and show all my friends there that I can carry a gun and they cannot. Mr. Chairman, would you yield?

Chairman Goodlatte. You are the one who has the time.

Mr. Cohen. But I am asking you to yield for a question.

Chairman Goodlatte. You can ask me a question, and I will ask you to yield in response.

Mr. Cohen. All right. I am going to ask you a question. Have you had anybody come to you and say, "I want the law changed so that people who have violent misdemeanors can travel and use their carry permits in another State?"

Chairman Goodlatte. No. And the fuller answer to that is that the Federal law bars certain types of misdemeanors from possessing firearms. Whether a State interprets the law to include some of the things you are talking about for
the issuance of a concealed carry is a separate issue, but you have to have some standard measure. And that is what we do in this bill.

Mr. Cohen. There is no standard measure in this bill. The standard measure is whatever the State has that issues the permit and then you can carry it into another jurisdiction. And on the same issue, Mr. Chairman, has anybody come and asked you to allow people that are under 21 to be able to carry guns into States where the law requires you to be 21? For instance, Virginia is 21. Has anybody come to you and said, "I would like 18- and 19-year-olds and 20-year-olds in Alabama and Mississippi to come to Virginia and carry their guns in your State while your citizens cannot?"

Chairman Goodlatte. I do not know if anybody has gotten to the specifics of that, but I have no problem with that, as long as it is a lawfully recognized concealed carry permit in their home State.

Mr. Cohen. So, you have no problem with somebody who gets a permit in Mississippi who is 18 -- even though the Virginia State House delegates has said you have to be 21 in Virginia -- and to have an 18-year-old from Mississippi come into Virginia and carry their gun even though they could not carry it in Virginia if --

Chairman Goodlatte. That is correct.
Mr. Cohen. Wow. Let me just say this, thank you.

This is crazy. This is back to the fact that the NRA overrides States' rights. States' rights is a mantra until the NRA gets involved, and then it is out the window.

Skittles is a Donald Trump mantra for Syrians, but if one person would change their behavior because of a gun law, that one Skittle does not make any difference when it is the NRA and guns because Syrians matter and guns and innocent Americans and the NRA that is the difference. This is astonishing, sir, that you would want people to come into your State who were 18 years old and have a permit when people from Virginia cannot have it.

There should be some bottom line understanding of State laws and State legislatures understanding what is best for their State, and people under 21 are less likely to be mature to carry a gun. That is why 34 States have those laws that say you have to be 21.

Tennessee has that law. I drafted that law. I drafted and passed the right to carry law, but said you had to be 21 unless you were a member of the military. That was the only difference. And now people from Mississippi and Alabama can come up and carry a gun in Tennessee and show their buddies and say, "Hey, I have got my gun, but you cannot carry yours." But the people of Tennessee knew better in what Tennessee wants and what Tennessee needs. And they said,
"Yes, somebody with a concealed carry permit who has passed the test, taken safety courses, gone on the range, does not have a criminal record, and is 21 can carry." And I thought that was right, and it passed. And it is the law.

But we did not think people from Mississippi and Alabama should come into our State at 18 or 19 who are young, immature, and at the age where crime is more likely to occur than at an older age when people are more mature. I am just astonished that the NRA has taken over this legislative proceeding to where we cannot have reasonable restrictions.

I am not against people carrying guns if they abide by the laws and restrictions of the other States, and they are reasonable, and if they are 21 years of age. But if we cannot do that, we have just sold out our legislative authority and our appearance of being capable of drawing laws and respecting State laws. I yield back the balance of my time.

Chairman Goodlatte. Who seeks recognition? The gentleman from California, Mr. Lieu, for what purpose do you seek recognition?

Mr. Lieu. I move to strike the last word.

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Lieu. Let me first enter some documents for the
record. I know that earlier we heard about law enforcement's views of this bill. I would like to enter a letter from the National Law Enforcement Partnership to Prevent Gun Violence dated July 7, 2017. Chairman Goodlatte. Without objection, it will be made a part of the record.

[The information follows:]

********** COMMITTEE INSERT **********
Mr. Lieu. And the following organizations oppose this bill. The Hispanic American Police Command Offices Association, the National Association of Campus Law Enforcement administrators, and the National Association of Chiefs of Police Major Cities Chiefs Association, the National Association of Women Law Enforcement Executives, the National Organization of Black Law Enforcement Executives, the Police Executive Research Forum, and the Police Foundation.

Chairman Goodlatte. Without objection, they will be made a part of the record.

Mr. Lieu. I would like to enter another set of letters of organizations that oppose this bill. I will do it all at once. These are letters from the American Academy of Pediatrics, American Bar Association, American Federal of Teachers, 17 attorneys general, Amnesty International, Giffords Law Enforcement Coalition, Law Enforcement Partnership to Prevent Gun Violence, United States Conference of Mayors, National Task Force to End Sexual and Domestic Violence, and the Association of Prosecuting Attorneys. I would like to enter those for the record as well, Mr. Chair.

Chairman Goodlatte. Without objection, they will be made part of the record.

[The information follows:]
Mr. Lieu. I have two marksmanship awards from the military. I have fired guns. I have disassembled them. I have cleaned them, and I understand how dangerous guns are. And so, the reason I am opposing this bill is because it is going to let dangerous people get guns, including people that have been convicted of stalking, people that have committed crimes of violence. We just do not want those people carrying guns. And that is the reason that I oppose this bill. And I join with all the numerous organizations across America who also oppose this bill. And I will yield to my colleague from Rhode Island.

Mr. Cicilline. I thank the gentleman for yielding. I just want to point out two additional things. In the Association of Prosecuting Attorneys and the U.S. Conference of Mayors, these are two organizations that represent individuals fundamentally focused on the safety of communities. And the U.S. Conference of Mayors in their resolution says, "The goals of this legislation are completely antithetical to all of the efforts to reduce and prevent gun violence."

And in the Association on Prosecuting Attorneys, to respond to the gentleman from Florida who talked about his law enforcement perspective, and I quote from the Prosecuting Attorneys, "Traffic stops, already unpredictable and dangerous, would become more stressful for police if
they are confronted with hundreds of thousands of visitors from States with lower concealed carry standards and forced to anticipate the presence of a concealed firearm by visitors. This legislation would force officers to make split-second decisions for their own safety and would increase the danger to all involved in the traffic stop."

So, I think there is a law enforcement perspective based on the letters submitted by Mr. Lieu and in this letter from the Association of Prosecuting Attorneys that, in fact, and the study that was previously introduced into the record, that we do not increase public safety by allowing people who meet a much lower standard than the State legislature has determined to come into the State with a loaded concealed firearm to do as they please. And with that, I will yield back to Mr. Lieu in the hopes that he will yield to the gentlelady from California.

Mr. Lieu. I will yield to the gentlelady from California.

Ms. Lofgren. Thank you, Mr. Lieu. You know, I think it is beyond dispute that there is a connection between domestic violence and gun violence. I mean, that is clear. In my own State of California, and Mr. Lieu's State, have taken steps to prevent people who are convicted stalkers, who have abused their dating partners, from getting concealed permits. California, I think, can do more, but
they have done a lot. And to say that that sensible program
to protect public safety is going to be thrown out the
window is simply wrong.

I am seeing people here in the audience with Moms
Demand Action, and I have met with mothers who have lost
their sons and daughters because of gun violence. And to
say that we are going to deny their just cause in this way
is really heartbreaking.

I just want to say one further thing, I have heard for
years and years that the answer to a bad guy with a gun is a
good guy with a gun. But I have never heard anybody after
Las Vegas admit that that is a preposterous statement, a
preposterous statement. And I think it is time for people
to be honest about what we are doing here. We are
endangering public safety to cozy up to one of the biggest
interest groups in the United States, the NRA. And I thank
the gentleman for yielding.

Mr. Raskin. I move to --

Chairman Goodlatte. What purpose does the gentleman
from Maryland seek recognition?

Mr. Raskin. Move to strike the last word.

Chairman Goodlatte. The gentleman is recognized for 5
minutes.

Mr. Raskin. Mr. Chairman, thank you very much. I want
to make two points, and one is about our legislative agenda
here in Congress, and the other is about the meaning of reciprocity. I wanted to echo the sentiments of the gentleman from Florida, Mr. Deutch. I came here to Congress to work on gun safety. One of my proudest accomplishments was working on legislation which passed the Maryland General Assembly in 2013 in the wake of the catastrophe that took place in Newtown, Connecticut, where a gunman came and assassinated 20 schoolchildren at point blank range with an assault weapon, and six adults.

And we said, "Enough was enough." And we said, we are going to look for commonsense, common-ground gun safety legislation that respects people's Second Amendment rights and advances the public safety however we can. The Supreme Court told us in the Heller decision in 2008 what the Second Amendment really means is you have a right to possess a handgun for purposes of self-defense, and you have a right to a rifle for purposes of recreation and hunting.

But, Justice Scalia told us, it does not mean you have a right to access a gun if you are mentally unstable or dangerous. You do not have a right to access a gun if you are a criminal convict, a felon, or a misdemeanant. You do not have a right to an assault weapon. You do not have a right to a high-capacity magazine.

All of these things we put into our bill, and it has been upheld against constitutional attack as recently as
yesterday, when the Supreme Court rejected an appeal from the fourth circuit about our statute, which banned military-style assault weapons, which banned high-capacity magazines, which imposed fingerprint licensing, universal background check, which imposed frequent, unannounced inspections by the Maryland State police of gun dealer to make sure they were not dealing into the underground. All of that was upheld as consistent with the Fourth Amendment, and people can still have guns for lawful purposes, and they cannot be taken away. So, we have got to stop spreading paranoia that there is some move to take everybody's guns away. That is not where we are at.

Now, since I came to Congress in January, there have been 397 mass killings in the United States of America -- 397 killings of at least four people. Two of them are among the worst massacres by gun in American history: the Las Vegas killing on October 1st, which left 58 people dead and more than 500 wounded; the Sutherland Springs Massacre on November 5th, 2017, just a few weeks ago, which left 25 of our fellow citizens dead, and many more wounded.

And guess what? The gunman in Texas, Devin Patrick Kelley, was court-martialed before for assaulting his wife and child, for domestic violence. And all Mr. Nadler's amendment says is that if you have convictions for violent misdemeanors, my State -- Maryland -- does not have to
accept your convicted violent domestic abusers with a gun that you choose to let them have. If you want to do that in your State, do that in your State, but do not impose that on the people of Maryland when we have already rejected it for our own people.

Now, I want to say something about reciprocity. Reciprocity means you respect my laws, I respect yours. This bill has nothing to do with reciprocity, and the word should be purged from the bill. It lowers everybody's standards to the lowest State in the Union. Whichever State -- and there are several of them -- has no laws at all with respect to concealed carry, all we need is one State -- and several of them have done it -- to say that anybody can have a concealed carry gun.

Then those people can go anywhere in the United States, overriding the laws of dozens of other States. What does that have to do with federalism? What does that have to do with States' rights? And what does it have to do with the Second Amendment, and what does it have to do with public safety? Nothing. Nothing.

It is, as the gentleman just said, the agenda of the NRA. But it should not be the agenda of the U.S. Congress, and it is definitely not the agenda of the American people today.

Three-hundred and ninety-seven mass killings since we
entered Congress, and what have we done? Have we taken up a universal background check, which is supported by more than 90 percent of the American people? No. Have we taken up a ban on military-style assault weapons, the kind that were used to kill the children in Newtown, Connecticut, that were used to kill dozens of Americans in Las Vegas? No. We have not had time for that. We have a moment of silence, which does not even last 60 seconds, and then we are off to rename a Post Office. We do not have time for that. But what do we put on the agenda? Let's expand national concealed carry.

For the first time in American history. This country has been around for 241 years. Nobody ever put in a bill like this to say that one State has to accept another State's law or no law at all governing concealed carry. The least we can do is pass Mr. Nadler's amendment. I yield back.

Chairman Goodlatte. The question occurs on the amendment offered by the gentleman from New York.

All those in favor, respond by saying aye.

Those opposed, no.

In the opinion of the chair, the noes have it and the amendment is not agreed to.

Mr. Nadler. Mr. Chairman?

Chairman Goodlatte. For what purpose does the
gentleman from New York seek recognition?

Mr. Nadler. Could we have a recorded vote, please?

Chairman Goodlatte. A recorded vote is requested, and the clerk will call the roll.

Ms. Adcock. Mr. Goodlatte?

Chairman Goodlatte. No.

Ms. Adcock. Mr. Goodlatte votes no.

Mr. Sensenbrenner?

Mr. Sensenbrenner. No.

Ms. Adcock. Mr. Sensenbrenner votes no.

Mr. Smith?

[No response.]

Mr. Chabot?

[No response.]

Mr. Issa?

[No response.]

Mr. King?

Mr. King. No.

Ms. Adcock. Mr. King votes no.

Mr. Franks?

[No response.]

Mr. Gohmert?

[No response.]

Mr. Jordan?

[No response.]
Mr. Poe?
[No response.]
Mr. Marino?
[No response.]
Mr. Gowdy?
Mr. Gowdy. No.
Ms. Adcock. Mr. Gowdy votes no.
Mr. Labrador?
Mr. Labrador. No.
Ms. Adcock. Mr. Labrador votes no.
Mr. Farenthold?
[No response.]
Mr. Collins?
[No response.]
Mr. DeSantis?
Mr. DeSantis. No.
Ms. Adcock. Mr. DeSantis votes no.
Mr. Buck?
Mr. Buck. No.
Ms. Adcock. Mr. Buck votes no.
Mr. Ratcliffe?
Mr. Ratcliffe. No.
Ms. Adcock. Mr. Ratcliffe votes no.
Mrs. Roby?
[No response.]
Mr. Gaetz?
[No response.]

Mr. Johnson of Louisiana?
[No response.]

Mr. Biggs?
[No response.]

Mr. Rutherford?

Mr. Rutherford. No.

Ms. Adcock. Mr. Rutherford votes no.

Mrs. Handel?

Mrs. Handel. No.

Ms. Adcock. Ms. Handel votes no. Mr. Nadler?

Mr. Nadler. Aye.

Ms. Adcock. Mr. Nadler votes aye.

Mr. Conyers?
[No response.]

Ms. Lofgren?

Ms. Lofgren. Aye.

Ms. Adcock. Ms. Lofgren votes aye.

Ms. Jackson Lee?


Mr. Cohen?

Mr. Cohen. Aye.

Ms. Adcock. Mr. Cohen votes aye.
Mr. Johnson of Georgia?
No response.

Mr. Deutch?
Mr. Deutch. Aye.

Ms. Adcock. Mr. Deutch votes aye.

Mr. Gutierrez?
No response.

Ms. Bass?
No response.

Mr. Richmond?
No response.

Mr. Jeffries?
Mr. Jeffries. Aye.

Ms. Adcock. Mr. Jeffries votes aye.

Mr. Cicilline?
Mr. Cicilline. Aye.

Ms. Adcock. Mr. Cicilline votes aye.

Mr. Swalwell?
Mr. Swalwell. Aye.

Ms. Adcock. Mr. Swalwell votes aye.

Mr. Lieu?
Mr. Lieu. Aye.

Ms. Adcock. Mr. Lieu votes aye.

Mr. Raskin?
Mr. Raskin. Aye.
Ms. Adcock. Mr. Raskin votes aye.

Ms. Jayapal?

[No response.]

Mr. Schneider?

Mr. Schneider. Aye.

Ms. Adcock. Mr. Schneider votes aye.

Chairman Goodlatte. The gentleman from Arizona?

Mr. Franks. No.

Ms. Adcock. Mr. Franks votes no.

Chairman Goodlatte. The gentlewoman from Alabama?

Mrs. Roby. No.

Ms. Adcock. Mrs. Roby votes no.

Chairman Goodlatte. The gentleman from Texas?

Mr. Gohmert. No.

Ms. Adcock. Mr. Gohmert votes no.

Chairman Goodlatte. The gentleman from Pennsylvania?

Mr. Marino. No.

Ms. Adcock. Mr. Marino votes no.

Chairman Goodlatte. The gentleman from California?

Mr. Issa. No.

Ms. Adcock. Mr. Issa votes no.

Chairman Goodlatte. The gentleman from Georgia?

Mr. Johnson of Georgia. Yea.

Ms. Adcock. Mr. Johnson votes yea.

Chairman Goodlatte. Has every member voted who wishes
to vote? The clerk will report.

Ms. Adcock. Mr. Chairman, 12 members voted aye, 15
members voted no.

Chairman Goodlatte. And the amendment is not agreed
to. Are there further amendments?

Ms. Jackson Lee. Mr. Chairman?

Chairman Goodlatte. For what purpose does the
gentlewoman from Texas seek recognition?

Ms. Jackson Lee. I have an amendment at the desk that
involves domestic violence and stalking.

Chairman Goodlatte. The clerk will report the
amendment.

Ms. Adcock. Amendment to the amendment in the nature
of a substitute to H.R. 38, offered by Ms. Jackson Lee of
Texas. Page 1, line 16, insert after "a firearm" --

Ms. Jackson Lee. That is not the --

Chairman Goodlatte. Without objection, the amendment
is considered as --

Ms. Jackson Lee. That is not the correct one.

Chairman Goodlatte. Oh.

Ms. Jackson Lee. It is page 5, line 10. No. I want
this one. It is supposed to be there.

Chairman Goodlatte. Did the amendment you read include
005? Yes -- okay.

Ms. Jackson Lee. No. This is not it. I do not know
what this is. This is not it. This is this one we are doing. Excuse me, Mr. Chair. He does -- he has --
Chairman Goodlatte. If the amendment is not ready --
Ms. Jackson Lee. Yeah. It is ready. Yeah. This is it. And it should -- and this -- you guys are doing that one? Let me proceed with this and we will stand --
Chairman Goodlatte. We think we may have a correct amendment.
Ms. Adcock. I have it.
Chairman Goodlatte. The clerk will report the amendment.
Ms. Adcock. Amendment to the amendment in the nature of a substitute to H.R. 38, offered by Ms. Jackson Lee of Texas. Page 5, line 10, insert after "service" --
[The amendment of Ms. Jackson Lee follows:]

********** INSERT 5 **********
Chairman Goodlatte. Without objection, the amendment is considered as read and the gentlewoman is recognized for 5 minutes on her amendment.

Ms. Adcock. Page 5, line 10, insert after "service" the following: "This section does not apply in the case of any person convicted of an offense of domestic violence under the law of a State or Indian tribe."

Chairman Goodlatte. Do we have copies of that amendment available?

I am going to suggest that we go on to the gentleman from Florida's amendment while we figure out what the correct amendment to offer is. So, for what purpose does the gentleman from Florida seek recognition?

Ms. Jackson Lee. I will yield, Mr. Chairman. I do have the correct amendment, but we will make further --

Chairman Goodlatte. You do not seem to have copies of it available.

Ms. Jackson Lee. We will make sure that the members have the correct amendment.

Chairman Goodlatte. We will come back to you next.

Mr. Deutch. I have an amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment.

Mr. Deutch. Amendment 38.
Chairman Goodlatte. Well, they do not have a Deutch amendment either. Might I suggest that providing the amendments earlier would help to make this process go better than dropping them in at the very last minute?

Mr. Deutch. 38?

Mr. Cohen. Mr. Chairman, I have an amendment at the desk.

Chairman Goodlatte. And it is there? You promise?

Mr. Cohen. I do not promise.

Chairman Goodlatte. All right.

Ms. Adcock. Okay.

Chairman Goodlatte. Do you have an amendment from the gentleman from Tennessee?

Ms. Adcock. No. Yes.

Chairman Goodlatte. You have Mr. Deutch's amendment or Mr. Cohen's amendment?

Ms. Adcock. I have both.

Chairman Goodlatte. All right. Then let's do Mr. Deutch's amendment, because we asked that one to be brought up first.

Ms. Adcock. I know, but this is the Cohen amendment.

Chairman Goodlatte. The clerk will report the amendment for Mr. Deutch.

Ms. Adcock. Amendment to the amendment in the nature of a substitute to H.R. 38, offered by Mr. Deutch of
Florida. Page 2, line 20, insert after --

[The amendment of Mr. Deutch follows:]

********** INSERT 6 **********
Chairman Goodlatte. Without objection, the amendment will be considered as read and the gentleman is recognized for 5 minutes on his amendment.

Mr. Deutch. Thank you, Mr. Chairman. Mr. Chairman, my amendment would permit State and local governments to draft and enact laws that would restrict people from bringing concealed weapons on private property. This would include restrictions on a concealed weapon in a bar, a daycare center, a sports venue, concert, or other private property. This amendment would preserve the rights of State and local governments to take the necessary steps that they believe are needed to better protect the safety of the public and our communities.

As currently drafted, the Concealed Carry Reciprocity Act would permit State and local governments to prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park. The bill rightly preserves the ability of State and local governments to protect the safety of government officials and elected leaders from possible violent acts involving guns.

However, the bill inexplicably prevents State and local governments from acting to protect the public from gun violence on private property, where disputes may be more common and an escalation of violence, which could be deadly,
can occur.

The Concealed Carry Reciprocity Act would prohibit States and localities from crafting and enacting sensible laws that restrict people from bringing hidden loaded guns into bars, daycare facilities, sports venues, other private properties. Such a prohibition prevents the enactment of sensible restrictions enacted by State governments and local governments that are specifically designed to ensure that hidden weapons are not brought into establishments or events where disagreements are common.

In my State of Florida, Mr. Chairman, as you pointed out, people are permitted to carry a concealed weapon. In fact, as you also rightly pointed out, Florida has the largest number of concealed weapons permits in the country -- more than 1.7 million -- and yet, the State of Florida has a law that prevents people with a valid concealed carry license or permit from entering specific government and private property.

In Florida, the law prohibits a person with a valid concealed carry license from entering government buildings: a meeting of the State legislature or committee meeting, courthouses, courtrooms, and other government facilities with a gun.

But it also restricts a person's ability to bring a concealed weapon into any establishment licensed to dispense
alcoholic beverages for consumption and any school, college, or professional athletic event not related to firearms. Under the bill we are debating today, the restrictions that Florida lawmakers have decided to place on people with concealed weapons would be preserved as they apply to government buildings -- meetings of the legislature, courthouses. But the bill would strip State legislators of the right to draft and pass sensible restrictions on locations where people with concealed guns can enter.

Florida's restrictions on people with concealed weapons entering bars, and athletic events, and concerts is premised on these being locations where disagreements and disputes often occur between people. Enabling a person to possess a hidden firearm in one of these locations provides the potential for a dispute to escalate into a deadly confrontation.

And because State and local governments are in a unique position to determine locations where carrying a concealed gun may cause a dispute to become deadly, I think we ought to respect the State and local governments to make their own decisions about how to protect their own citizens. And that is why I would urge of my colleagues to support, I think, what is a fair attempt to take this underlying piece of legislation and preserve the rights still for State and local governments to take action.
Ms. Lofgren. Will the gentleman yield?

Mr. Deutch. I will.

Ms. Lofgren. I have a question. I think this is a good amendment. My own State of California does not have a 21-year-old rule. I hope they do someday, but they do not at the moment. So, if I am understanding your amendment correctly, California can and does prohibit kids from taking concealed weapons to high school, in a public high school. But unless your amendment passes, the Catholic schools would not have the capacity to keep kids from carrying concealed weapons. Would that be correct?

Mr. Deutch. The underlying bill only retains the restrictions on government buildings and meetings of legislatures to protect public officials. It does not permit the State and local governments to pass laws to protect citizens as you described, in California.

Ms. Lofgren. I thank the gentleman for clarifying. I think this is an essential amendment, and I yield back.

Mr. Raskin. Will the gentleman yield for a question?

Mr. Deutch. Yes, I would be glad to yield.

Mr. Raskin. If I understand you properly, in Florida, people who are granted a concealed carry permit under State law are not allowed to bring firearms with them into a daycare center, or into a bar, or restaurant. Is that correct?
Mr. Deutch. Bars, restaurants, sporting events, yes.

Mr. Raskin. They are not allowed to. But under this legislation, people coming from 49 other States, presumably, would be allowed to?

Mr. Deutch. Right. That is correct. The legislation takes away the ability for States to regulate where concealed --

Mr. Raskin. Yeah. You know, it occurs to me that this could be even a taking of private property or a violation of equal protection rights for people in your State. Why should people from outside of the State have superior rights to people inside the State? I yield back.

Mr. Deutch. I appreciate the constitutional scholar's rhetorical question. Yeah. And with that I yield back, Mr. Chairman.

Chairman Goodlatte. The time of the gentleman has expired.

Mr. Cicilline. Mr. Chairman?

Chairman Goodlatte. The chair recognizes himself in opposition of the amendment. The bill, as drafted, would permit the private entity to prohibit the firearm from being brought into the bar or public facility or stadiums and so on that you referred to. But it would not recognize the right of the State to have a blanket prohibition on all such facilities.
Mr. Cicilline. Will the chairman yield?

Chairman Goodlatte. No, I am not yielding back my time, but I will be happy to recognize whoever seeks recognition. The gentleman is recognized for 5 minutes.

Mr. Cicilline. Well, I was going to ask the chairman a question, because I would be interested to know where in the bill that right of private property owners to bar concealed weapons into their property is reflected.

Chairman Goodlatte. It is page 2, line 16.

Mr. Deutch. Well, will the gentleman from Rhode Island yield for a second while he looks?

Mr. Cicilline. Of course.

Mr. Deutch. Mr. Chairman, I appreciate the fact that a private property owner may post a sign outside of his bar, for example, saying that guns are not accepted there. There is a difference -- as the chairman knows and as anyone in this room knows -- between an individual declaring something that he does not wish to occur on his own property, and a law passed by the elected officials of the citizens of the State that declare that it is a violation of law if guns are taken into those places, putting the individuals in those places at risk.

That is why States passed these laws. That is why my own State of Florida has passed this law. My own State of Florida, with over 1.7 million concealed carry permits,
because they understand that there are risks.

And we diminish dramatically the ability for steps to be taken to prevent guns in those places when we simply tell the owners of those bars or those sporting venues that if they put a sign up saying, "Your guns are not welcome here," that that is going to stop anyone from bringing them in. I yield back to Mr. Cicilline.

Mr. Cicilline. I thank the gentleman. I rise in strong support of Mr. Deutch's amendment. It is important to just state the obvious. Two months ago, we had the worst mass shooting in American history. And despite our efforts over the last many years to get the Republican leadership in this Congress to enact commonsense gun safety legislation, all we have had, time after time, is 30 seconds of doing nothing and saying nothing in a moment of silence.

And when we finally get the House Republicans to do something about guns, we are all completely horrified that the one thing they will do is to make it easier for people to carry concealed, loaded firearms anywhere in America they want.

And now, Mr. Deutch offers an amendment that says, at the very least, if a State legislature has decided that you have to have certain training to have a concealed carry permit and certain requirements, and they have decided that there are certain places that are not appropriate for a
loaded concealed weapon -- daycare centers, bars, universities, whatever those settings are -- that we ought to respect those determinations.

What is the compelling public interest to override those determinations, say, "Oh, no, no. We have to make sure that someone who has a loaded concealed firearm can go to a daycare center, can go to a school, can go to a bar."

That has to override the considerations made and determinations by the State legislature.

What is the compelling State interest? What is the public interest that we are advancing, other than endearing ourselves to the NRA and the gun lobby in this country?

And so, I thank Mr. Deutch for the amendment. It is important to remember that what this bill does is States that have been careful about these restrictions, have created safe places where guns -- secret loaded guns -- cannot go, and have required certain qualifications be met, all that is gone. Because now all you have to do is get a permit from another State that has none of those requirements, and you can take that gun anywhere you want.

Mr. Deutch's amendment attempts to correct one of the many, many horrible consequences of this bill. I invite my Republican colleagues to explain to me, what is the public interest? What is the interest that is advanced in terms of promoting public safety, to override the will of a
legislature in keeping secret concealed guns out of daycare centers, bars, university athletic events, and the like? There is no such thing.

Mr. Deutch. Mr. Cicilline, will you yield for one last point?

Mr. Cicilline. Of course.

Mr. Deutch. There are, in State capitals across this country, fierce debates about whether to allow guns on college campuses. That is a debate that is playing out in Tallahassee, has played out, will continue to play out. And I will stand with my friends in Tallahassee as they debate these, and urge that those guns not be allowed.

But it is a debate that ought to take place in State capitols. And let's just be clear. If this bill goes forward and passes, those debates will end because the United States Congress will have said, "It is not up to you, it is up to us, and we believe that guns should be allowed on any university campus in any State in this country." I yield back --

Chairman Goodlatte. The time of the gentleman has expired. For what purpose does the gentleman from Florida seek recognition?

Mr. Rutherford. Strike the last word.

Chairman Goodlatte. The gentleman is recognized for 5 minutes.
Mr. Rutherford. Thank you, Mr. Chairman. Mr. Chairman, I would direct my colleagues to look at page 2, line 14, that clearly says, "This section shall not be construed to supersede or limit the laws of any State that, number one, permits private persons or entities to prohibit or restrict the possession of concealed firearms on their property" -- on their private property.

For example, there is one. Starbucks has said that they want to restrict carrying concealed firearms upon their property, anywhere. The State of Florida recognizes that. Now, the difference is, it is not a law, it is a policy of that individual owner. So, they can ask that individual who may be carrying a concealed firearm to leave their property, and they are obliged to do so. And if they do not, then the police, after asking them to leave, if they do not, they can be arrested for trespassing.

Mr. Deutch. Will the gentleman yield?

Mr. Cicilline. Will the gentleman yield for one question?

Mr. Rutherford. Yes.

Mr. Cicilline. But under the statute, if the police arrive, they are not allowed to ask or detain the person to find out if they actually have a permit. And if they do, they can get sued under this bill. Right?

Mr. Rutherford. No. They can ask them --
Mr. Cicilline. No, no. They cannot. They cannot detain a person for purposes of --

Mr. Rutherford. No, they cannot detain people, because they are not law enforcement. But they can tell, in visuals --

Mr. Cicilline. No. I said when the police arrive. You said the police can arrive. But under this bill --

Mr. Rutherford. Right.

Mr. Cicilline. -- when the police arrive, they are prohibited from detaining a person to make this determination. And if they do, they are subject to liability and attorney's fees for doing that.

Mr. Rutherford. No, they are not, which is why I passed the -- which is why I offered the amendment --

Mr. Cicilline. Well, they are. It is on page 3.

Mr. Rutherford. No.

Mr. Cicilline. "When a person successfully asserts this section as a defense in a criminal proceeding, the court shall award the prevailing defendant reasonable attorney's fees. And the person who is deprived of any right, privilege, or immunity by this section may bring an action in any appropriate court against any other person, including a State or political subdivision thereof, who causes the person to be subject to the deprivation for damages."
So, you are subjecting the police officer who responds to a lawsuit and attorney's fees.

Mr. Rutherford. Which --

Mr. Cicilline. This is page 3.

Mr. Rutherford. I will reclaim my time. Which is why I offered the amendment earlier that says, "Nothing in this act prohibits a law enforcement officer with reasonable suspicion of a violation of any law from conducting a brief investigative stop in accordance with the United States Constitution."

Mr. Deutch. Will the gentleman yield? Could a restaurant or bar in Florida post a sign saying, "We do not recognize concealed carry permits from other States? If you have got one from Florida, you can be here, but no concealed carry permits from other States admitted in our restaurant or bar."

Mr. Rutherford. Yes. Property owners have that right. They can restrict anyone that they wish.

Mr. Deutch. Okay. I mean, I just want to be clear, in your legislative history, that that is acceptable.

Mr. Rutherford. And my colleague is absolutely right. That is why I offered this amendment, to make sure that officers have that investigative capability that they need. So, Mr. Chairman, I go back to that page two, about private property rights. Clearly, this bill does not supersede
State law concerning the property rights of individuals within the individual 50 States.

Mr. Deutch. Will the gentleman yield? Will my --

Mr. Rutherford. I yield.

Mr. Deutch. -- friend from Florida yield for a question? Let's just be clear. The language that you referred to says that the section will not be construed to supersede the laws of any State that permit private persons to prohibit or restrict possession of firearms and laws that prohibit or restrict the possession of firearms on any State or local government property.

Mr. Rutherford. No. It is not "and." It is "or."

Mr. Deutch. Right. It is. And there is a difference between a law that says that it is illegal to bring a gun to the State legislature and a law that says, "You are a business that can decide you do not want to have guns and can post a sign outside," because that is all this really does. To be consistent, it would say that you cannot limit the laws of any State or local government that wants to prohibit or restrict possession.

In other words, why is it that a business can only say, "You are not allowed to have guns," but the police -- there is no law against it. But as State legislature, it is illegal to even bring the gun inside. If it is too dangerous for someone to bring a gun inside a State
legislature, because we are worried about the State legislators, then should not we also be worried about members of the public in a bar and allow States to pass laws to make that illegal?

Mr. Rutherford. If I can reclaim my time, let's talk about a bar. Because a bar in Florida, as you know, it is restricted, because any facility that serves alcohol, it is restricted.

Mr. Deutch. Right.

Mr. Rutherford. Which means, if I come from a State that offers a concealed carry, that allows you to carry in a bar in that State, that does not supersede Florida's law. I cannot carry in a bar in Florida, even, you know, make up a State that has a concealed carry that allows you to go into a bar. I still could not carry in the State of Florida, if I was from another State, in the bar, because this law does not supersede in Florida law.

Mr. Ratcliffe. [Presiding.] The gentleman's time has expired.

Mr. Deutch. In which case, this is a clarifying amendment.

Ms. Lofgren. Chairman? Mr. Chairman?

Mr. Issa. Does any other member wish to be --

Ms. Lofgren. I would like to strike the last word.

Mr. Ratcliffe. The gentlewoman is recognized for 5
minutes.

Ms. Lofgren. Thank you very much. I would just like to make a point before I yield to the gentleman from Florida, Mr. Deutch, for his additional comment that the private right to say, “You cannot bring in a concealed weapon” -- I think Mr. Cicilline is right. It is flawed in terms of how it is set up in terms of enforcement.

But putting that issue to one side, we are a Nation of laws, and the issue here is whether the State legislature or a county -- I served for 14 years on the Board of Supervisors in Santa Clara County -- whether the people who are elected in States to make the laws to preserve the peace are permitted to do that, and this undercuts their capacity to do that as to private property. I think that is a significant problem from a federalism point of view. I think it is a significant problem in terms for public safety. I am mindful that the Sheriffs Association from my own State opposes this bill partly for that reason.

And so, I do think this is a very important amendment, and it cannot be resolved simply because individual owners of property may have a hard-to-exercise right to refuse people who are carrying concealed weapons to enter. The passing of laws to keep the public peace is properly vested in the legislatures and in the local governments who have been elected to do that. And I would be happy to yield
further to Mr. Deutsch for his excellent amendment.

Mr. Deutch. I thank my friend from California, and I would urge my friend from Florida to take another look at the language. And if what he is suggesting is that this piece of legislation is meant to respect State laws, State laws that make it illegal for individuals to bring concealed weapons into certain areas, then my amendment will simply clarify that.

Because the language, as drafted, says that it will not interfere with any State law that permits private persons from prohibiting the possession of concealed firearms. That is different than a State legislature passing a law that says, “No concealed firearms are permitted on a college campus,” or, “No concealed firearms are permitted in a bar.” They are two different things.

But I appreciate what my friend from Florida is saying, and if it is that his intent and the bill’s intent to retain the ability of States to pass those laws to keep the citizens of their States safe, then I would respectfully suggest that my amendment simply accomplishes and clarifies what it is that he believes the bill already does, and I would urge him to support it.

Ms. Lofgren. Reclaiming my time, I think the point the gentleman has made is an excellent one. I think if we want to preserve the right of States to enact laws to preserve
public safety, then we have to support your amendment. If, in fact, the idea is to remove legislators and legislatures from that role, then I think this vote will show that that is really what is before us. And with that, Mr. Speaker, I would be happy to yield to the gentleman from Maryland.

Mr. Raskin. If I could just pose a question, either to you or to Mr. Deutch, about this. In fact, if we do not pass the Deutch amendment it may have the effect -- in Florida, for example, the law is that you may not carry a firearm into a private bar or restaurant, so there is a categorical rule for all of them. And if we pass the legislation the way it is, we throw it out; Florida does not presently have a law that permits private persons or entities to prohibit or restrict. It just does it on a blanket basis for everybody.

Now we have overturned the only law that they have got. Theoretically, anybody can come in from Alabama or Missouri another State carrying guns, saying, “There is no law on the State which gives you the right to exclude me carrying a gun.” So, I think if you do want to accomplish the status quo which you imagined, I think we have got to pass the Deutch amendment. I yield back.

Ms. Lofgren. And I would yield back, Mr. Chairman.

Mr. Ratcliffe. The gentlelady yields back. Does any other member wish to be recognized? For what purpose does
Mr. Cohen. Thank you. I would like to ask --

Mr. Ratcliffe. The gentleman is recognized for 5 minutes.

Mr. Cohen. Would the gentleman from Florida yield for a question? I am confused with Mr. Deutch’s amendment. I certainly do not think that only the visiting team’s fans should have guns. I think the home team should have them, too, otherwise the seven-point spread on the road games is not to be relevant again if only the visitors have the guns.

But are you saying you believe the law is that this is drawn, that this would not affect concealed carry? If the State of Florida says you cannot carry into a bar, you cannot carry from any State, and if the State of Florida or State of Tennessee says you cannot carry into a new stadium, you cannot carry it regardless of what your State's policy?

Mr. Rutherford. That is correct.

Mr. Cohen. That is kind of the way I read, too. So, you know, I guess is no harm, no foul maybe.

Mr. Rutherford. I do not see the need.

Mr. Cohen. I hate to be in disagreement, but I do not see the need either. And I certainly --

Mr. Deutch. Would the gentleman yield?

Mr. Cohen. Yeah, I yield.

Mr. Deutch. Before we vote on this amendment, just to
be clear, again, the language says, "This section shall not be construed to supersede or limit the laws of any State that prohibits or restricts the possession of firearms on State or local government property."

If we were trying to accomplish what it is my friend from Florida thinks the bill is trying to accomplish, it would also say, "Prohibit or restrict the possession of firearms on any laws on a private property." That is a law, like in Florida, that says you cannot bring a concealed weapon into an establishment licensed to dispense alcoholic beverages for consumption.

That is not what the bill says. The bill says that it will not supersede any laws that permit private persons to prohibit or restrict the possession. That means there is not a law against taking a gun into a bar. It is a law -- Mr. Rutherford. If my colleague will yield --

Mr. Deutch. It would be a law that says it is okay for the bar owner --

Mr. Rutherford. Will the gentleman yield?

Mr. Deutch. Of course.

Mr. Cohen. I yield from southern Florida to you.

Mr. Rutherford. Oh, I am sorry, Mr. Cohen. Thank you.

The issue is at the State law, you have committed a crime if you go into a bar in Florida --

Mr. Deutch. Right.
Mr. Rutherford. -- that does not allow concealed carry in a bar where alcohol is being served, or a restaurant. You have committed a crime.

Mr. Deutch. Correct.

Mr. Rutherford. If I go into Starbucks, who has as a policy and private property owner, said, “I do not want concealed carry guns in my business,” which they have the right to do, I have not committed a crime, but I can be forced to leave that property.

Mr. Raskin. Would the gentleman yield?

Mr. Rutherford. That is their property right.

Mr. Raskin. And you have convinced me on the policy point, but go back to the crime point. Would it still be a crime under this legislation?

Mr. Rutherford. Because it does not supersede State law.

Mr. Raskin. Oh, but those are just State laws that permit Starbucks to set up their own policy, but it does override all the State laws which say there shall be no private firearms taken into hotels, motels, stadiums, private places. You see?

There is nothing in the legislation that protects those laws. You could protect it, as Mr. Deutch is saying, by adding private property to the next provision, or you could get rid of “permit private persons or entities,” and say,
“The section shall not supersede or limit the laws of any State that prohibit or restrict possession of concealed firearms on private property.”

But you see, it is deliberately not doing what you say it does do, and I think if you want to accomplish that, I think that you should be supporting the Deutch amendment, which I am supporting very strongly. I yield back.

Mr. Deutch. If my friend from Florida will yield, I would point out that the gentleman makes a good point then that I had not thought of, that we have not discussed. But that there are in fact three different categories. There is a category of laws against having concealed firearms, on government property, laws against having concealed firearms on private property, and laws that give private persons the ability to prohibit guns in their businesses.

Those are three different areas, three different topics. This bill deals with two of them; it deals with private persons that prohibit possession on their property; it deals with laws against guns on public property. It does not deal with laws against guns on private property. My amendment simply adds the words “private property or State or local government property” to accomplish exactly -- exactly -- what my friend from Florida intends this bill to do.

Mr. Cohen. And I reclaim my time, and after that, just
a suggestion. I suggest Mr. Rutherford and Mr. Deutch have a joint amendment to clarify it, because I think he makes a point. I do not think it is a reality that would occur, but it could. And so, I yield my time back and hope that you all can come together.

Mr. Ratcliffe. The gentleman's time has expired. The question is on the amendment.

Those in favor, say aye.

Those opposed, no.

In the opinion of the chair, the noes have it and the amendment is not agreed to.

Mr. Deutch. I ask for a recorded vote.

Mr. Ratcliffe. A recorded vote has been requested and the clerk will call the roll.

Ms. Adcock. Mr. Goodlatte?

[No response.]

Mr. Sensenbrenner?

[No response.]

Mr. Smith?

[No response.]

Mr. Chabot?

[No response.]

Mr. Issa?

[No response.]

Mr. King?
Mr. King. No.

Ms. Adcock. Mr. King votes no.

Mr. Franks?

[No response.]

Mr. Gohmert?

Mr. Gohmert. No.

Ms. Adcock. Mr. Gohmert votes no.

Mr. Jordan?

[No response.]

Mr. Poe?

[No response.]

Mr. Marino?

Mr. Marino. No.

Ms. Adcock. Mr. Marino votes no.

Mr. Gowdy?

Mr. Gowdy. No.

Ms. Adcock. Mr. Gowdy votes no.

Mr. Labrador?

Mr. Labrador. No.

Ms. Adcock. Mr. Labrador votes no.

Mr. Farenthold?

[No response.]

Mr. Collins?

[No response.]

Mr. DeSantis?
Mr. DeSantis.  No.

Ms. Adcock.  Mr. DeSantis votes no.

Mr. Buck?

[No response.]

Mr. Ratcliffe?

Mr. Ratcliffe.  No.

Ms. Adcock.  Mr. Ratcliffe votes no.

Mrs. Roby?

Mrs. Roby.  No.

Ms. Adcock.  Mrs. Roby votes no.

Mr. Gaetz?

[No response.]

Mr. Johnson of Louisiana?

Mr. Johnson of Louisiana.  No.

Ms. Adcock.  Mr. Johnson votes no.

Mr. Biggs?

[No response.]

Mr. Rutherford?

Mr. Rutherford.  No.

Ms. Adcock.  Mr. Rutherford votes no.

Mrs. Handel?

Mrs. Handel.  No.

Ms. Adcock.  Mrs. Handel votes no.

Mr. Nadler?

Mr. Nadler.  Aye.
Ms. Adcock. Mr. Nadler votes aye.

Mr. Conyers?

[No response.] 

Ms. Lofgren?

Ms. Lofgren. Aye.

Ms. Adcock. Ms. Lofgren votes aye.

Ms. Jackson Lee?


Mr. Cohen?

Mr. Cohen. Aye.

Ms. Adcock. Mr. Cohen votes aye.

Mr. Johnson of Georgia?

Mr. Johnson of Georgia. Aye.

Ms. Adcock. Mr. Johnson votes aye.

Mr. Deutch?

Mr. Deutch. Aye.

Ms. Adcock. Mr. Deutch votes aye.

Mr. Gutierrez?

[No response.]

Ms. Bass?

[No response.]

Mr. Richmond?

[No response.]

Mr. Jeffries?
[No response.]

Mr. Cicilline?

Mr. Cicilline. Aye.

Ms. Adcock. Mr. Cicilline votes aye.

Mr. Swalwell?

[No response.]

Mr. Lieu?

Mr. Lieu. Aye.

Ms. Adcock. Mr. Lieu votes aye.

Mr. Raskin?

Mr. Raskin. Aye.

Ms. Adcock. Mr. Raskin votes aye.

Ms. Jayapal?

[No response.]

Mr. Schneider?

Mr. Schneider. Aye.

Ms. Adcock. Mr. Schneider votes aye.

Mr. Sensenbrenner. [Presiding.] Are there any members who wish to cast or change their votes? Starting with the acting chair, who votes no.

Ms. Adcock. Mr. Sensenbrenner votes no.

Mr. Sensenbrenner. The real chair, the gentleman from Virginia?

Chairman Goodlatte. No.

Ms. Adcock. Mr. Goodlatte votes no.
Mr. Sensenbrenner. The gentleman from Arizona?

Mr. Franks. No.

Ms. Adcock. Mr. Franks votes no.

Mr. Sensenbrenner. Any other members who wish to cast or change their votes? If not, the clerk will report.

Ms. Adcock. Mr. Chairman, 10 members voted aye; 14 members voted no.

Mr. Sensenbrenner. And the amendment is not agreed to. Are there further amendments?

Ms. Jackson Lee. I have an amendment at the desk.

Mr. Sensenbrenner. For what purpose does the gentlewoman from Texas seek recognition?

Ms. Jackson Lee. I have an amendment at the desk, 005.

Mr. Sensenbrenner. Will the clerk please report it and see if this is the correct amendment this time?

Ms. Jackson Lee. The correct amendment was at the desk. I am glad to have it called up.

Mr. Sensenbrenner. The clerk will report.

Ms. Adcock. Amendment to the amendment in the nature of a substitute to H.R. 38, offered by Ms. Jackson Lee.

Page 5, line 10, insert after “service” the following --

[The amendment of Ms. Jackson Lee follows:]

********** INSERT 7 **********
Mr. Sensenbrenner. Without objection, the amendment is considered as read, and the gentleman from Texas is recognized for 5 minutes.

Ms. Jackson Lee. So the record is clarified, there were two amendments on domestic violence. This amendment was at the desk correctly, and I did call up the correct one. I now call it up to be heard, and my amendment deals with the question of domestic violence.

As I begin, we always respect those who are here as citizens in our audience. And they are not part of the markup, but I do have the right to ask if anyone who is sitting in the audience have experienced some violence with guns? Anyone wants to raise their hands in the audience.

Mr. Sensenbrenner. The chair would admonish the gentlewoman from Texas, the House rules prohibit recognizing people from the audience.

Ms. Jackson Lee. I imagine that people have deal with gun violence, and so they understand what this issue is all about. It is a passionate issue and certainly -- and maybe it is hard for them to hear -- but as I indicated, the mother of Jordan Davis is here, and I do want to acknowledge you that experienced this gun violence.

Mr. Chairman, this legislation deals with domestic violence, and if I might share some statistics that I think are very important. About 4.5 million American women alive
today have been threatened with a gun by an intimate partner. In many States, these laws exist. Some do not have extensive laws as other States. One in three women and one in four men have been victims of some form of physical violence. The presence of a gun in a domestic violence situation increases the risk of homicide by 500 percent.

It is noted that, as I indicated, some States have begun to address the question of domestic violence misdemeanors that are not covered by Federal law from buying or possessing guns and or ammunition.

My amendment indicates that anyone who has been convicted of an offense of domestic violence or stalking would not be covered under this legislation. It goes to my earlier points of law enforcement trying to prevent a number of factors with someone carrying a gun and coming across State lines, and as well, to protect those who are victims of domestic violence, or a domestic violence abuser who has been convicted.

Under VAWA, which we intend to reauthorize shortly and to expand on a number of issues from sexual harassment to sexual assault and have expanded powers under that, Congress developed programs and strategies that focus on the specific needs of victims of domestic violence, dating violence, sexual assault, and stalking, including addressing the various challenges imposed upon these victims due to limited
This bill will undermine all the effort exerted in implementing this vital piece of legislation, for it means that if you are convicted of being a domestic violence perpetrator or a stalking perpetrator under the law of the land as defined in the Violence Against Women Act, you then may be able to take a weapon across State lines for a variety of reasons.

Maybe your State did not count that; maybe you are going into States that do. But it is very important, as I started out by saying, that in order to have a comprehensive initiative on this legislation, which I oppose, it makes it important to include this language in the language of this legislation.

I ask my colleagues to support this legislation of indicating if you are a convicted domestic abuser -- remember the statistic I indicated, that if there is a circumstance where domestic violence is involved, that situation, or a gun is involved in a domestic violence situation, that likelihood of homicide increases 500 percent.

My final point is that I have talked to law enforcement officers who have to confront domestic violence situations. They are situations which they find most difficult to handle for the frightened victim, and as well, in cases of domestic
violence officers, in those circumstances have also lost their life going to that home where a domestic violence call has been made and the abuser has a gun.

I ask my colleagues to support this amendment. I yield back.

Mr. Sensenbrenner. The chair recognizes himself for 5 minutes in opposition of the amendment. The amendment would exclude people convicted of the stalking offense from the reciprocity extended under H.R. 38. It is unnecessary and should not be adopted.

The crime of stalking, particularly when accompanied by other aggravating circumstances, is a felony in most States. This means that people convicted of a felony stalking offense will be barred from possessing a firearm under current Federal law: 18 U.S.C. 922 also prohibits people who are subject to a restraining order for stalking from possessing a firearm during pendency of the order, and any person convicted of a domestic violence misdemeanor, which will often accompany stalking offense, are similarly barred.

In essence, this amendment seeks to permanently bar people from exercising a fundamental constitutional right in situations that the State did not believe warranted a felony. This is something that the State should make a determination on. It is not something that we should override the States on. And I urge my colleagues to join me
in opposing the amendment and yield back the balance of my time.

For what purpose does the gentleman from New York seek recognition?

Mr. Nadler. I move to strike the last word.

Mr. Sensenbrenner. The gentleman is recognized for 5 minutes.

Mr. Nadler. Thank you, Mr. Chairman. What the chairman just said is exactly wrong. The fact is that this amendment, which says that the underlying bill does not apply in the case of a person convicted of an offense of domestic violence or stalking under law of other State or Indian tribe, does not define domestic violence or stalking. It leaves that to the State. It does not to say that someone can or cannot carry a weapon. It says that the State's determination should not be overridden by this bill.

What this amendment says is that where a State has determined that certain conduct constitutes domestic violence or stalking, which may include conduct that the Federal Government in its law has not defined as domestic violence, but where the State has defined certain conduct as domestic violence or stalking, and where the State has decided that people convicted of that conduct should not be permitted to carry a concealed weapon, that the Federal Government should not override that State law.
Or, more to the point, should not permit some other State to override that State law by saying that anyone, in effect, can carry the law of the State with them in their pockets to another State to say that the concealed carry law of State A, which does not define domestic violence to include whatever the conduct is, or which permits concealed carry despite a conviction of domestic violence, that that law cannot prevail.

What this amendment says is that law cannot prevail over State B’s law in State B. What the bill says is, yes, it can, that in effect if you have a concealed carry permit, or if your State does not require a concealed carry permit so you just concealed-carry, you carry the law of your State with you to another State. And despite the wishes of that State, the law that applies to you is the law of your State in the other State.

Now, this is an obnoxious doctrine anyway. It is a violation of States' rights. It is a violation of the local ability of people to make their own decisions. But here we are saying this amendment is much more limited. We are saying you cannot at least override the local State law in a case of a person convicted of domestic violence or stalking as defined by that the law of that State. It may be, as the chairman states, that Federal law does not permit concealed carry or other things for people convicted of domestic
violence, but the domestic violence --

Mr. Sensenbrenner. Will the gentleman yield?

Mr. Nadler. In 1 minute. But the domestic violence as defined by State law may be different or broader than the domestic violence as defined in the Federal law. I yield.

Mr. Sensenbrenner. It is already Federal law that if you are convicted of any kind of felony, you are ineligible to purchase, attempt to purchase, or possess, or attempt to possess any type of firearm.

Now, with the so-called Lautenberg amendment that I referred to in my comments, that is extended to misdemeanors involving domestic violence as defined by the State law. So, you know, here you have misdemeanors covered when someone is convicted of it. There are only two types of crimes in this country. They are felonies or misdemeanors. So, I think we have got them both ways.

Mr. Nadler. Reclaiming my time, we do not have them both ways. If you wanted to have them both ways, you would have adopted my amendment a little while ago, but on a party line vote that amendment, which covered misdemeanor violence as opposed to felonious violence -- and again, the definition of a felony or misdemeanor varies from State to State and varies in the Federal law -- would have been adopted. Had that amendment been adopted you might have a point, but that amendment was not adopted.
And in addition to that, this amendment restrains such persons from harassing, stalking, or threatening a dating partner. Federal law, I think, only refers to domestic violence to a married couple, not dating partners here.

Without comparing Federal law to the laws of every State, the fact is the laws of States may be more restrictive than the Federal Government in some instances. The definitions of domestic violence may be more expansive in some instances. They may cover misdemeanors where the Federal law does not. And again, why should we say that, as a general thing in this bill, why should we say that you carry the law of one State into the law of the other by Federal mandate?

The Federal Government is saying, “Never mind what New York says or what Wyoming says. California says differently; their law prevails in New York or Wyoming.” And what this amendment says is, “Okay, but not for domestic violence,” and that we ought to adopt as this amendment. And I yield back.

Mr. Sensenbrenner. The gentleman’s time has expired.

Ms. Lofgren. Mr. Chairman?

Mr. Sensenbrenner. The gentlewoman from California?

Ms. Lofgren. I move to strike the last word.

Mr. Sensenbrenner. The gentlewoman is recognized for 5 minutes.
Ms. Lofgren. I think that this is an important amendment, as Mr. Nadler has pointed out. My home State of California has very expansive protections for victims of domestic violence. It is not just marital partners. And I think this amendment would protect that. We know very clearly the connection between gun violence and domestic abuse, and that is why I strongly support Ms. Jackson Lee’s amendment, and I would like to yield her additional time.

Ms. Jackson Lee. I thank the gentlelady for her kindness. And I respect the chair’s comments, but I totally agree and associate myself with the comments of Mr. Nadler of New York and Ms. Lofgren of California. They are absolutely right.

As I look at the data that I have before me, there are only 27 States that have included misdemeanor domestic violence issues. When I started out earlier today, as I am listening to the very important amendments of all of my colleagues -- Democratic colleagues, and we passed one from a Republican member -- we should be able to do this bipartisan; I oppose this bill.

But the data is that only 27 States have put laws in place on misdemeanors. So, when you have a bill that has reciprocity for open carry, it seems obvious that, in the instance of the gentleman from Maryland, we want to protect his State. He has various rules.
There are 27 States that have various rules, but there are States that do not have various rules. I would want to have a Federal law that misdemeanor domestic violence does not apply, or you are not covered or protected by this legislation and cannot be a participant in the reciprocity of the concealed weapons legislation that we are now passing and willy-nilly go from one State to the next that may not have it. But that we know the ultimate good is that you should not have a gun going into a State if you have been convicted of a misdemeanor domestic violence with a gun, by the way.

And I remind everyone again that if there is a domestic violence case, and there is a gun, 500 percent chance of there being a homicide. With that, I ask my colleagues to support the amendment and call the question.

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

Mr. Sensenbrenner. Does the gentlewoman from California yield back?

Ms. Lofgren. I would be happy to yield to the gentleman from Maryland.

Ms. Jackson Lee. Oh, I am sorry.

Mr. Raskin. Thank you very much.

Ms. Jackson Lee. I apologize to the gentleman from Maryland.

Mr. Raskin. No, not at all. I wanted to rise in favor
of Ms. Jackson Lee’s amendment, and I want to make two
points here. One is that I was trying to think of an
analogy that would wake people up across the aisle, across
America, to what is happening here.

Right now, the country is in a big debate about the
future of marijuana law, and some States make it a complete
crime to use marijuana, and some States have said you can
use marijuana for medical purposes. And some States have
moved to recreational use of marijuana.

If we were to take the logic of this legislation and
import it to the marijuana field, we would say that if you
have the right to use marijuana recreationally in your
State, you have the right to use marijuana recreationally
anywhere in the country. If you have the right to use
marijuana medicinally in your State, you have the right to
use it medicinally anywhere in the country. And I just want
my colleagues to understand the logic of the approach that
they are pushing here.

Mr. Nadler. Would the gentleman --

Mr. Raskin. Yes.

Ms. Lofgren. Actually, it is my time.

Mr. Nadler. Oh, I am sorry.

Ms. Lofgren. And I would be happy to yield to the
gentleman from New York.

Mr. Nadler. Thank you. Picking up on what the
gentleman from Maryland was just saying in general on this bill, we know of plenty of laws -- some of them intelligent, some of them not so intelligent -- that say, “Never mind what the State says; the Federal Government, you know, is ordering you to do this.”

With one exception, which I objected to at that time -- it was an abortion bill, but I do not think it passed in the end -- I am not aware of any law -- any law -- that uses Federal power to export the law of one State into another State since the Fugitive Slave Act.

The Fugitive Slave Act did exactly that. It said, “By order of the Federal Government, the law of Alabama about fugitive slaves applies in New York.” I am not aware since then of any law -- any law -- that does that, that uses the power of the Federal Government to import the law of State A and make it enforceable in State B. It is a terrible idea to do that -- never mind the Fugitive Slave Act was a terrible idea -- but it is a terrible idea to use Federal power to enforce the laws of one State in another State, whether for marijuana or for guns or for anything else, and we should oppose a bill on that grounds if on no other grounds. And I thank the gentlelady for yielding.

Ms. Lofgren. I thank the gentleman for yielding back, and my time has expired, so I yield back.

Mr. Sensenbrenner. The time of the gentlewoman has
expired. The question is the amendment offered by the
gentlewoman from Texas, Ms. Jackson Lee.

Those in favor will say aye.

Those opposed, no.

The noes appear to have it.

Ms. Jackson Lee. Mr. Chairman, I request a recorded
vote.

Mr. Sensenbrenner. A recorded vote is ordered. The
clerk will call the roll.

Ms. Adcock. Mr. Goodlatte?

[No response.]

Mr. Sensenbrenner?

Mr. Sensenbrenner. No.

Ms. Adcock. Mr. Sensenbrenner votes no.

Mr. Smith?

[No response.]

Mr. Chabot?

[No response.]

Mr. Issa?

[No response.]

Mr. King?

Mr. King. No.

Ms. Adcock. Mr. King votes no.

Mr. Franks?

[No response.]
Mr. Gohmert?
[No response.]
Mr. Jordan?
Mr. Jordan. No.
Ms. Adcock. Mr. Jordan votes no.
Mr. Poe?
[No response.]
Mr. Marino?
Mr. Marino. No.
Ms. Adcock. Mr. Marino votes no.
Mr. Gowdy?
Mr. Gowdy. No.
Ms. Adcock. Mr. Gowdy votes no.
Mr. Labrador?
[No response.]
Mr. Farenthold?
[No response.]
Mr. Collins?
[No response.]
Mr. DeSantis?
Mr. DeSantis. No.
Ms. Adcock. Mr. DeSantis votes no.
Mr. Buck?
Mr. Buck. No.
Ms. Adcock. Mr. Buck votes no.
Mr. Ratcliffe?

Mr. Ratcliffe. No.

Ms. Adcock. Mr. Ratcliffe votes no.

Mrs. Roby?

Mrs. Roby. No.

Ms. Adcock. Mrs. Roby votes no.

Mr. Gaetz?

[No response.]

Mr. Johnson of Louisiana?

Mr. Johnson of Louisiana. No.

Ms. Adcock. Mr. Johnson votes no.

Mr. Biggs?

[No response.]

Mr. Rutherford?

Mr. Rutherford. No.

Ms. Adcock. Mr. Rutherford votes no.

Mrs. Handel?

Mrs. Handel. No.

Ms. Adcock. Mrs. Handel votes no.

Mr. Nadler?

Mr. Nadler. Aye.

Ms. Adcock. Mr. Nadler votes aye.

Mr. Conyers?

[No response.]

Ms. Lofgren?
Ms. Lofgren. Aye.

Ms. Adcock. Ms. Lofgren votes aye.

Ms. Jackson Lee?


Mr. Cohen?

Mr. Cohen. Aye.

Ms. Adcock. Mr. Cohen votes aye.

Mr. Johnson of Georgia?

[No response.]

Mr. Deutch?

[No response.]

Mr. Gutierrez?

[No response.]

Ms. Bass?

[No response.]

Mr. Richmond?

[No response.]

Mr. Jeffries?

[No response.]

Mr. Cicilline?

Mr. Cicilline. Aye.

Ms. Adcock. Mr. Cicilline votes aye.

Mr. Swalwell?

[No response.]
Mr. Lieu?

Mr. Lieu. Aye.

Ms. Adcock. Mr. Lieu votes aye.

Mr. Raskin?

Mr. Raskin. Aye.

Ms. Adcock. Mr. Raskin votes aye.

Ms. Jayapal?

[No response.]

Mr. Schneider?

Mr. Schneider. Aye.

Ms. Adcock. Mr. Schneider votes aye.

Mr. Sensenbrenner. Any members who wish to cast or change their votes? The gentleman from Ohio, Mr. Chabot?

Mr. Chabot. No.

Ms. Adcock. Mr. Chabot votes no.

Mr. Sensenbrenner. The gentleman from Arizona?

Mr. Franks. No.

Ms. Adcock. Mr. Franks votes no.

Mr. Sensenbrenner. The gentleman from Virginia?

Chairman Goodlatte. No.

Ms. Adcock. Mr. Goodlatte votes no.

Mr. Sensenbrenner. The gentleman from Texas?

Mr. Gohmert. No.

Ms. Adcock. Mr. Gohmert votes no.

Mr. Sensenbrenner. Any other members who wish to cast
or change their votes? If not, the clerk will report.

Ms. Adcock. Mr. Chairman, 8 members voted aye; 16 members voted no.

Mr. Sensenbrenner. And the amendment is not agreed to.

Are there further amendments to --

Ms. Lofgren. Mr. Chairman?

Mr. Sensenbrenner. The gentlewoman from California?

Ms. Lofgren. I have an amendment at the desk.

Mr. Sensenbrenner. The clerk will report the amendment.

Ms. Adcock. Amendment to the amendment in the nature of substitute to H.R. 38, offered by Ms. Lofgren of California. Page one, line 17, strike “carrying a valid license or permit which is used pursuant to the law of a State,” and insert “carrying a valid license or permit which is issued pursuant to the law of the State in which the person resides.”

[The amendment of Ms. Lofgren follows:]

********** INSERT 8 **********
Mr. Sensenbrenner. The gentlewoman is recognized for 5 minutes.

Ms. Lofgren. Mr. Chairman, the Concealed Carry Reciprocity Act has a lot of flaws, and one of them is it would allow potentially dangerous individuals to shop around for the lowest quality concealed permit and then enjoy reciprocity. If someone cannot get a permit in their own State, under this bill they could go find another State with less restrictive requirements, apply there, and reciprocity would then require their home State, as well as other States where concealed carry is allowed, to recognize their permit.

My amendment would reserve out-of-state reciprocity for permits that were issued to individuals who are actually residents of the State that issued their permit. My home State of California, like 34 States and the District of Columbia, make those who are under a restraining order for abusing a partner or misdemeanor domestic abuse ineligible. Further, they are ineligible if they have committed a misdemeanor crime of violence.

Now, proponents of the bill say that it is necessary so that law-abiding gun owners with concealed carry permits can travel freely without having to worry about a patchwork system of laws. This amendment would not disrupt that purpose. It would merely prevent potentially dangerous individuals from skirting their own State's rules to get a
concealed carry permit. Now, I will give you an example. The State of Arizona, adjacent to California, does not prohibit permits for abusive dating partners, a misdemeanor criminal conviction. My own State of California does. So, you can apply in Arizona for a permit online. You can apply for a permit as a nonresident and then go to California. Essentially, unless we adopt this amendment, anybody with a problem in America can go and apply online to the States that have the least restrictive provisions and skirt, not only of the laws of the States where they are going to travel to, but the laws of their own State.

I think even at this amendment is adopted, this law has flaws, but without this amendment it is completely preposterous. So, I would hope that we would adopt this amendment. It would make a bad bill slightly better. And with that, I would yield back.

Mr. Sensenbrenner. The chair recognizes himself in opposition of the amendment. Reciprocity permits across State lines should be recognized regardless of the State of residency of the permitholder. Citizens of States that are restrictive in the granting of concealed carry permits should not be punished for living in those States.

If they are not a prohibited individual and qualify for a concealed carry permit in a State other than their own, then that permit should be recognized by States in which
these individuals travel, just like the residents of the permit-granting State. The amendment should be defeated, and I yield back the balance of my time.

Mr. Cicilline. Mr. Chairman?

Mr. Sensenbrenner. For what purpose does the gentleman from Rhode Island seek recognition?

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

Mr. Sensenbrenner. The gentleman is recognized for 5 minutes.

Mr. Cicilline. I want to thank the gentlelady for this really excellent amendment that attempts to correct what I see as one of the most egregious failings of this bill. And with all due respect to the acting chairman, his argument in favor of it is a declaration that ought to be so.

I mean, the notion that it is good public policy to allow an individual who is ineligible because of a criminal conviction or some other factor from getting a concealed carry permit in his or her own State, to be able to go on to line and say, “I am going to apply for it from another State that I do not live in for purposes of visiting a third State with impunity,” and to say that ought to be the case as a sort of truism, it seems to me defies basic common sense, good public policy.

And the gentlelady’s amendment at least says if you are not a resident of that State, if you are not a real, bona
fide resident of the State, you ought not have the ability to shop around to a State that has no restrictions, maybe a State that you are obviously permitted to have a permit even though you have a criminal conviction or some other disqualifying factor in your own State, that you simply can go online and apply to a State that does not have a residency requirement and then travel America with a concealed loaded firearm anywhere you want.

That is absurd, and there is no good argument I heard from anyone on the Republican side. This is indefensible. I thank the gentlelady for, in some modest way, trying to fix some of the most horrible parts of this bill, and with that I yield to the gentleman --

Ms. Lofgren. Would the gentleman yield for just a brief minute? You know, there are a number of States that allow you to apply online -- Utah and Arizona -- as nonresidents. And I think if you really think through how this will work, the only laws that will apply in America will be the laws of Utah and Arizona. And I thank the gentleman for yielding.

Mr. Cicilline. I thank you. And the State of Rhode Island just passed proudly legislation that would prohibit individuals convicted of misdemeanor domestic use from possessing firearms. That will be overridden in large part by this legislation. With that, I yield to the gentleman
Mr. Raskin. I want to thank the gentleman from Rhode Island, and I rise in very strong support of the Lofgren amendment here, which goes right to the heart of what is wrong with this bill. A Marylander, someone who lives in our State, could come and ask for a conceal carry permit, and we run them through the tests that we have adopted by State law. We have had a whole legislative process, and we run them through those tests. So, let’s say they fail the safety training; they fail the live fire experience; they are deemed to be a dangerous person. We find that they have a conviction on a stalking offense; we find that they have crimes of violence; we find that they have an abusive dating relationship and have been convicted of it; and they have multiple convictions for drunk driving.

Say they fail every single prong that we have, so we deny it to them. Now, they go out of State -- or as the gentlelady tells us, they do not even have to go out of State -- they can go onto the internet and go, for example, to Arizona, which does not have any of those criteria except for the one on convicted stalkers. If they pass that test, say they go to Alaska, where they do not have any of those criteria, and they can do it online. They can get a concealed carry permit for loaded firearms and carry in our State because they have gotten the permit in another State,
and maybe they got it online. You are destroying the laws of the people of the States. That is what this legislation purports to do in a completely brazen and unprecedented way. You are trampling federalism underfoot. That is what this would be.

So, the Lofgren amendment says you have got at least live in the State that you are purporting to have gotten your concealed carry permit from, and that is critical. As far as I can tell, and again, we have not had a hearing on this bill, remember, this is rushing through Congress at the speed of light. The most important thing we can do about the thousands of our countrymen and women who have fallen dead to massacres is to pass this national concealed carry permit with no hearing.

But anyway, the best I can tell, 14.5 million Americans have these concealed carry permits right now, so we are opening the floodgates into your State, regardless of what your laws are, to 14.5 million people who can go online and pass the test, if you can even call it that, of the weakest laws in the country. So, we have got to pass the Lofgren amendment if we have any respect at all left for the laws of the States and the ability of the people to pass their own regulations dealing with public safety. I yield back.

Mr. Sensenbrenner. The gentleman's time has expired.

The question is on the Lofgren amendment.
Those in favor will say aye.

Those oppose, no.

The noes appear to have it.

Ms. Lofgren. Mr. Chairman, I would like a recorded vote, please.

Mr. Sensenbrenner. A recorded vote has been ordered.

The clerk call roll.

Ms. Adcock. Mr. Goodlatte?

[No response.]

Mr. Sensenbrenner?

Mr. Sensenbrenner. No.

Ms. Adcock. Mr. Sensenbrenner votes no.

Mr. Smith?

[No response.]

Mr. Chabot?

[No response.]

Mr. Issa?

Mr. Issa. No.

Ms. Adcock. Mr. Issa votes no.

Mr. King?

Mr. King. No.

Ms. Adcock. Mr. King votes no.

Mr. Franks?

[No response.]

Mr. Gohmert?
Mr. Gohmert. No.

Ms. Adcock. Mr. Gohmert votes no.

Mr. Jordan?

Mr. Jordan. No.

Ms. Adcock. Mr. Jordan votes no.

Mr. Poe?

[No response.]

Mr. Marino?

Mr. Marino. No.

Ms. Adcock. Mr. Marino votes no.

Mr. Gowdy?

Mr. Gowdy. No.

Ms. Adcock. Mr. Gowdy votes no.

Mr. Labrador?

[No response.]

Mr. Farenthold?

[No response.]

Mr. Collins?

[No response.]

Mr. DeSantis?

Mr. DeSantis. No.

Ms. Adcock. Mr. DeSantis votes no.

Mr. Buck?

Mr. Buck. No.

Ms. Adcock. Mr. Buck votes no.
Mr. Ratcliffe?
Mr. Ratcliffe. No.
Ms. Adcock. Mr. Ratcliffe votes no.
Mrs. Roby?
[No response.]
Mr. Gaetz?
[No response.]
Mr. Johnson of Louisiana?
Mr. Johnson of Louisiana. No.
Ms. Adcock. Mr. Johnson votes no.
Mr. Biggs?
[No response.]
Mr. Rutherford?
Mr. Rutherford. No.
Ms. Adcock. Mr. Rutherford votes no.
Mrs. Handel?
Mrs. Handel. No.
Ms. Adcock. Mrs. Handel votes no.
Mr. Nadler?
Mr. Nadler. Aye.
Ms. Adcock. Mr. Nadler votes aye.
Mr. Conyers?
[No response.]
Ms. Lofgren?
Ms. Lofgren. Aye.
Ms. Adcock. Ms. Lofgren votes aye.

Ms. Jackson Lee?

[No response.]

Mr. Cohen?

Mr. Cohen. Aye.

Ms. Adcock. Mr. Cohen votes aye.

Mr. Johnson of Georgia?

[No response.]

Mr. Deutch?

[No response.]

Mr. Gutierrez?

[No response.]

Ms. Bass?

[No response.]

Mr. Richmond?

[No response.]

Mr. Jeffries?

[No response.]

Mr. Cicilline?

Mr. Cicilline. Aye.

Ms. Adcock. Mr. Cicilline votes aye.

Mr. Swalwell?

Mr. Swalwell. Aye.

Ms. Adcock. Mr. Swalwell votes aye.

Mr. Lieu?
Mr. Lieu. Aye.

Ms. Adcock. Mr. Lieu votes aye.

Mr. Raskin?

Mr. Raskin. Aye.

Ms. Adcock. Mr. Raskin votes aye.

Ms. Jayapal?

[No response.]

Mr. Schneider?

Mr. Schneider. Aye.

Ms. Adcock. Mr. Schneider votes aye.

Mr. Sensenbrenner. Any members who wish to cast or change their votes? The gentleman from Virginia?

Chairman Goodlatte. No.

Ms. Adcock. Mr. Goodlatte votes no.

Mr. Sensenbrenner. The gentlewoman from Alabama?

Mrs. Roby. No.

Ms. Adcock. Mrs. Roby votes no.

Mr. Sensenbrenner. The gentleman from Arizona?

Mr. Franks. No.

Ms. Adcock. Mr. Franks votes no.

Mr. Sensenbrenner. The gentleman from Ohio?

Mr. Chabot. No.

Ms. Adcock. Mr. Chabot votes no.

Mr. Sensenbrenner. Are there members who wish to cast or change their votes? If not, the clerk will report.
Ms. Adcock. Mr. Chairman, 8 members voted aye; 17 members voted no.

Mr. Sensenbrenner. The noes have it. The amendment is not agreed to. Are there further amendments to --

Mr. Cohen. Mr. Chairman?

Mr. Sensenbrenner. The gentleman from Tennessee.

Mr. Cohen. Thank you. The amendment is at the desk.

Mr. Sensenbrenner. The clerk will report the amendment.

Mr. Cohen. Number four.

Ms. Adcock. Amendment to the amendment in the nature of a substitute to H.R. 38, offered by Mr. Cohen of Tennessee. Page one, line 11, strike A, and insert A-1.

Page two, line eight --

Mr. Sensenbrenner. We would like to see the amendment first. Is that okay?

Mr. Cohen. Of course it is okay.

[The amendment of Mr. Cohen follows:]

********** INSERT 9 **********
Mr. Sensenbrenner. Without objection, the amendment is considered as read and the gentleman is recognized for 5 minutes.

Mr. Cohen. Thank you, Mr. Chairman. This amendment would limit the reciprocity mandated in this bill to individuals who are at least 21 years of age, unless they are at least 18 and members of the armed forces or have been honorably discharged or retired from the armed forces. This is what we require in Tennessee to obtain a permit to carry a handgun. In fact, I was the author of that bill in the '90s. I guess we have seen it; we do not have to listen to it.

Thirty-four States, plus the District of Columbia, require an individual to be at least 21 years old to have a concealed carry permit, yet this bill would effectively override all of the State laws and that of the District of Columbia. It would tell residents of those 34 States if someone younger than 21 with an out-of-state concealed carry permit wants to carry a gun into their State, that young out-of-stater can do so even though the individual in their own State could not.

It is not just blue States that require concealed carry permit holders to be 21, it is red ones like Texas, Kansas, Wyoming, Mississippi, and Alabama. There are 34 States and D.C. that require you to be at least 21. Wisconsin,
Virginia, et cetera. The reason so many States have this age restriction is because it makes sense. Maturity often matters.

We think maturity matters when it comes to alcohol. You are restricted in drinking alcohol until you get to be 21. Moreover, we know there is a higher prevalence of criminal behavior during in the teenage years as opposed to older ages. According to the Department of Justice, the prevalence of criminal behavior tends to increase in late childhood, peaking in the teenage years, and declines in the early twenties.

Despite the broad consensus on the 21-year-old age restriction for concealed carry permits, there are still several States that do not have this restriction. On that front I want to be clear. Nothing in this amendment would undermine those States’ ability to set whatever limits they want. The only thing this amendment would do is prevent the vast majority of States who have chosen a 21-year-old age limit from being overridden by this bill.

I think it would show maturity for this committee to recognize that maturity and concealed carry go together. I yield back the balance of my time and ask for a favorable vote on a commonsense amendment.

Mr. Sensenbrenner. The chair recognizes himself for 5 minutes in opposition to the amendment. Most States said 18
is the age of majority. That means they are adults; they can drive; they can vote; they can possess a firearm; they can serve in the military; they can enter into contracts and they are legally responsible before them; and they can serve on a jury.

And serving on a jury when someone is charged with possessing a firearm or not being able to get a firearm because they are 21, or, for that matter, underage drinking, you can have 18-, 19-, and 20-year-olds sit on the jury and make the determinations and findings of fact that juries do under our system of government. I think that setting a minimum age on a nationwide basis is not the right thing to do.

I am happy that States can make a determination on when you can apply for and receive, if you pass whatever restrictions they have, a concealed carry permit. My State is 21. The State legislature has made that determination. I am completely happy with that. If that is too old, then people ought to go to Madison rather than coming here, and for that reason I think that this amendment is not a good idea and urge its rejection and yield back the balance of my time.

Mr. Raskin. Mr. Chairman?

Mr. Sensenbrenner. The gentleman from California.

Mr. Issa. Thanks, Mr. Chairman. I have an amendment
at the desk.

Mr. Sensenbrenner. We have to --

Mr. Issa. Oh, I apologize. I apologize; you have not voted yet.

Mr. Sensenbrenner. Anybody else on the Cohen amendment?

Mr. Raskin. Mr. Chairman?

Mr. Sensenbrenner. The gentleman from Maryland.

Mr. Raskin. Thank you very much. I move to strike the last word.

Mr. Sensenbrenner. The gentleman is recognized for 5 minutes.

Mr. Raskin. The acting chairman just said that he did not think it was the right thing to do to set a minimum age, if I heard you correctly, but essentially, if we do not adopt Mr. Cohen's amendment, we will be setting a minimum age or a uniform national age of 18, because if there are States which go to 18 or even less than 18, anybody can go and get a concealed carry permit from those States and then come back to Wisconsin.

And so, I understood the acting chair to say he wanted to uphold the law of Wisconsin, which is 21. That is the law in a majority of the States. The vast majority, 34, States say you have got to be 21. But now we are going to ravage, destroy the laws of those 34 States because people
are going to able to get in by going to get a permit in
another State that allows you to get it at 20, 19, 18, or
even less, and I am trying to check to see whether there are
States which do not have an age limit at all, whether you
can actually get one at age 17 or 16, but certainly at age
18 or 19.

How are we vindicating the will of the people of
Wisconsin or any of these 34 States by allowing people who
are younger to come in? If you are a Wisconsinite, and you
think you are 19 and you are a tough guy, and you want to go
ahead and get a concealed carry, Wisconsin says, “No, you
cannot.” But now you can go to Alaska or another State and
you can get a concealed carry permit and presumably come
back and use it in Wisconsin. So, how does that work for
our people?

You know, this is a Swiss cheese law. It is all holes,
and there is barely any cheese left. Anybody can get a gun
anyplace. So, if I understood the acting chair correctly, I
thought he was --

Mr. Sensenbrenner. Would the gentleman yield?

Mr. Raskin. Yes.

Mr. Sensenbrenner. How can you be an expert on
Cheeseheads, coming from where you come from?

Mr. Raskin. I yield to your expertise, but where is
the cheese, Mr. Chairman? All I see is the holes here.
Where is the cheese? Let’s defend the laws of the 34 States that have said age 21 is it. If we are going to federalize law with respect to conceal carry, let’s at least take the majority sentiment of the States as expressed by the States rather than diving to get the worst possible law in the country, the weakest possible law in the country, the law that has been rejected by the vast majority of the States.

So, I do not see how we can do anything but pass Mr. Cohen’s amendment if we want to defend the laws of the prevailing majority of the States in the country. I yield back.

Mr. Sensenbrenner. The question is on the amendment offered by the gentleman from Tennessee.

Those in favor will say aye.

Those opposed, no.

The noes appear to have it.

Mr. Cohen. Roll call.

Mr. Sensenbrenner. Roll call has been requested. The clerk will call the roll.

Ms. Adcock. Mr. Sensenbrenner?

Mr. Sensenbrenner. No.

Ms. Adcock. Mr. Sensenbrenner votes no.

Mr. Smith?

[No response.]

Mr. Chabot?
[No response.]

Mr. Issa?

Mr. Issa. No.

Ms. Adcock. Mr. Issa votes no.

Mr. King?

Mr. King. No.

Ms. Adcock. Mr. King votes no.

Mr. Franks?

[No response.]

Mr. Gohmert?

Mr. Gohmert. No.

Ms. Adcock. Mr. Gohmert votes no.

Mr. Jordan?

Mr. Jordan. No.

Ms. Adcock. Mr. Jordan votes no.

Mr. Poe?

[No response.]

Mr. Marino?

Mr. Marino. No.

Ms. Adcock. Mr. Marino votes no.

Mr. Gowdy?

Mr. Gowdy. No.

Ms. Adcock. Mr. Gowdy votes no.

Mr. Labrador?

[No response.]
Mr. Farenthold?

[No response.]

Mr. Collins?

[No response.]

Mr. DeSantis?

Mr. DeSantis. No.

Ms. Adcock. Mr. DeSantis votes no.

Mr. Buck?

Mr. Buck. No.

Ms. Adcock. Mr. Buck votes no.

Mr. Ratcliffe?

[No response.]

Mrs. Roby?

Mrs. Roby. No.

Ms. Adcock. Mrs. Roby votes no.

Mr. Gaetz?

[No response.]

Mr. Johnson of Louisiana?

Mr. Johnson of Louisiana. No.

Ms. Adcock. Mr. Johnson votes no.

Mr. Biggs?

[No response.]

Mr. Rutherford?

Mr. Rutherford. No.

Ms. Adcock. Mr. Rutherford votes no.
Mrs. Handel?
Mrs. Handel. No.
Ms. Adcock. Mrs. Handel votes no.
Mr. Nadler?
Mr. Nadler. Aye.
Ms. Adcock. Mr. Nadler votes aye.
Mr. Conyers?
[No response.]
Ms. Lofgren?
Ms. Lofgren. Aye.
Ms. Adcock. Ms. Lofgren votes aye.
Ms. Jackson Lee?
[No response.]
Mr. Cohen?
Mr. Cohen. Aye.
Ms. Adcock. Mr. Cohen votes aye.
Mr. Johnson of Georgia?
[No response.]
Mr. Deutch?
[No response.]
Mr. Gutierrez?
[No response.]
Ms. Bass?
[No response.]
Mr. Richmond?
Mr. Jeffries?  [No response.]

Mr. Cicilline?  Mr. Cicilline. Aye.

Ms. Adcock. Mr. Cicilline votes aye.

Mr. Swalwell?  Mr. Swalwell. Aye.

Ms. Adcock. Mr. Swalwell votes aye.

Mr. Lieu?  Mr. Lieu. Aye.

Ms. Adcock. Mr. Lieu votes aye.

Mr. Raskin?  Mr. Raskin. Aye.

Ms. Adcock. Mr. Raskin votes aye.

Ms. Jayapal?  [No response.]

Mr. Schneider?  Mr. Schneider. Aye.

Ms. Adcock. Mr. Schneider votes aye.

Chairman Goodlatte. The chair recognizes himself to vote no.

Ms. Adcock. Mr. Goodlatte votes no.

Chairman Goodlatte. The gentleman from Ohio?

Mr. Chabot. No.
Ms. Adcock. Mr. Chabot votes no.

Chairman Goodlatte. The gentleman from Arizona?

Mr. Franks. No.

Ms. Adcock. Mr. Franks votes no.

Chairman Goodlatte. The gentleman from Texas, Mr. Ratcliffe?

Mr. Ratcliffe. No.

Ms. Adcock. Mr. Ratcliffe votes no.

Chairman Goodlatte. Has every member voted who wishes to vote? The clerk will report.

Ms. Adcock. Mr. Chairman, 8 members voted aye; 17 members voted no.

Chairman Goodlatte. And the amendment is not agreed to. For what purpose does the gentleman from California seek recognition?

Mr. Issa. I have an amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment.

Ms. Adcock. Amendment to the amendment in the nature of a substitute to H.R. 38, offered by Mr. Issa of California. At the end of the bill --

[The amendment of Mr. Issa follows:]

********** INSERT 10 **********
Chairman Goodlatte. Without objection, the amendment is considered as read and the gentleman is recognized for 5 minutes on his amendment.

Mr. Issa. Thank you, Mr. Chairman. This is a perfectly good vehicle, this bill, to take care of a small oversight that exists in the law. Some years ago, we on a very bipartisan basis authorized law enforcement to carry across State lines, a reciprocal process. At that time we did not consider and should have considered our Article III judges, our Federal judges.

As you know, Mr. Chairman, and I know all of us are acutely aware, Federal judges try some of the worst of the worst. They make enemies by definition and they find themselves, while at court, with protection; when not at court, often with no protection. So, by simply adding Federal judges, trusted lifetime appointees who were confirmed by the Senate and trusted by all to this bill, it allows us to take care of an oversight that I believe existed in a law that covered law enforcement more broadly some years ago. So, I would urge support for the amendment and yield back.

Chairman Goodlatte. For what purpose does the gentleman from New York seek recognition?

Ms. Lofgren. I move to strike the last word.

Chairman Goodlatte. The gentleman from New York.
Ms. Lofgren. Oh, I am so sorry.

Mr. Nadler. I move to strike the last word. Mr. Chairman --

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Nadler. Thank you. Mr. Chairman, I do not know why the Federal judges need a carveout from the law. What this says a Federal judge can carry a concealed firearm in any State, even if the law of the State would prohibit that Federal judge from carrying a firearm. Now, who are we talking about? Are we talking about a Federal judge who had some DWI convictions, driving while drunk? And the law of the State may say that anyone who was driving while drunk should not have a concealed carry in the State? Are we talking about someone who may have a restraining order on domestic violence situation? These situations may be with a Federal judge, too.

Well, there are a lot of different things you can imagine; we have had Federal judges in our history who have been impeached. We have had Federal judges in our history who were not the most mentally stable. We have had Federal judges in our history who were senile. We do not require that Federal judges retire at any one point.

We even had a Supreme Court justice, a great Supreme Court justice, however, Wendell Holmes, whose colleagues had
to go to him and say, “Mr. Justice” -- I think he was 96 at the time -- “it is time. You do not realize how” -- they did not put it this way -- “but you do not realize how senile and removed you are anymore.” And one of the things about losing your cognitive powers, you may not realize that; that may be one of the problems.

But be that as it may, you can imagine even august Federal judges, even members of Congress -- that is not the subject of this amendment, but why not? Same theory -- who may have such a situation that the State has good reason to say, “You cannot carry a concealed firearm in our State.”

And again, why should the Federal Government come in and make an all-encompassing rule against the judgment of the State? So, I oppose the amendment, as I do the bill, and I will yield to the gentlelady from California.

Ms. Lofgren. I thank the gentleman for yielding. I think the amendment is unwise in the following way. We do value our Federal judges; you are right that they go through a confirmation process and deserve our respect. However, these are lifetime appointments, and the only way to remove a judge is through impeachment, which is a very cumbersome process. We have done it, but only a few times.

Unfortunately, Federal judges are not immune from human frailty, and if a Federal judge has committed domestic violence and is unstable, I do not think they ought to be
exempt from the requirements of State laws that prohibit concealed carry for those who suffer from that malady. So, I think although the intentions may be good, I would never deem presumed to question the intentions of the author of an amendment. I think the effect is to undercut the rule of law in public safety, and I thank the gentleman from New York --

Mr. Issa. Would the gentleman yield?

Ms. Lofgren. -- for yielding to me.

Mr. Nadler. Sure.

Mr. Issa. I thank the gentleman for yielding. I take seriously the suggestion of the two members, and existing in the law is a provision that I would add to this amendment if it would cure the question you have, it would add is not prohibited by Federal law from receiving a firearm, which would cover all of the normal requirements that you are talking about --

Mr. Nadler. Reclaiming my time. That would improve it, obviously, but it would still leave Federal judges immune from State laws or State requirements in a way that nobody else would be immune, and there is no good reason to do that. I mean, we esteem and value our Federal judges, but as the gentlelady from California said, they are subject to human frailty. I mean, I just gave a couple of examples that I thought of off the top of my head. There may be
others. Whatever balance we strike in this legislation ought to apply to everybody. Congress Members, senators, Federal judges.

And again, Federal judges, unlike Congress Members or senators, are appointed for life and circumstances change. People's mental status --

Mr. Issa. Would the gentleman further yield? Ms. Lofgren. Will the gentleman yield, please?

Mr. Issa. -- I agree with the gentleman's concern that it does seem to be an exception, but as I said in the opening statement, this simply puts Federal judges in the same position as law enforcement, who already have that prohibition, if you will, from any State other than their own.

Mr. Nadler. Reclaiming my time. Law enforcement people -- first of all, I do not think they ought to have that exception -- but they at least have training in law enforcement, and in violence, and in how to handle guns, and well certainly, how to handle guns. Federal judges do not and need not under this. I will yield to the gentlelady from California. You asked me to yield a moment ago.

Chairman Goodlatte. I thank the gentleman. The gentlelady is recognized for an additional 30 seconds.

Mr. Nadler. Thank you.

Ms. Lofgren. I would just note that our own State of
California will not allow individuals who have engaged in abusive dating partners. That is not part of the Federal law, and yet there is a connection between that kind of domestic violence and gun violence. In the case of law enforcement officials, if you have got somebody who has an abusive dating problem, they can be fired. But you cannot do that with a judge. So, I think the proposed amendment would slightly improvement, but I do not think it solves the underlying problem. And I thank the gentleman from New York for --

Mr. Nadler. And I will just -- thank you -- and I will just observe that the key difference from anybody you can think of here is that a Federal judge, other than by impeachment which is extremely rare, cannot be fired no matter how the person may change, or his mental faculties may change, et cetera --

Chairman Goodlatte. The gentleman’s time has expired. For what purpose does the gentleman from Iowa seek recognition?

Mr. King. I move to strike the last word.

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. King. Thank you, Mr. Chairman. I rise in support of the Issa amendment and I think it is important for us to recognize that there have been a good number of threats on
judges in particular. And I think back at a time in my neighborhood when it was a local district judge whose wife and daughter were murdered on the home place because a perpetrator came back to try to get even with the judge. Judges live with that on a regular basis.

I read a story about three weeks ago about a judge who defended himself by utilizing his legal right to carry within that State. And in the shootout that ensued, he saved his life, his own life. So, judges are being threatened, and I think that we ought to have the Issa amendment for that reason. Plus, if anybody understands the rule of law, it better be the judges. And yet, I also wanted to point out to the committee that Mr. Nadler's recommendation that members of Congress might be reasonable people to include in that. I also wanted to let the panel know that I have an amendment prepared to just that, and I intend to offer that as an amendment to the substitute amendment, assure the Issa amendment go on, which I will support. And so, I would be happy to yield to the gentleman from California, Mr. Issa.

Mr. Issa. I thank the gentleman for yielding. I had hoped this would be considered to be noncontroversial, but since it appears as though it is, I do want to add one point that maybe has not been considered by the members that are opposing that. And that is that you are talking about State
law but Federal law enforcement officers regularly -- this is the FBI and a host of other law enforcement officers, even the Social Security Administration has law enforcement officers -- they are all covered as they travel throughout the many States. I do recognize that --

Mr. King. Would the gentleman yield?

Mr. Issa. -- of course, I yield.

Chairman Goodlatte. I think the gentleman has a good amendment and I would support his amendment.

Mr. Issa. I thank the gentleman. So, in closing -- and I thank the gentleman for yielding -- I think we really have to, in my opinion, not look at the possibility that one Federal judge might stay until '93 and be told it is time to go and look and recognize that there is a process and the judges are trusted, and any reasonable markup of the original law enforcement carry right, we would have had no problem adding this. So, I would hope that we look at existing law and add them at this time. And I thank the gentleman for yielding.

Mr. Nadler. Mr. Chairman?

Mr. King. Reclaiming my time, I would just point out to the committee that I am prepared to offer the amendment that will expand this to members of Congress, but I intend to support the Issa amendment, I urge its adoption, and I yield back the balance of my time.
Chairman Goodlatte. For what purpose does the
gentlewoman from California seek recognition?
Ms. Lofgren. To strike the last word.
Chairman Goodlatte. The gentlewoman is recognized for
5 minutes.
Ms. Lofgren. You know, there is a distinction between
those who serve for life and those who can be fired when
they engage in misbehavior that would disqualify them from
securing a concealed weapon permit. That would be true of
Federal judges. Let me just also say I hope the gentleman
from Iowa will think about the Members of Congress issue
because we have, in fact, had Members of Congress who were
involved with domestic violence. Members of Congress cannot
be fired. They can only be removed by an extraordinary
procedure in the House, which I think in my 23 years has
only occurred once with Mr. Traficant. So, I --
Chairman Goodlatte. Would the gentlewoman yield?
Ms. Lofgren. I certainly would yield.
Chairman Goodlatte. I appreciate the gentlewoman's
concern, but here is my concern. We were very fortunate
that at the Republican baseball practice earlier this year,
we had the Whip present --
Ms. Lofgren. Right.
Chairman Goodlatte. -- because he had two security
officers that saved a lot of people's lives. If he had not
been on the baseball team or he had not made that practice,
one of those members would have had a concealed weapon with
them, even if they have one in their home State, because
they were going to leave that practice and enter the
District of Columbia, where they could not take their
concealed carry permit. So, to me, protecting members of
Congress in that fashion is worth it.

Yes, there are going to be issues with individuals but
there is going to be far more, I think, proof of lives being
saved than there is going to be risk to individuals who
might have a concealed carry permit that might not otherwise
get one.

Ms. Lofgren. Reclaiming my time. I do not believe,
and I have never heard an allegation, and I am sure the
Chairman does not mean to imply that the Whip has engaged in
domestic violence or anything of that sort. His
characterization is --

Chairman Goodlatte. If the gentlewoman --

Ms. Lofgren. -- a good one.

Chairman Goodlatte. -- I am not talking about the
Whip, I am talking about the 25 other members of the team
who --

Ms. Lofgren. Well, I am not aware that any of them
have been involved. Maybe the Chairman knows something I do
not know. But I do not think any of them --
Chairman Goodlatte. I am not suggesting that. I am suggesting that it is a good thing for members of Congress to have a concealed carry right, so that when they leave their baseball practice and come in to the District of Columbia to work --

Mr. Nadler. Would the gentlewoman yield?

Chairman Goodlatte. -- and they can take that weapon with them. Otherwise they are not going to leave it on --

Ms. Lofgren. Reclaiming my time.

Chairman Goodlatte. -- the playground in Virginia.

Ms. Lofgren. If, I do not think, that members of Congress or Federal judges who have committed an offense of violence, of domestic violence, should be exempt from the requirements of law that preclude them from carrying a concealed weapon. I do not think, so far as I am aware, none of the members on that ballfield who were so brutally exposed to gunfire by that crazy man had that problem. And I do not think that requiring them to adhere to the standards of every other citizen would have precluded that problem. I would be happy to yield to Mr. Nadler.

Mr. Nadler. Thank you. I just want to say that the premise -- I am not going to get into this stuff about the Members of Congress or judges -- but the premise of what the chairman said goes to the heart of the gun debate. And the premise of that is basically if lots of people are carrying
guns, lots of honest people, then they will prevent gun
violence by dishonest dead people.

But the fact is, just listen to these statistics: in
2011 -- I was about to say last year -- in 2011, the United
Kingdom had 146 deaths due to gun violence. Denmark, 71.
Portugal, 142. Japan, 30. The United States, over 33,000.
The U.S. murder rate in the United States is 25 times higher
than other high-income countries, and the only difference --
we are not 25 times more mentally ill. We do not have 25
times more mentally ill people. We are not 25 times more
violence prone. We are not more evil. The difference, and
you can correlate this directly, you look at the percentage
of people with guns in the country.

The percentage of people with guns in the country
correlates directly with the percentage of people who die
from gunfire and the statement or the assertion that if more
good people had guns they would stop the bad people simply
is not true. It may be true in a given instance. It may
have been true in that instance with the baseball team, but
overwhelmingly -- I mean, think -- 142, Japan. Denmark, 71.
United Kingdom, 146. United States, 33,000. Year, after
year, after year. We ought to learn something from this.

Ms. Lofgren. I see that my time is expired, so I yield
back, Mr. Chairman.

Mr. Rutherford. Mr. Chairman?
Chairman Goodlatte. For what purpose does the gentleman from Florida seek recognition?

Mr. Nadler. I move to strike the last word, Mr. Chairman.

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Rutherford. I believe that there was a statement by Mr. Issa to accept that the intent of Mr. Nadler's comments into the bill, is that?

Mr. Issa. Yes. If the gentleman would yield, I would add after Federal judge, “who is not prohibited by Federal law from possessing a fireman.” I would ask unanimous consent that the amendment be modified to include that.

Chairman Goodlatte. Without objection, the modification --

Mr. Rutherford. And reclaiming my time, Mr. Chairman, I think what that does is eliminate all of the issues that I have heard thus far about individual judges who may not any longer qualify to carry a fireman, and they would be excluded. I yield back the balance of my time.

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

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

Chairman Goodlatte. The gentleman is recognized for 5 minutes.
Mr. Cicilline. I appreciate the gentleman from California's attempt to salvage this, but unfortunately, I do not think that solves the problem. You know, I like everyone on this committee have enormous respect for Federal judges, but the reality is the screening that happens that gives us that confidence happens at their confirmation process, which could be 20, 30, 40, or 50 years ago. There are a lot of intervening events and what this would do, particularly for those States -- and I think there are 31 States -- that requires some training. Some safety training, some live-fire experience is required. This would eliminate those requirements.

There is quite a difference to say law enforcement officers who have that training as a part of their work and their ongoing education as a law enforcement officer might have an exemption. But Federal judges do not have safety training or live-fire requiring as part of their --

Mr. Rutherford. Would the gentleman yield?

Mr. Cicilline. -- let me just finish and I will -- as part of their training. And so, to carve out this huge exception that says forever you have the right to carry a firearm interstate. And by the way, it can be concealed in the same way that the bill provides.

There is really no justification for that. There are a lot of intervening events, as was described, human frailties
that would prevent these individuals from carrying a firearm
and State that -- no one can imagine that the burden for a
Federal judge of actually going through the process of
getting a concealed carry permit is that burdensome. You go
online, and you can do it really easily.

So, I would suggest that this is fraught with too many
challenges. And frankly, all we need is one example of some
Federal judge who was involved in an issue which would have
disqualified him or her, but because this statue has passed,
has a gun and traveling intrastate, that is our
responsibility. I think it is unnecessary, I urge my
colleagues to vote against it, and I am happy to yield to
the gentleman from Florida.

Mr. Rutherford. Thank you, sir. The H.R. 218 statute
under which law enforcement officers and these Federal
judges would be allowed to carry a firearm does require
yearly requalification on a firing range and be certified by
a State firearms instructor. So, they do have to maintain -
-

Mr. Cicilline. I guess the problem is -- reclaiming my
time -- the challenge is if this underlying bill is passed,
which provides for reciprocity, you can, again, get a
concealed carry permit in a State that does not require any
of that training, and then use it as justification to allow
you to have it in another State. And so, I think it
compounds the very serious problems that the underlying bill presents.

Mr. Rutherford. If the gentleman would yield, under H.R. 218 there is no need for reciprocity. You already have it. You can carry that anywhere. That is why it is required that you requalify. It is a stricter carry law for qualification.

Mr. Cicilline. That currently applies to law enforcement officers?

Mr. Rutherford. And would apply to these judges as well.

Mr. Cicilline. If this amendment is passed?

Mr. Rutherford. Yes.

Mr. Cicilline. I guess my suggestion is that the provisions that apply to law enforcement officers, there is an underlying rationale for that. It is connected to their work. They have specific training for it, and now you tell me that they are required to update that training every year. Great. That is not the case for Federal judges who do not have that training, it is not a part of their work as a judge, and they are appointed for life. And then, there is no intervening ability other than a full removal to respond to any of the human frailty that might result in their being disqualified, as there is with a police officer.

Mr. Rutherford. No, but I --
Mr. Cicilline. So, I think that for all those reasons, I think this amendment is both unnecessary and dangerous. And I yield back.

Chairman Goodlatte. The question occurs on the amendment offered by the gentleman from California. All those in favor respond by saying aye. Those opposed, no. In the opinion of the chair the ayes have it and the amendment is agreed to.

Mr. Nadler. Recorded vote, please.

Chairman Goodlatte. Recorded vote is requested, and the clerk will call the roll.


Mr. Sensenbrenner? Mr. Sensenbrenner. Aye. Ms. Adcock. Mr. Sensenbrenner votes aye.

Mr. Smith? [No response.]


Mr. Issa? Mr. Issa. Aye.
Ms. Adcock. Mr. Issa votes aye.

Mr. King?

Mr. King. Aye.

Ms. Adcock. Mr. King votes aye.

Mr. Franks?

Mr. Franks. Aye.

Ms. Adcock. Mr. Franks votes aye.

Mr. Gohmert?

Mr. Gohmert. Aye.

Ms. Adcock. Mr. Gohmert votes aye.

Mr. Jordan?

Mr. Jordan. Yes.

Ms. Adcock. Mr. Jordan votes yes.

Mr. Poe?

[No response.]

Mr. Marino?

Mr. Marino. Yes.

Ms. Adcock. Mr. Marino votes yes.

Mr. Gowdy?

[No response.]

Mr. Labrador?

Mr. Labrador. Yes.

Ms. Adcock. Mr. Labrador votes yes.

Mr. Farenthold?

[No response.]
Mr. Collins?

[No response.]

Mr. DeSantis?

Mr. DeSantis. Yes.

Ms. Adcock. Mr. DeSantis votes yes.

Mr. Buck?

Mr. Buck. Yes.

Ms. Adcock. Mr. Buck votes yes.

Mr. Ratcliffe?

[No response.]

Mrs. Roby?

Mrs. Roby. Aye.

Ms. Adcock. Mrs. Roby votes yes.

Mr. Gaetz?

[No response.]

Mr. Johnson of Louisiana?

Mr. Johnson of Louisiana. Aye.

Ms. Adcock. Mr. Johnson votes aye.

Mr. Biggs?

[No response.]

Mr. Rutherford?

Mr. Rutherford. Yes.

Ms. Adcock. Mr. Rutherford votes yes.

Mrs. Handel?

Mrs. Handel. Yes.
Ms. Adcock. Mrs. Handel votes yes.

Mr. Nadler?

Mr. Nadler. No.

Ms. Adcock. Mr. Nadler votes no.

Mr. Conyers?

Ms. Lofgren?

Ms. Lofgren. No.

Ms. Adcock. Ms. Lofgren votes no.

Ms. Jackson Lee?

[No response.]

Mr. Cohen?

[No response.]

Mr. Johnson of Georgia?

[No response.]

Mr. Deutch?

[No response.]

Mr. Gutierrez?

[No response.]

Ms. Bass?

[No response.]

Mr. Richmond?

[No response.]

Mr. Jeffries?

[No response.]

Mr. Cicilline?
Mr. Cicilline. No.

Ms. Adcock. Mr. Cicilline votes no.

Mr. Swalwell?

Mr. Swalwell. No.

Ms. Adcock. Mr. Swalwell votes no.

Mr. Lieu?

Mr. Lieu. No.

Ms. Adcock. Mr. Lieu votes no.

Mr. Raskin?

[No response.]

Ms. Jayapal?

[No response.]

Mr. Schneider?

Mr. Schneider. No.

Ms. Adcock. Mr. Schneider votes no.

Chairman Goodlatte. The gentleman from Texas, Mr. Poe?

Mr. Poe. Yes.

Ms. Adcock. Mr. Poe votes yes.

Chairman Goodlatte. The gentleman from Texas, Mr. Ratcliffe?

Mr. Ratcliffe. Yes.

Ms. Adcock. Mr. Ratcliffe votes yes.

Chairman Goodlatte. Has every member voted who wishes to vote? The clerk will report.

Ms. Adcock. Mr. Chairman, 18 members voted aye, 6
members voted no.

Chairman Goodlatte. And the amendment is agreed to.

For what purpose does the gentleman from Rhode Island seek recognition?

Mr. Cicilline. Mr. Chairman, I have an amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment.

Ms. Adcock. Amendment to the amendment in the nature of a substitute to H.R. 38 offered by Mr. Cicilline of Rhode Island. Page 4, line 13 --

[The amendment of Mr. Cicilline follows:]

********** INSERT 11 **********
Chairman Goodlatte. Without objection, the amendment is considered as read, and the gentleman is recognized for 5 minutes on his amendment.

Mr. Cicilline. Thank you, Mr. Chairman. And before I go specifically to my amendment, I want to just underscore the point that the gentleman from New York made about the gun violence epidemic in this country, as a context for my amendment. Just to give you some statistics, we kill each other with guns 297 times more than Japan, 49 times more than France, and 33 more times than Israel. American children die by guns 11 times as often as children in other high-income countries. On average, 31 Americans are murdered with guns every day, and 151 are treated for a gun assault in an emergency room.

So far, this year, according to the Gun Violence Archive, 14,140 people have been killed and 28,746 injured in incidents of gun violence in America. 674 children have been killed. We have seen 323 mass shootings this year alone and 1,847 unintentional shootings. So, we have a gun violence epidemic in this country. Since 1968, more Americans have lost their lives to guns than in all U.S. wars dating back to the American Revolution. And so, this is a serious issue.

My amendment would respond to, I think, something very dangerous in this bill. H.R. 38 would force States to
recognize the concealed carry standards for handguns from every other State. Under this bill, the term "handgun" includes any magazine for use in a handgun and any ammunition loaded into the handgun or its magazine. This definition of handgun could allow people to carry high-capacity magazines for use handguns across State lines.

My amendment would prohibit the inclusion of high-capacity magazines from the definition of handgun in H.R. 38. High- or large- capacity magazines are generally defined as magazines that are able to hold more than 10 rounds of ammunition. Large-capacity magazines, some of which can hold up to 100 rounds of ammunition, can be incredibly lethal and significantly increase a shooter's ability to injure and kill large numbers of people quickly. Large-capacity magazines have been used in numerous mass shootings, including at Sandy Hook Elementary School, at a movie theater in Aurora, Colorado, on a military base in Fort Hood, Texas, and most recently at a country music concert in Las Vegas, Nevada.

What makes this type of ammunition so dangerous is that it enables the shooter to fire repeatedly and rapidly without needing to reload. For example, when Jared Lee Loughner opened fire in Tucson, Arizona with a Glock 19, he had boosted the firing capability of his semiautomatic handgun with a high-capacity magazine. He was able to fire
31 bullets in 15 seconds before stopping to reload, killing 6 people and injuring 14 others, including our former colleague, Gabrielle Giffords.

Recognizing how dangerous they are eight States in the District of Columbia have enacted laws restricting the use of large-capacity magazines. Some of these States have set standards for carrying ammunition on city streets that include criteria that exceed the requirement that an applicant pass a Federal background check or only allow possession by certain categories of individuals. For example, some States only allow possession by a person who has a registered and grandfathered large-capacity magazine. Other States only allow possession by a person who uses the large-capacity magazine in conjunction with a registered assault firearm.

The Concealed Carry Reciprocity Act would eviscerate these States rights to set their own eligibility standards for who may carry a concealed, heavily loaded handgun in public. States would be forced to allow out-of-State visitors to carry concealed high-capacity magazines, even if they do not meet the State's concealed licensing standards or training requirements. In effect, H.R. 38 would reduce all States to the lowest common denominator of concealed carry laws for high-capacity ammunition and would amount to a heavy-handed encroachment on States’ rights.
High-capacity magazines can dramatically increase a handgun's firing power and turn a firearm into a killing machine. We should be strengthening not dramatically weakening laws that protect the public from senseless acts of gun violence. So, I urge my colleagues to support my amendment, and with that, I yield back.

Chairman Goodlatte. The chair recognized himself in opposition to the amendment.

As the gentleman knows, there was a ban on large-capacity magazines, and a study for the Congress and follow-up studies, which were mandated by the Congress, showed that the large magazine ban was not effective. The banned guns were never used in more than a modest fraction of all gun murders before the ban, and the ban's 10-round limit on new magazines was not a factor in multiple victim or multiple wound crimes. A follow-up study concluded that "large-capacity magazines were used in only a minority of gun crimes prior to the 1994 ban and relatively few attacks involved more than 10 shots fired. The ban's effect on gun violence are likely to be small at best and perhaps too small for reliable measurement."

Another follow-up study found gunshot injury incidents involving pistols, many of which use magazines that hold more than 10 rounds, were less likely to produce a death than those involving revolvers, which typically hold five or
six rounds. And the average number of wounds per pistol victim was actually lower than that for revolver victims. So, for that reason I see no reason to pick an arbitrary limit of devices capable of holding only 10 rounds, and I would oppose the amendment.

The question occurs on the amendment offered by the gentleman from Rhode Island.

All those in favor respond by saying aye.

Those opposed, no.

In the opinion of the chair, the noes have it and --

Mr. Cicilline. Request a recorded vote, Mr. Chairman.

Chairman Goodlatte. Recorded vote is requested, and the clerk will call the roll.

Ms. Adcock. Mr. Goodlatte?

Chairman Goodlatte. No.

Ms. Adcock. Mr. Goodlatte votes no.

Mr. Sensenbrenner?

[No response.]

Mr. Smith?

[No response.]

Mr. Chabot?

Mr. Chabot. No.

Ms. Adcock. Mr. Chabot votes no.

Mr. Issa?

Mr. Issa. No.
Ms. Adcock. Mr. Issa votes no.

Mr. King?

Mr. King. No.

Ms. Adcock. Mr. King votes no.

Mr. Franks?

Mr. Franks. No.

Ms. Adcock. Mr. Franks votes no.

Mr. Gohmert?

Mr. Gohmert. No.

Ms. Adcock. Mr. Gohmert votes no.

Mr. Jordan?

Mr. Jordan. No.

Ms. Adcock. Mr. Jordan votes no.

Mr. Poe?

[No response.]

Mr. Marino?

Mr. Marino. No.

Ms. Adcock. Mr. Marino votes no.

Mr. Gowdy?

[No response.]

Mr. Labrador?

Mr. Labrador. No.

Ms. Adcock. Mr. Labrador votes no.

Mr. Farenthold?

[No response.]
Mr. Collins?

[No response.]

Mr. DeSantis?

Mr. DeSantis. No.

Ms. Adcock. Mr. DeSantis votes no.

Mr. Buck?

Mr. Buck. No.

Ms. Adcock. Mr. Buck votes no.

Mr. Ratcliffe?

Mr. Ratcliffe. No.

Ms. Adcock. Mr. Ratcliffe votes no.

Mrs. Roby?

Mrs. Roby. No.

Ms. Adcock. Mrs. Roby votes no.

Mr. Gaetz?

[No response.]

Mr. Johnson of Louisiana?

Mr. Johnson of Louisiana. No.

Ms. Adcock. Mr. Johnson votes no.

Mr. Biggs?

[No response.]

Mr. Rutherford?

Mr. Rutherford. No.

Ms. Adcock. Mr. Rutherford votes no.

Mrs. Handel?
Mrs. Handel. No.

Ms. Adcock. Mrs. Handel votes No.

Mr. Nadler?

Mr. Nadler. Aye.

Ms. Adcock. Mr. Nadler votes aye.

Mr. Conyers?

Ms. Lofgren?

Ms. Lofgren. Aye.

Ms. Adcock. Ms. Lofgren votes aye.

Ms. Jackson Lee?

[No response.]

Mr. Cohen?

Mr. Cohen. Aye.

Ms. Adcock. Mr. Cohen votes aye.

Mr. Johnson of Georgia?

[No response.]

Mr. Deutch?

[No response.]

Mr. Gutierrez?

[No response.]

Ms. Bass?

[No response.]

Mr. Richmond?

[No response.]

Mr. Jeffries?
[No response.]

Mr. Cicilline?

Mr. Cicilline. Aye.

Ms. Adcock. Mr. Cicilline votes aye.

Mr. Swalwell?

Mr. Swalwell. Aye.

Ms. Adcock. Mr. Swalwell votes aye.

Mr. Lieu?

Mr. Lieu. Aye.

Ms. Adcock. Mr. Lieu votes aye.

Mr. Raskin?

[No response.]

Ms. Jayapal?

[No response.]

Mr. Schneider?

Mr. Schneider. Aye.

Ms. Adcock. Mr. Schneider votes aye.

Chairman Goodlatte. The gentleman from Texas, Mr. Poe?

Mr. Poe. No.

Ms. Adcock. Mr. Poe votes no.

Chairman Goodlatte. Has every member voted who wishes to vote? The clerk will report.

Ms. Adcock. Mr. Chairman, 7 members voted aye, 17 members voted no.

Chairman Goodlatte. And the amendment is not agreed
Mr. King. Mr. Chairman.

Chairman Goodlatte. For what purpose does the gentleman from Iowa seek recognition?

Mr. King. Thank you, Mr. Chairman. I have an amendment at the desk, King Number 143.

Chairman Goodlatte. The clerk will report the amendment.

Ms. Adcock. Amendment to the amendment in the nature of a substitute to H.R. 38 offered by Mr. King. Of Iowa.

Page four, after line 15, insert the following: The term "person" includes a member of Congress.

[The amendment of Mr. King follows:]

********** INSERT 12 **********
Chairman Goodlatte. The gentleman is recognized for 5 minutes on his amendment.

Mr. King. Thank you, Mr. Chairman. This is the amendment that I propose to offer in the debate over the Issa amendment that has now gone on to the underlying bill that grants a concealed weapon permit to the Federal judges, the Article III judges. And I support the Issa amendment but for members of Congress to not be included in that was, I think, a glaring omission.

In particular, when I look back and most of us remember where we were at some cataclysmic times in our lives. And it may be the assignation of President Kennedy for some of us. I remember where I was the day I got the news that Gabby Giffords had been shot and the others had been killed in Arizona. And I was sitting live on a Fox News network doing an interview when it came in my ear and said, "She has been shot. Would you care to comment?" And I did not have 30 seconds to gather my thoughts. It was a shock to all of us to see that happen to her and I am grateful that she survived, and our prayers have been with the victims.

Steve Scalise and the others that were shot in the ballfield that the chairman alluded to a few minutes ago, and had we not had the Capitol Hill Police there to defend them and as aggressively and skillfully as they did, they were sitting ducks on that ball field. And I do not think
anybody thinks there would have been very many survivors if 
that shooter had been allowed to continue, if he had not 
have been interrupted by the Capitol Hill Police. 

But without the leader there, without the majority Whip 
there, there is no security team there. No security team 
there meant no weapons there. Had any of those members had 
any right to carry and go back and forth across the river 
and into Virginia out of the District of Columbia and back 
again, it might have been what could have saved them under 
different circumstances. And I happen to know at least one 
member on this committee was departing that ballfield right 
then. 

And for us. We have turned in a number of death 
threats over the years. I have lost track of how many, but 
I will say we have turned in substantially more in the last 
several months than we have prior to that. The 

confrontations that take place on the streets in America 
between members of Congress and irate citizens have gone up 
dramatically. And I mentioned a judge that had his wife and 
his daughter brutally murdered. We have watched it. 

Members of Congress have been more targets than judges have 
on a percentage basis, on a per capita basis. 

And by the way, Members of Congress are cleared for a 
security to walk into the White House without going through 
the metal detector, to walk aboard Air Force I without the
security, walk up to the First Lady or the President, because our backgrounds have all been checked by, let's say, the eye of the public. And this amendment also would be consistent and compact with a bill that was introduced by Brian Babin that would have granted this right to carry to members of Congress; House and Senate.

And so, that is what the amendment does. It includes members of Congress into the underlying bill so that there would be a right to carry regardless of what their state of residence is. That defines it, I urge its adoption, and I yield back the balance of my time.

Ms. Lofgren. Mr. Chairman?

Mr. King. I would be happy to yield.

Chairman Goodlatte. I support the gentleman's amendment. I already considered myself and you and other persons, but we will make it eminently clear, since not everybody is sure of that, so. I support the amendment.

Ms. Lofgren. Mr. Chairman?

Chairman Goodlatte. For what purpose does the gentlewoman from California seek recognition?

Ms. Lofgren. I move to strike the last word. First, I want to comment on our former colleague, Gabby Giffords. What happened to her was a terrible thing, and I think we all remember when we heard the news. However, I think it is important to note that the organization which she founded,
Giffords Courage to Fight Gun Violence, opposes this bill.
And I would like to ask unanimous consent to put in to the
record several items from the Giffords organization: a
factsheet, Myths Versus Facts; a fact sheet, Federally
Mandated Concealed Carry Reciprocity; as well as a letter
from the Giffords organization about the law enforcement
coalition in opposition to the bill.
Chairman Goodlatte. Without objection, they will be
made part of the record.
[The information follows:]

********** COMMITTEE INSERT **********
Ms. Lofgren. I would just like to note, you know, Gabby, when she was a member of Congress, she was a remarkable person and lived in Arizona and had been a rural person. She rode a horse. She shot a gun. I mean, she had a lot of spunk, and I would note that had she wanted to have a concealed weapon permit, under Arizona law she could have done so. She would not need this amendment to do that. For whatever reason, she chose not to do that.

And I think it may be that even though she was someone who could do skeet shooting, she also had a recognition that gun violence was a danger in our country. In all of her activities since she was the victim of that terrible assault have been in that effort to keep our country safe, to prevent other people from being victimized, as she was, by someone with an assault weapon. In terms of reviewing what happened to her, it is pretty clear that had she, in fact, had a concealed weapon it would not have saved her from that assault at all.

I would just like to say one other thing. One of the things that the public really hates is when members of Congress ask for special treatment. You know, people think we ought to live under the same laws as everyone else.

Chairman Goodlatte. Would the gentlewoman yield?

Ms. Lofgren. I will in a minute. I think to single out members of Congress -- and Federal judges, I grant you
that -- for special treatment is completely at odds with
what the American public is expecting from us at this time.

I think the amendment is a mistake. I think it is
improper, in terms of elevating our status above that of
other Americans, and I think it is inconsistent with,
really, the only member of Congress in my 23 years whose --
well, no, I will take that back. But Ms. Giffords has led
the way against this bill and -- although I have not talked
to her about this amendment -- given her opposition to the
overall bill, I am sure she would also oppose this
amendment. So, with that, I would be happy to yield to the
chairman.

Chairman Goodlatte. I thank the gentlewoman for
yielding, and I agree with you that people want Members of
Congress to live under the same laws as themselves. And I
believe that is exactly what Mr. King's amendment does. So,
I do not think we should be in any way bashful about that,
and there has obviously been a need demonstrated with this
most recent shooting. So, I support the amendment, and I
thank the gentlewoman for yielding.

Ms. Lofgren. Reclaiming my time, if in fact Members of
Congress were being treated the same as everyone else, the
amendment would be superfluous. In fact, it does carve out
Members of Congress with special treatment and I think,
aside from the fact that I oppose the bill overall, I do not
think that that is what the American public is expecting from us. And for that reason alone, even members who support the bill, ought to oppose this amendment. I would be happy to yield to Mr. Cohen.

Mr. Cohen. Thank you. I just would like to ask the chair, or Mr. King, does this amendment say that Congress people can carry whether they have a State carry permit or not?

Chairman Goodlatte. No.

Mr. Cohen. What does it say?

Chairman Goodlatte. It simply refers to the section of the bill that refers to "persons," to include a member of Congress, which I think is already clear.

Mr. Cohen. Persons? Well, we were already persons.

Chairman Goodlatte. I agree with that.

Mr. Cohen. Some of us are persons.

Chairman Goodlatte. I hope all of us are but --

Mr. Cohen. I think all of us are, yeah.

Chairman Goodlatte. -- I think the Constitution requires us all to be.

Ms. Lofgren. Reclaiming my time. I would yield back, because I am out of time.

Chairman Goodlatte. We have a vote on the floor, but if the gentleman will be brief, I will be happy to recognize --
Mr. Cohen. Thank you. Mr. King, would you clarify what your amendment does. It just says we are persons?

Mr. King. Yes, I would, if the gentleman would yield?

Mr. Cohen. Yes, I thank you.

Mr. King. My amendment goes directly to that definition and for clarification purposes to the word "person," and so that is what the amendment does. And it defines members of Congress; House and Senate. There would be 535 people covered by this and it would allow the reciprocity to move from State to State. And I return my time.

Mr. Cohen. But how does that change the law? I mean, I have a gun permit in Tennessee. Why do I need to be named a person here?

Mr. King. You may be from a State that does not do such a thing.

Mr. Cohen. You mean a State that does not have a carry permit?

Mr. King. Right.

Mr. Cohen. So, this supersedes and makes the Congress people the only people in the State that can carry?

Chairman Goodlatte. It would be one person because unicameral --

Mr. King. Well, the judges.

Chairman Goodlatte. Three because of the two senators.
Mr. Cohen. Yeah, there would be three.

Mr. King. I am not worried about the three in Vermont.

I think --

Mr. Cohen. I yield, thank you.

Chairman Goodlatte. The question occurs on the amendment offered by the gentleman from Iowa.

All those in favor respond by saying aye.

Those opposed, no.

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

Ms. Lofgren. Record a roll call?

Chairman Goodlatte. Recorded vote is requested, and the clerk will call the roll.

Ms. Adcock. Mr. Goodlatte?

Chairman Goodlatte. Aye.

Ms. Adcock. Mr. Goodlatte votes aye.

Mr. Sensenbrenner?

[No response.]

Mr. Smith?

[No response.]

Mr. Chabot?

Mr. Chabot. Aye.

Ms. Adcock. Mr. Chabot votes aye.

Mr. Issa?

Mr. Issa. Aye.
Ms. Adcock. Mr. Issa votes aye.
Mr. King?
Mr. King. Aye.
Ms. Adcock. Mr. King votes aye.
Mr. Franks?
[No response.]
Mr. Gohmert?
[No response.]
Mr. Jordan?
Mr. Jordan. Yes.
Ms. Adcock. Mr. Jordan votes yes.
Mr. Poe?
[No response.]
Mr. Marino?
Mr. Marino. Yes.
Ms. Adcock. Mr. Marino votes yes.
Mr. Gowdy?
[No response.]
Mr. Labrador?
Mr. Labrador. No.
Ms. Adcock. Mr. Labrador votes no.
Mr. Farenthold?
[No response.]
Mr. Collins?
[No response.]
Mr. DeSantis?
Mr. DeSantis. No.
Ms. Adcock. Mr. DeSantis votes no.
Mr. Buck?
Mr. Buck. No.
Ms. Adcock. Mr. Buck votes no.
Mr. Ratcliffe?
[No response.]
Mrs. Roby?
[No response.]
Mr. Gaetz?
[No response.]
Mr. Johnson of Louisiana?
Mr. Johnson of Louisiana. Yes.
Ms. Adcock. Mr. Johnson votes yes.
Mr. Biggs?
[No response.]
Mr. Rutherford?
Mr. Rutherford. Yes.
Ms. Adcock. Mr. Rutherford votes yes.
Mrs. Handel?
Mrs. Handel. No.
Ms. Adcock. Mrs. Handel votes no.
Mr. Nadler?
[No response.]
Mr. Conyers?

[No response.]

Ms. Lofgren?

Ms. Lofgren. No.

Ms. Adcock. Ms. Lofgren votes no.

Ms. Jackson Lee?

[No response.]

Mr. Cohen?

Mr. Cohen. No.

Ms. Adcock. Mr. Cohen votes no.

Mr. Johnson of Georgia?

[No response.]

Mr. Deutch?

[No response.]

Mr. Gutierrez?

[No response.]

Ms. Bass?

[No response.]

Mr. Richmond?

[No response.]

Mr. Jeffries?

[No response.]

Mr. Cicilline?

Mr. Cicilline. No.

Ms. Adcock. Mr. Cicilline votes no.
Mr. Swalwell?

Mr. Swalwell. No.

Ms. Adcock. Mr. Swalwell votes no.

Mr. Lieu?

Mr. Lieu. No.

Ms. Adcock. Mr. Lieu votes no.

Mr. Raskin?

[No response.]

Ms. Jayapal?

[No response.]

Mr. Schneider?

Mr. Schneider. No.

Ms. Adcock. Mr. Schneider votes no.

Chairman Goodlatte. The gentleman from New York?

Mr. Nadler. No.

Ms. Adcock. Mr. Nadler votes no.

Chairman Goodlatte. The gentleman from Texas?

Mr. Gohmert. Yes.

Ms. Adcock. Mr. Gohmert votes yes.

Chairman Goodlatte. The gentleman from Arizona?

Mr. Franks. Aye.

Ms. Adcock. Mr. Franks votes aye.

Chairman Goodlatte. Has every member voted who wishes to vote? The clerk will report.

Ms. Adcock. Mr. Chairman, 10 members voted aye, 11
members voted no.

Chairman Goodlatte. And the amendment is not agreed to. The committee will stand in recess until immediately following this series of votes.

[Recess.]

Chairman Goodlatte. The committee will reconvene.

When the committee recessed, we were considering amendments to H.R. 38. Are there further amendments?

Mr. Swalwell. Yes, Mr. Chair, I have an amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment by the gentleman from California, Mr. Swalwell.

Ms. Adcock. Amendment to the amendment in the nature of a substitute H.R. 38, offered by Mr. Swalwell of California. Page two, line 18, strike, or page two, line 21 --

[The amendment of Mr. Swalwell follows:]

********** INSERT 13 **********
Chairman Goodlatte. Without objection, the amendment is considered as read and the gentleman is recognized for 5 minutes on his amendment.

Mr. Swalwell. Thank you, Mr. Chairman. My amendment seeks to address an issue that this bill, if passed, will cause, which is that 28 States have possession requirements in their States that limit who can possess a firearm at all. For example, some States say that if you have a juvenile conviction you are not entitled to possess a firearm.

If you have a domestic violence conviction, for example, you are not allowed to possess a firearm. This amendment would say that regardless as to your right to possess and carry a concealed weapon, that if you travel to a State that has a possession limitation and you have a conviction for one of those offenses, your right to carry a concealed weapon is prohibited.

And so, Mr. Chairman, this goes to a larger issue, however, which is that there is a gun violence problem in our country. It is affecting families. It is destroying our communities. It is taking lives. And as a family member of two police officers, I worry also about the pervasiveness of guns on our streets and what it means to those who walk the beat and do all they can to keep us safe.

I believe that after what has happened over the past 5 years, from Sandy Hook to Pulse, to Charleston, so many
other countless mass shootings that we have experienced just as recently as Las Vegas and Texas, that the correct direction that our country should be taking is to address mass shootings, to address gun violence, and to do all we can to reduce the gun violence that exists in our communities, not to make it easier for individuals to carry concealed weapons, particularly in States that have strict prohibitions already on the possession of firearms.

So, this amendment, Mr. Chairman, would say just that; that if your State has prohibitions on who can possess a firearm, that would prevent any person who otherwise would be able under this bill to conceal and carry in that State. And with that, I yield back.

Chairman Goodlatte. The chair thanks the gentleman and recognizes himself in opposition to the amendment. This is similar to previous amendments in that it attempts to change the Federal standard, which is well established in the law, on who is permitted to possess a firearm. And I do not think that if we are going to have a successful reciprocity concealed carry program that this would work. So, therefore I must oppose the amendment.

The question occurs on the amendment offered by the gentleman from California.

All those in favor, respond by saying aye.

All those opposed, no.
In the opinion of the chair, the noes have it and the amendment is not agreed to.

Mr. Swalwell. A record vote, please.

Chairman Goodlatte. A recorded vote is requested, and the clerk will call the roll.

Ms. Adcock. Mr. Goodlatte?

Chairman Goodlatte. No.

Ms. Adcock. Mr. Goodlatte votes no.

Mr. Sensenbrenner?

[No response.]

Mr. Smith?

[No response.]

Mr. Chabot?

Mr. Chabot. No.

Ms. Adcock. Mr. Chabot votes no.

Mr. Issa?

[No response.]

Mr. King?

Mr. King. No.

Ms. Adcock. Mr. King votes no.

Mr. Franks?

[No response.]

Mr. Gohmert?

Mr. Gohmert. No.

Ms. Adcock. Mr. Gohmert votes no.
Mr. Jordan?

[No response.]

Mr. Poe?

[No response.]

Mr. Marino?

Mr. Marino. No.

Ms. Adcock. Mr. Marino votes no.

Mr. Gowdy?

[No response.]

Mr. Labrador?

[No response.]

Mr. Farenthold?

[No response.]

Mr. Collins?

Mr. Collins. No.

Ms. Adcock. Mr. Collins votes no.

Mr. DeSantis?

[No response.]

Mr. Buck?

[No response.]

Mr. Ratcliffe?

[No response.]

Mrs. Roby?

Mrs. Roby. No.

Ms. Adcock. Mrs. Roby votes no.
Mr. Gaetz?
[No response.]
Mr. Johnson of Louisiana?
Mr. Johnson of Louisiana. No.
Ms. Adcock. Mr. Johnson votes no.
Mr. Biggs?
[No response.]
Mr. Rutherford?
Mr. Rutherford. No.
Ms. Adcock. Mr. Rutherford votes no.
Mrs. Handel?
[No response.]
Mr. Nadler?
[No response.]
Mr. Conyers?
[No response.]
Ms. Lofgren?
[No response.]
Ms. Jackson Lee?
[No response.]
Mr. Cohen?
[No response.]
Mr. Johnson of Georgia?
[No response.]
Mr. Deutch?
Mr. Deutch. Aye.

Ms. Adcock. Mr. Deutch votes aye.

Mr. Gutierrez?

[No response.]

Ms. Bass?

[No response.]

Mr. Richmond?

[No response.]

Mr. Jeffries?

[No response.]

Mr. Cicilline?

Mr. Cicilline. Aye.

Ms. Adcock. Mr. Cicilline votes aye.

Mr. Swalwell?

Mr. Swalwell. Aye.

Ms. Adcock. Mr. Swalwell vote aye.

Mr. Lieu?

Mr. Lieu. Aye.

Ms. Adcock. Mr. Lieu votes aye.

Mr. Raskin?

Mr. Raskin. Aye.

Ms. Adcock. Mr. Raskin votes aye.

Ms. Jayapal?

[No response.]

Mr. Schneider?
Mr. Schneider. Aye.

Ms. Adcock. Mr. Schneider votes aye.

Chairman Goodlatte. The gentleman from Idaho?

Mr. Labrador. No.

Ms. Adcock. Mr. Labrador votes no.

Chairman Goodlatte. The gentleman from Arizona?

Mr. Franks. No.

Ms. Adcock. Mr. Franks votes no.

Chairman Goodlatte. The gentleman from New York?

Mr. Nadler. Aye.

Ms. Adcock. Mr. Nadler votes aye.

Chairman Goodlatte. The gentleman from Arizona?

Mr. Biggs. No.

Ms. Adcock. Mr. Biggs votes no.

Chairman Goodlatte. Has every member voted who wishes to vote? The clerk will report.

Ms. Adcock. Mr. Chairman, 7 members voted aye; 12 members voted no.

Chairman Goodlatte. And the amendment is not agreed to. Are there further amendments to H.R. 38?

Mr. Swalwell. Mr. Chairman, I have an amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment by the gentleman from California.

Ms. Adcock. Amendment to the amendment in the nature
of a substitute to H.R. 38, offered by Mr. Swalwell of California. Page 2, line 18 --

[The amendment of Mr. Swalwell follows:]

********** INSERT 14 **********
Chairman Goodlatte. Without objection, the amendment is considered as read and the general is recognized for 5 minutes on his amendment.

Mr. Swalwell. Thank you, Mr. Chairman. My amendment would allow States to continue to enforce their own laws prohibiting persons convicted of misdemeanor offenses of assaulting or impersonating a police officer from carrying concealed weapons. My colleagues and I have already explained the dangerousness and unconstitutionality of the underlying bill. The amendment I am offering now highlights a specific problem with that.

As I have told this committee before, being related to several police officers and having been a prior prosecutor who has prosecuted battery on police officer cases, I have seen first-hand the sacrifice it takes to be in law enforcement. Day in and day out, they put their lives on the line to keep us safe and rescue people in need. We owe them a deep debt of gratitude for their service.

Unfortunately, there are too many in America who see police officers as targets and not as heroes. In fact, in 2016, 64 police officers died in firearm-related incidents. That was up 56 percent over 2015. Over 57,000 officers were assaulted in 2016, about one in 10 officers surveyed.

People who assault or impersonate police officers are attacking the very heart of the rule of law. Some States
have made the determination that such persons should not be trusted to carry concealed weapons. Iowa, Florida, Louisiana, North Carolina, and Ohio specifically prohibit those with convictions for assaults against law enforcement from getting a concealed weapons permit, and Michigan and Pennsylvania do the same for people convicted of impersonating a police officer.

My amendment is intended to make this bill slightly less dangerous to our community by allowing these States and any ones who pass such laws in the future to do what they feel is best and the way to protect their citizens, and in particular their police officers, by allowing them to ban people who attack or impersonate cops from carrying concealed weapons.

Put more simply, Mr. Chairman: we should not allow anybody who has assaulted, battered, or impersonated a police officer to carry a concealed weapon at any corner of America. Let's be clear: a vote against this amendment is a vote to allow people who attack cops to carry concealed weapons. I urge all members to keep that in mind, to support law enforcement, and vote yes on my amendment. And I yield back.

Chairman Goodlatte. For what purpose does the gentleman from Texas seek recognition?

Mr. Gohmert. I move to strike the last word.
Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Gohmert. I think it is a great idea, anything we can do to help protect police officers. But generally speaking, if a crime is a misdemeanor in any jurisdiction, there is a reason that that jurisdiction made it a misdemeanor. And people are normally going to be carrying or possessing guns in the same area where they have been charged with a misdemeanor; in that jurisdiction it is not considered to be that serious.

When I was sentencing people that assaulted police officers as a felony judge, I always took it very, very seriously. But I also considered the range of punishment that the legislature set for the alleged crime as being the way to look at it. And so, again, in a country where we are supposed to, according to the Constitution, give great weight and substance to the actions of the legislatures of the different States, if something is a misdemeanor in a State, we ought to take that at face value and not start making exceptions. Because once the exceptions start, they will have no end, and it will be another way of beginning to take away more of the individual's Second Amendment rights.

So, I think we have the law about right, and I would appreciate the gentleman's efforts, but I would encourage a no vote on the amendment.
Mr. Cicilline. Would the gentleman yield?

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

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

Chairman Goodlatte. The gentleman is recognized if he seeks recognition.

Mr. Cicilline. Yeah, I do not know if my friend from Texas will yield, but --

Chairman Goodlatte. He does not need to. You are recognized for 5 minutes.

Mr. Cicilline. No, I will posit a question, and then he can decide whether he wants to yield. My friend from Texas just made the argument that we ought to respect the determination made by States about what constitutes a misdemeanor felony, and while that is an interesting argument, it is the argument that, if you follow it through its logical extension, would be we should also respect the determination the States make about who and when someone should be permitted to carry a loaded concealed weapon, but we are totally abrogating that in the bill.

You know, I hope that same fervor for respecting the determination by States for classification of crimes will carry over to the very important determination about who gets to carry concealed weapons.

Mr. Gohmert. Will the gentleman yield?
Mr. Cicilline. Of course.

Mr. Gohmert. So, I appreciate that you are asking for a response, and that is very simple. The States should have complete latitude to make any decision so long as it does not abrogate our constitutional amendments, one of which is the Second Amendment right; the right to keep and bear arms will not be infringed.

And so, sure, let's give complete latitude to the States so long as they do not infringe on that Second Amendment right. And obviously there are some States that have been, so that is why we have to step in. I yield back.

Mr. Cicilline. Thank you. I thank the gentleman. And reclaiming my time, as our distinguished colleague from Maryland has explained to the committee, the Heller decision of the United States Supreme Court recognized the right of States to impose reasonable restrictions on the possession, use, and transportation of firearms. So, these statutes which limit in some way or prevent people who have criminal convictions, mental illness, other characteristics that make possession of farm dangerous to themselves or others are perfectly permitted, consistent with the Second Amendment, consistent with our constitution.

So, although hope springs eternal, my sense is that my colleagues seem to be interested in respecting the determinations made at the State level in some areas that
they agree with them, but not in other areas in which they
disagree. And with that, I will yield to the gentleman --

Mr. Swalwell. Would the gentleman yield?

Mr. Cicilline. -- gentleman from California.

Mr. Swalwell. I thank the gentleman for yielding.

This amendment simply says, “You hurt a cop, you lose your
right to carry a concealed weapon and every single state.”
And I do not understand why anyone on the other side would
want any person who has hurt a cop and has been convicted of
that to be able to carry a concealed weapon.

These are the people who protect our communities. I
have seen these cases; I have prosecuted these individuals
who have punched or used weapons against police officers,
who have been convicted for doing so, and I would not want
any of them to have a firearm at any place in this country.
So, I hope we can draw a line somewhere as to who is allowed
to carry a firearm, and maybe today we can start by saying,
“You touch a cop, you get convicted for it, you lose your
right to carry a firearm in another State.” I yield back.

Chairman Goodlatte. The question occurs on the
amendment offered by the gentleman from California.

All those in favor, respond by saying aye.

Those opposed, no.

In the opinion of the chair, the noes have it and the
amendment is not agreed to.
Mr. Swalwell. A recorded vote, please.

Chairman Goodlatte. A recorded vote is requested and the clerk will call the roll.

Ms. Adcock. Mr. Goodlatte?

Chairman Goodlatte. No.

Ms. Adcock. Mr. Goodlatte votes no.

Mr. Sensenbrenner?

[No response.]

Mr. Smith?

[No response.]

Mr. Chabot?

[No response.]

Mr. Issa?

[No response.]

Mr. King?

Mr. King. No.

Ms. Adcock. Mr. King votes no.

Mr. Franks?

[No response.]

Mr. Gohmert?

Mr. Gohmert. No.

Ms. Adcock. Mr. Gohmert votes no.

Mr. Jordan?

[No response.]

Mr. Poe?
[No response.]

Mr. Marino?

Mr. Marino. No.

Ms. Adcock. Mr. Marino votes no.

Mr. Gowdy?

Mr. Gowdy. No.

[No response.]

Mr. Labrador?

[No response.]

Mr. Farenthold?

[No response.]

Mr. Collins?

[No response.]

Mr. DeSantis?

[No response.]

Mr. Buck?

Mr. Buck. No.

Ms. Adcock. Mr. Buck votes no.

Mr. Ratcliffe?

Mr. Ratcliffe. No.

Ms. Adcock. Mr. Ratcliffe votes no.

Mrs. Roby?

Mrs. Roby. No.

Ms. Adcock. Mrs. Roby votes no.

Mr. Gaetz?
Mr. Johnson of Louisiana?

Mr. Biggs?

Mr. Biggs. No.

Ms. Adcock. Mr. Biggs votes no.

Mr. Rutherford?

Mr. Rutherford. No.

Ms. Adcock. Mr. Rutherford votes aye.

Mrs. Handel?

Mrs. Handel. No.

Ms. Adcock. Mrs. Handel votes no.

Mr. Nadler?

Mr. Nadler. Aye.

Ms. Adcock. Mr. Nadler votes aye.

Mr. Conyers?

[No response.]

Ms. Lofgren?

[No response.]

Ms. Jackson Lee?

[No response.]

Mr. Cohen?

[No response.]

Mr. Johnson of Georgia?

Mr. Johnson of Georgia. Aye.
Ms. Adcock. Mr. Johnson votes aye.

Mr. Deutch?

Mr. Deutch. Aye.

Ms. Adcock. Mr. Deutch votes aye.

Mr. Gutierrez?

[No response.]

Ms. Bass?

[No response.]

Mr. Richmond?

[No response.]

Mr. Jeffries?

[No response.]

Mr. Cicilline?

Mr. Cicilline. Aye.

Ms. Adcock. Mr. Cicilline votes aye.

Mr. Swalwell?

Mr. Swalwell. Aye.

Ms. Adcock. Mr. Swalwell votes aye.

Mr. Lieu?

Mr. Lieu. Aye.

Ms. Adcock. Mr. Lieu votes aye.

Mr. Raskin?

Mr. Raskin. Aye.

Ms. Adcock. Mr. Raskin votes aye.

Ms. Jayapal?
Mr. Schneider?

Mr. Schneider. Aye.

Ms. Adcock. Mr. Schneider votes aye.

Chairman Goodlatte. The gentleman from Arizona, Mr. Franks?

Mr. Franks. No.

Ms. Adcock. Mr. Franks votes no.

Chairman Goodlatte. The gentleman from Ohio, Mr. Jordan?

Mr. Jordan. No.

Ms. Adcock. Mr. Jordan votes no.

Chairman Goodlatte. The gentleman from Ohio, Mr. Chabot?

Mr. Chabot. No.

Ms. Adcock. Mr. Chabot votes no.

Chairman Goodlatte. Has every member voted who wishes to vote? The clerk will report. The gentleman from Idaho?

Mr. Labrador. No.

Ms. Adcock. Mr. Labrador votes no.

Chairman Goodlatte. The gentleman from Georgia?

Mr. Collins. No.

Ms. Adcock. Mr. Collins votes no.

Chairman Goodlatte. Has every member voted who wishes to vote? The clerk will report.
Ms. Adcock. Mr. Chairman, 8 members voted aye; 15 members voted no.

Chairman Goodlatte. And the amendment is not agreed to. Are there further amendments?

Mr. Deutch. Mr. Chairman?

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

Mr. Deutch. I have an amendment at the desk, Amendment 40.

Chairman Goodlatte. The clerk will report the amendment.

Ms. Adcock. Amendment to the amendment in the nature of a substitute to H.R. 38, offered by Mr. Deutsch of Florida. Page 5, line 6, insert before the period --

[The amendment of Mr. Deutch follows:]

********** INSERT 15 **********
Chairman Goodlatte. Without objection, the amendment is considered as read and the gentleman is recognized for 5 minutes on his amendment.

Mr. Deutch. Thank you, Mr. Chairman. Under section F(2)(d), the Concealed Carry Reciprocity Act would permit a person possessing a concealed handgun in the State to bring a gun onto any land administered and managed by the Army Corps of Engineers that is open to the public.

This would open more than 11.7 million acres to people possessing a permit to carry a concealed gun, including 400 lakes and river projects, 90,000 campsites, and 4,000 miles of trails. In addition, the provision of the bill would open many of our Nation's beaches to people carrying a concealed firearm.

My State of Florida has some of the most beautiful beaches in the world, from Amelia Island to Fort Lauderdale Beach and South Beach, and many others in the State attract tourists from all over the world to vacation. The tourism is essential to our economy. Tourism in Florida generates more than $89 billion for the State's businesses and employs more than 1.2 million people in our State and provides over $5 billion in tax revenue.

Beaches, however, are not just tourist destinations that support the local and State economy. Their stretches of sand and dunes also provide a natural barrier against
coastal erosion and damaging storm surge. Maintaining these protective barriers and tourism destinations that support the local economies requires periodic renourishment, and such beach rehabilitation and renourishments projects are costly, and they require significant equipment.

To maintain beaches, local governments often enter into agreements with the Army Corps of Engineers to oversee and manage beach rehabilitation and renourishment projects. In many of these projects the local governments have submitted a request to the Army Corps asking for assistance. Such rehabilitation projects include sand restoration and restoration of dunes.

In my district, the Army Corps of Engineers has been working with Broward County on renourishing several miles of beaches in Fort Lauderdale. This renourishment project maintains the quality of the beach, which attracts tourism, provides a nesting area for sea turtles, provides a natural barrier from storm surge for the business establishment and hotels along the coast. This working agreement the local government has entered into to work with the Army Corps of Engineers to manage the beach is not unique to my district. In fact, such arrangements are common in other coastal communities throughout Florida and throughout the United States.

The broad wording of the Concealed Carry Reciprocity
Act would permit people with concealed handguns to enter beaches in which the Army Corps manages renourishment projects, and bringing handguns onto the beaches can create a safety risk to families, children, and people spending time and vacationing on the beach.

The presence of handguns also discourages tourists from around the world from vacationing on our beautiful beaches. The presence of dangerous concealed handguns on our Nation's beaches could discourage tourists from other countries to vacation there and could encourage them to go to beaches that do not permit handguns. And for these reasons I strongly urge support for this amendment, and I yield back the balance of my time.

Chairman Goodlatte. The chair thanks the gentleman and recognizes himself in opposition to the amendment. I do not see a need to extend areas where your capacity to exercise your concealed carry right would have to extend to beaches other than to say that the amount of clothing people wear on beaches may limit the ability to conceal. But short of that, I would not see any reason why we should extend this to beaches. So, I would oppose the amendment.

The question occurs on the amendment offered by the gentleman from Florida.

All those in favor, respond by saying aye.

Those opposed, no.
In the opinion of the chair, the noes have it and the amendment is not agreed to. Are there further amendments to H.R. 38?

Mr. Deutch. Mr. Chairman, I have an amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment offered by the gentleman from Florida.

Ms. Adcock. Amendment to the amendment in the nature of a substitute H.R. 38, offered by Mr. Deutch of Florida. Page one, line 16, insert after the comma the following: who has not been convicted in the proceeding 5 years of a crime --

[The amendment of Mr. Deutch follows:]

********** INSERT 16 **********
Chairman Goodlatte. Without objection, the amendment is considered as read, and the gentleman is recognized for 5 minutes on his amendment.

Mr. Deutch. Thank you, Mr. Chairman. Mr. Chairman, I have been very clear about this bill, and I wanted to address, first, this loophole. We hear in this committee a lot that Chicago is an example of a city with tough gun laws and high rates of gun violence. Why can Chicago not keep guns off the streets? Well, because their neighboring States do not have those same tough gun laws. And that just shows what happens when you force a huge loophole on every State.

It is a bad idea for law enforcement, many of whom strongly oppose this bill; it is a bad idea for survivors of domestic violence and stalking; and it is a remarkable blow to the rights we have traditionally reserved for States. But we will try to make this bad bill just a little bit better, a little bit safer, a little more likely to stop those who have shown that they do not deserve the privileges that law-abiding gun owners might receive under this law. As a baseline, we have to agree that people convicted of abuse or stalking should not be eligible under this bill. And I thank my colleagues Ms. Jayapal and Ms. Jackson Lee for their good work on this issue.

People found by a court to be a danger to their
domestic partner should not be able to carry a concealed firearm across State lines; that is common sense. 

But another link down the chain from domestic violence and gun violence is violence against animals. Often referred to as “the tip of the iceberg,” those who harm animals are also likely to harm people in their home, including children, seniors, and their partners. In a survey conducted at domestic violence shelters, 71 percent of survivors reported that their partners also abused their pets.

Animal abuse is something that we have taken seriously in Congress; in 2010, Congress passed the Animal Crush Prohibition Act, which criminalized the creation and distribution of a video depicting animals being intentionally crushed, burned, drowned, suffocated, impaled, or otherwise subjected to serious bodily injury.

And now I am proud to join my colleague Lamar Smith to supplement that prohibition to include the underlying offense. That is the Preventing Animal Cruelty and Torture Act, which recognized that animals being crushed, burned, drowned, suffocated, impaled, or subjected to heinous cruelty, is inexcusable and should be banned.

But, as we work to enhance the protections of animals, we can also recognize that a person who abuses animals has already demonstrated a disturbing disregard for the suffering of these creatures. The link between violence
committed against animals and violence committed against people is strong.

My amendment would break that link for those who have been convicted of animal cruelty in the past 5 years. Those criminals should not be able to avail themselves of the same reciprocity privileges as law-abiding gun owners. My amendment does not touch individual State concealed carry eligibility requirements; so if a State chooses to ignore the red flag of animal abuse in its own criteria, nothing would stop that State from issue a concealed carry permit to someone convicted of animal abuse.

But if we are creating an easy pass for concealed carry, there is simply no reason to allow animal abusers to enjoy the benefits of this new loophole. That is why this amendment is so important, to ensure that we do not, and I urge my colleagues to support it, to help support the safety of those in homes with weapons, and I yield back the balance of my time.

Chairman Goodlatte. The chair thanks the gentleman and recognizes himself in opposition to the amendment. I applaud the gentleman for his strong conviction to prevent cruelty to animals. And, in fact, under the law and under this legislation, if someone is convicted of a felony for cruelty to animals, and for example, the Crush Video legislation the gentleman referred to provides a felony that
would bar the individual from participating in a concealed
carry reciprocity program. However, misdemeanors are of
all shapes and sizes and are much more subjective, and
therefore I would not extend that prohibition to people who
have been convicted of a misdemeanor, cruelty to animals,
and therefore I would oppose the amendment. The question
occurs on --

Mr. Cicilline. Mr. Chairman.

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

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

Chairman Goodlatte. The gentleman is recognized for 5
minutes.

Mr. Cicilline. I would like to thank the gentleman
from Florida, Mr. Deutch, for this amendment, and just
briefly respond to the chairman’s argument against it.

We know already, if someone is convicted of a felony,
they are barred from having a firearm. But what this
amendment recognizes is the very well-documented
relationship between animal cruelty and other acts of
violence. And, knowing that, Mr. Deutch’s amendment says,
let’s not for that category of individuals that have been
convicted of an offense, that are not otherwise ineligible –
because if it is a felony, as the chairman says, they are
already ineligible -- but what Mr. Deutch says is, let’s
protect the public even more.

If we have evidence that someone has been convicted of a misdemeanor of animal cruelty, knowing the data and the empirical evidence about the relationship between that and the likelihood of committing other acts of violence on people, let’s not extend to that person a new right to travel all throughout the country with a concealed, armed firearm. Oh, by the way, for a period of 5 years; this is not a permanent bar. It is simply for 5 years.

It is a modest effort to limit the ability of individuals to impose real harms on communities when we have good, empirical data to suggest we ought to be concerned about this. And the explanation of, “Well, it is not a felony,” that is not a good answer. There is a lot of evidence that people who commit acts of cruelty against animals engage in violent behavior against people. Let’s at least protect our constituents from that for a period of 5 years. I really urge my colleagues to surprise me and vote for this amendment.

Chairman Goodlatte. The question occurs on the amendment offered by the gentleman from Florida.

All those in favor, respond by saying, aye. Those opposed, no.

In the opinion of the chair, the noes have it, and the amendment is not agreed to.
Mr. Deutch. Mr. Chairman, I ask for a recorded vote.

Chairman Goodlatte. A recorded vote is requested, and the clerk will call the role.

Ms. Adcock. Mr. Goodlatte?

Chairman Goodlatte. No.

Ms. Adcock. Mr. Goodlatte votes no.

Mr. Sensenbrenner?

[No response.]

Mr. Smith?

[No response.]

Mr. Chabot?

[No response.]

Mr. Issa?

[No response.]

Mr. King?

Mr. King. No.

Ms. Adcock. Mr. King votes no.

Mr. Franks?

Mr. Franks. No.

Ms. Adcock. Mr. Franks votes no.

Mr. Gohmert?

Mr. Gohmert. No.

Ms. Adcock. Mr. Gohmert votes no.

Mr. Jordan?

Mr. Jordan. No.
Ms. Adcock. Mr. Jordan votes no.

Mr. Poe?

[No response.]

Mr. Marino?

[No response.]

Mr. Gowdy?

[No response.]

Mr. Labrador?

[No response.]

Mr. Farenthold?

[No response.]

Mr. Collins?

[No response.]

Mr. DeSantis?

[No response.]

Mr. Buck?

Mr. Buck. No.

Ms. Adcock. Mr. Buck votes no.

Mr. Ratcliffe?

[No response.]

Mrs. Roby?

Mrs. Roby. No.

Ms. Adcock. Mrs. Roby votes no.

Mr. Gaetz?

[No response.]
Mr. Johnson of Louisiana?
[No response.]
Mr. Biggs?
Mr. Biggs. No.
Ms. Adcock. Mr. Biggs votes no.
Mr. Rutherford?
Mr. Rutherford. No.
Ms. Adcock. Mr. Rutherford votes no.
Mrs. Handel?
Mrs. Handel. No.
Ms. Adcock. Mrs. Handel votes no.
Mr. Nadler?
Mr. Nadler. Aye.
Ms. Adcock. Mr. Nadler votes aye.
Mr. Conyers?
[No response.]
Ms. Lofgren?
[No response.]
Ms. Jackson Lee?
[No response.]
Mr. Cohen?
[No response.]
Mr. Johnson of Georgia?
Mr. Johnson of Georgia. Aye.
Ms. Adcock. Mr. Johnson votes aye.
Mr. Deutch?

Mr. Deutch. Aye.

Ms. Adcock. Mr. Deutch votes aye.

Mr. Gutierrez?

[No response.]

Ms. Bass?

[No response.]

Mr. Richmond?

[No response.]

Mr. Jeffries?

[No response.]

Mr. Cicilline?

Mr. Cicilline. Aye.

Ms. Adcock. Mr. Cicilline votes aye.

Mr. Swalwell?

[No response.]

Mr. Lieu?

Mr. Lieu. Aye.

Ms. Adcock. Mr. Lieu votes aye.

Mr. Raskin?

Mr. Raskin. Aye.

Ms. Adcock. Mr. Raskin votes aye.

Ms. Jayapal?

[No response.]

Mr. Schneider?
Mr. Schneider. Aye.

Ms. Adcock. Mr. Schneider votes aye.

Chairman Goodlatte. The gentleman from Georgia.

Mr. Collins. No.

Ms. Adcock. Mr. Collins votes no.

Chairman Goodlatte. Has every member voted who wishes to vote?

The gentleman from Idaho.

Mr. Labrador. No.

Ms. Adcock. Mr. Labrador votes no.

Chairman Goodlatte. The gentleman from California.

Mr. Swalwell. Aye.

Ms. Adcock. Mr. Swalwell votes aye.

Chairman Goodlatte. The clerk will report.

Ms. Adcock. Mr. Chairman, 8 members voted aye, 12 members voted no.

Chairman Goodlatte. And the amendment is not agreed to. For what purpose does the gentleman from Maryland seek recognition?

Mr. Raskin. I have an amendment at the desk, Mr. Chairman.

Chairman Goodlatte. The clerk will report the amendment.

Ms. Adcock. Amendment to the amendment in the nature of a substitute to H.R. 38 offered by Mr. Raskin of
Maryland. Page 3, line 7. After the period, insert the following.

[The amendment of Mr. Raskin follows:]

********** INSERT 17 **********
Chairman Goodlatte. Without objection, the amendment is considered as read, and the gentleman is recognized for 5 minutes on his amendment.

Mr. Raskin. Mr. Chairman, thank you very much, and I want to thank all my colleagues who are here for their attention and their seriousness about this; it is a deadly serious issue.

I wonder if members of the committee know how many people died of gun violence in Japan in the year 2014. And the answer to that is six. Six people died in the country of Japan in 2014. Now, it is true that their country has one-third the population of us, so on that theory we should have had 18 people die by gun violence. But we had 33,599 people die that year.

And why is it? Is it because the people in Japan are smarter than us? Are they mentally healthier than us? Are they more virtuous than us? Is it because they have banned guns completely? No, not at all.

People have the right to get a gun there; the difference is that they actually subject people to a written test for getting guns. They subject people to a mental health test to make sure that they are not mentally dangerous and unstable, and they give them firearms training. But then anybody can get a gun. And look at the difference. But everything in this legislation pushes in
exactly the opposite direction. It is to open the floodgates and to make it possible for people to acquire a concealed carry permit -- and there are 14.5 million of them, as I understand it -- to go wherever they want in the country.

So, Mr. Chairman, I am trying to take the legislation seriously. Although I disagree philosophically with this massive invasion of the rights of people of the States, even though I disagree with usurping the prerogatives of the State governments, but I am trying to take it seriously. What this amendment says is that the law enforcement officers in our States, the police officers in your States, have the power to detain people for a reasonable period of time for the purpose of verifying that the person is carrying the documents that are referred to in subsection A and verifying with the issuing State that the documents are accurate and valid.

In other words, if the whole idea is, we are going to throw open the entire country to the weakest laws in America on the theory that they have a permit somewhere, at least let our own police officers actually determine that they actually have the documents and that they are not a forgery, they are not made up, and that the State verifies that they are accurate and valid. That is the very least we can do to support law enforcement officers in our own States in terms
of protecting the public safety and protecting themselves out on the trail as they are trying to enforce the law.

So, with that, I beseech all of my colleagues to take a serious look at this. It is in the interests of law enforcement and the public safety in all of our communities. And I yield back, Mr. Chairman. Oh, I am sorry. And Mr. Johnson is cosponsoring this with me, and I want to yield to Mr. Johnson.

Mr. Johnson of Georgia. I thank the gentleman. The Raskin-Johnson amendment would help to protect and support law enforcement officers and strengthen the public safety judgements that they make as they carry out their duty to protect and serve law-abiding citizens, including women and children.

This amendment ensures that law enforcement can still investigate whether people are carrying legally beyond a brief investigatory stop. This amendment allows law enforcement to detain a person in possession of a concealed firearm for a reasonable period of time while verifying that the person is carrying valid photo identification and a valid concealed carry permit. There may be times when law enforcement needs adequate time to verify the documents are genuine and are not counterfeit or forged.

For example, there may be times when law enforcement will call the verifying State afterhours. In these
instances and others, there may be more than a brief period of time required to verify the validity of the documents.

I agree that these stops should be as minimally intrusive as possible and that the stop should last only as long as is reasonably necessary to verify the validity of the documents presented to the law enforcement officer. And this amendment accomplishes that while, at the same time, not limiting anyone from bringing a civil rights action is they contend that their civil rights have been violated. This amendment makes the bill stronger and protects law enforcement, and permits them to carry out their responsibilities without undue fear of civil lawsuits and liability for payment of attorney’s fees.

A vote against this amendment is a vote against the authority of law enforcement, specifically our local and State law enforcement officers. So, I ask that you support this amendment, and with that I will yield back.

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

Mr. Rutherford. I move to strike the last word.

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Rutherford. Thank you, Mr. Chairman. I believe, because it has been some time since we passed this amendment earlier, the gentleman’s concerns have already been
addressed in the previous amendment. It said nothing in this act prohibits a law enforcement officer with reasonable suspicion of a violation of any law from conducting a brief investigative stop in accordance with the Constitution of the United States.

Law enforcement officers all over this country use that reasonable suspicion standard many, many times -- if not a day, certainly a week -- to conduct brief investigations to determine whether or not a law is being violated and whether or not they can develop probable cause to then hold that person.

In this, you talk about reasonable time, but that is not defined anywhere, and it has been in other stops, by courts it has been determined that officers have a reasonable time to conduct an investigation to determine whether or not a law has been violated.

And I think, Mr. Chairman, that the previous amendment has already addressed and answered this concern for law enforcement. I am certainly very comfortable. In fact, honestly, I do not even know that the original amendment that I proposed was really necessary, other than that I wanted to have an affirmative statement in the law that officers have this right.

Mr. Raskin. Would the gentleman yield for a question?

Mr. Rutherford. Yes, sir.
Mr. Raskin. Do you contemplate that your amendment covers the ability of our police officers with the issuing State that the documents presented are accurate and valid?

Mr. Rutherford. Absolutely. If they are presented documents that they have reasonable suspicion, as in this document, that those documents may be forged, for example.

Mr. Raskin. So, in other words, you agree with amendment. You just think that your amendment already covers everything that is in my amendment?

Mr. Rutherford. Already covered.

Mr. Raskin. I think spelling it out, given the radical invasion of States’ rights that is taking place here, I think, would be the least that we can do to guarantee the people are not sued and then for attorney’s fees simply for holding someone until they can check with the providing State to make sure that those documents are real.

Mr. Johnson of Georgia. Will the gentleman yield?

Mr. Rutherford. Again, I would say, officers have investigative stops every day. I like the idea that we put an affirmative statement in this statute, and it is there already.

Mr. Johnson of Georgia. Will the gentleman yield?

Mr. Rutherford. Yes, sir.

Mr. Johnson of Georgia. I thank the gentleman. I think the Raskin-Johnson amendment provides that, as opposed
to a brief period of detention, that is be a reasonable period of time for the law enforcement officers to verify the documents. And that is the difference between the amendment that you have proposed, Representative Rutherford, and the one that we have proposed. It gives the law enforcement officer a little bit more leeway than just simply a brief period of time.

When you say, “brief period,” the reasonable period of time that is in encompassed with “briefness” may be only just a couple of minutes, whereas a reasonable period of time would be longer than that. It could be 10, 15 minutes. The time it takes, for instance, in a drug stop for a drug dog to be brought to the scene; that is a reasonable period of time, but in this kind of situation you have to make contact with law enforcement agencies and other agencies in other States.

And it may be at times that are not within normal business hours, so you would have to give law enforcement a little more leeway, and that is what this amendment does. I yield back to you.

Mr. Rutherford. Withdrawing the time, I would say that this already exists within current law: giving officers the right to an investigative stop based on reasonable suspicion.

Now, once they present documents, and that suspicion
grows or there are other elements that might - a reasonable
time might be 4 hours. It might have started with a brief
investigative stop, but now the reasonable time that you
refer to could be 4 hours. That is in current law as it
exists today.

Mr. Johnson of Georgia. Would the gentleman yield?

Mr. Rutherford. Again, I think the --

Chairman Goodlatte. The time of the gentleman has expired.

Mr. Cicilline. Mr. Chairman?

Mr. Rutherford. I yield back. I think the point has been made; I yield back, Mr. Chairman.

Chairman Goodlatte. You have made your point. For what purpose does the gentleman from Rhode Island --

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

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Cicilline. Thank you, Mr. Chairman. I strongly support the Raskin-Johnson amendment. I think the issue is further complicated by the actual text of the underlying bill.

Although the gentleman from Florida offered an amendment that was passed that talks about reasonable suspicion, it does not change the text of the bill before us. Page 2, line 22, it begins, “A person who carries or
possesses a concealed handgun, in accordance with subsection A and B, may not be arrested or otherwise detained for violation of any law or any rule, or regulation of a State, or any political subdivision thereof related to the possession, transportation, or carrying of firearms unless there is probable cause to believe that the person is doing so in a manner not provided by the section.”

So, the statute that we are about to pass requires a probable cause determination before a person can be detained for any of this. And so, without the Raskin Amendment, you basically have a scenario in which you have allowed people to carry a concealed, loaded firearm anywhere in the country once they get a permit from the least restrictive jurisdiction, then you have prevented the police from stopping them to make sure they actually have a permit.

Oh, and it goes further than that. On page 3, we add in affirmative defense in criminal proceedings and the award of attorney’s fees to someone who prevails. I was a criminal defense lawyer for 10 years. I have never seen a statute that gave attorney’s fees to a defendant who successfully asserts a defense.

And then we go further when we create a cause of action against the police if they dare to ask about whether or not someone has a permit for their gun.

I mean, talk about constraining police officers for
making sure that at least people apply with this incredibly
generous grant of authority to bring a gun anywhere you want
in America, loaded and hidden. But now we are preventing
the police from even stopping to inquire about it unless
they have probable cause, which of course they will not have
yet. So, this is a big problem.

Mr. Raskin’s amendment addresses it in a fundamental
way. Let’s, in addition to creating danger to our
constituents by flooding America with more concealed
weapons. Let’s not simultaneously take away the authority
of police to prevent this from happening.

And, by the way, since I am on that point, I would like
to offer two pieces -- you know, there has been a lot of
discussion of, just, everyone had a gun and was carrying a
concealed weapon, we would be in a safer country. There was
a wonderful study, very recently, October 2017. I would ask
for unanimous consent that this study from Boston
University, and these two studies, entitled, “BU Studies:
States with Tighter Laws on Concealed Carry have Lower Rates
of Handgun Homicide, and “States with Looser Concealed Carry
Laws have More Gun Deaths, Study Says,” be made a part of
the record.

And with that, I would be happy to yield to Mr. Raskin
if he has some final thoughts. Oh, Mr. Chairman? Asking
unanimous consent?
Chairman Goodlatte. Without objection.

[The information follows:]

********** COMMITTEE INSERT **********
Mr. Cicilline. And I would yield to Mr. Raskin.

Mr. Raskin. And I yield back to Mr. Chair.

Chairman Goodlatte. I think it was Mr. Cicilline’s time, but if you yield back, all right. For what purpose does the gentleman from Colorado seek recognition?

Mr. Buck. Move to strike the last word.

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Buck. I want to clarify something with the gentleman from Maryland about, if I can. Because I do not believe that the gentleman from Florida’s amendment does cover everything that your amendment covers. And I want to make sure that we establish, if there is any legislative history in this body, that there is legislative history to that extent.

Is the gentleman from Maryland suggesting that an officer with no cause at all to believe that a document is forged can detain an individual so that that officer has time to inquire of the originating State as to whether that is in fact a valid document?

Mr. Raskin. Well, I do not know what you mean by “no cause at all,” but the police officers are out there doing a job to pursue the public interest and defend public safety. So, if they have a question as either to the authenticity of the documents, they have the right to check with the issuing
5409 state. Remember, we are creating for the first time in
5410 American history a national --
5411 Mr. Buck. I reclaim my time because I have some other
5412 questions for you.
5413 Mr. Raskin. Okay.
5414 Mr. Buck. But what is the threshold for determining
5415 whether or not the validity of a document could be brought
5416 into question?
5417 Mr. Raskin. I thought both I was saying and Mr. Rutherford was saying reasonable suspicion. Is it not
5418 reasonable suspicion?
5419 Chairman Goodlatte. Would the gentleman yield?
5420 Mr. Raskin. Yes.
5421 Chairman Goodlatte. But the amendment clearly does not
5422 say that, and that is why the amendment offered by the
5423 gentleman from Florida is perfectly correct, because the law
5424 provides for Terry stops, but not beyond that. So, the
5425 amount of time it might take, as the gentleman from Georgia
5426 pointed out, to determine whether or not, by contacting the
5427 State, a permit is valid in that State or was issued by that
5428 State, could be a very lengthy period of time.
5429 But if there is no basis for believing that it is not a
5430 valid permit, there would be no basis for detaining the
5431 individual other than for a brief period of time. So, this
5432 amendment, in my opinion, is exceedingly defective for that
reason.

Mr. Raskin. Would the gentleman yield?

Mr. Buck. Yes, I will yield.

Mr. Raskin. Let me just respond to two things on the table. The Terry stop relates to a criminal search. This is not a criminal search. You guys are wanting to create a whole new national system of concealed carry. We essentially have to put a legal bureaucracy in place, telling the police in our own States what they can do to determine if somebody who they think is engaged in suspicious behavior has a gun and they are not able to identify a license to carry that gun in the State. And--

Chairman Goodlatte. Will the gentleman yield?

Mr. Raskin. Yes.

Chairman Goodlatte. I thank the gentleman for yielding. The fact of the matter is, no matter for what reason you stop him, he has to comply with the United States Constitution. You cannot tell somebody, nor would it be a good idea for this Congress --

Mr. Raskin. Well, wait, but--

Chairman Goodlatte. -- to pass legislation that would tell a State that was hostile to people using their new right under the law for concealed carry that they can stop every single person and hold them for days while they check back with the home State and determine whether or not that
document is valid, unless they have probable cause to believe that a crime is being committed, which would mean having a forged document or something.

Mr. Buck. I am reclaiming my time from one gentleman and about to yield to another. If you could address that specific issue, because that is my question. When I read this amendment, it does not have any threshold as to the standard that the police have to use to determine when someone can be held. It just says that they may detain someone for the purpose of verifying the identity.

Mr. Raskin. The reason for it is built into, precisely, the purpose. They can be held for a reasonable period of time, and reason would require that it is justified --

Mr. Buck. I am not asking about the timeframe; I am asking about a threshold.

Mr. Raskin. No, I am spelling out the Terry standard. It would have to be justified at its inception. That is, it would have to be reason to pursue the question. For example, they stop someone in a car and they are carrying a gun.

For example, in my State, that is a very rare thing, and they would say, “Why do you have a gun?” And they would say, “Oh, I have a concealed carry permit from Alaska” or “from Arkansas.” And they would say, “I want to check that
out." Are you saying that is not legitimate under this law? Because I understood Mr. Rutherford to be saying that was precisely the purpose of his amendment, to allow a verification that the issuing State, in fact, has a record of that person actually getting a permit. And this is an important point.

Mr. Buck. It is an important point, and so what I hear you saying is that a motorist that drives into Maryland can be detained for a period of time until that person’s Alaskan driver’s license can be verified with no other reason. Just the fact that an officer wants to make sure that that is a valid license from another State. That is ridiculous. That is not how we run this country.

Mr. Raskin. No, but, it is not the driver’s license; it is the possession of the gun.

Mr. Buck. Is that how they work in Maryland? Because that is a fascinating concept, that everybody that has a gun can be detained?

Mr. Raskin. Right now, you are trying to put 14.5 million people who have guns under their State laws into my State. They do not have a right to do that right now. So, when those millions of people come in, you are saying that our law enforcement force now has no possibility of checking out whether or not they are actually in lawful possession of a gun. Do you know what kind of trade there is?
Mr. Buck. Actually, what I am trying to say is that 14.5 million people can defend themselves in the State of Maryland, or in any other State in the United States of America, and they are not subject to a --

Mr. Raskin. It is a State law.

Mr. Buck. -- stop by the police for a period of time to determine whether that is a valid permit or not.

Mr. Raskin. So, in other words, what you are creating is not just a right to override the laws of my State; our law enforcement force does not even have the chance to check it out. Once someone says, “This gun is lawful back in my State,” there is nothing that our law enforcement can do.

I just want to get straight what the legislative history is. It is not what Mr. Rutherford was saying, but what you are saying is, if I think I have got a gun lawfully back in my home State in Alaska, and I am in Maryland, nobody can stop me and ask questions about it. And that is a remarkable proposition.

Mr. Buck. No, That is not what I am saying at all. And my time has expired, but I would love to continue this, because I want to get into what a NICS check is and the fact that you can check a criminal background on an individual instantaneously --

Mr. Raskin. But this is in criminal background --

Mr. Buck. What you are suggesting is something else.
You are suggesting that we should --

Mr. Raskin. You are creating an affirmative --

Mr. Buck. -- be able to detain somebody to check whether a permit is valid or not. And that could take days to check. I yield back, Mr. Chairman.

Chairman Goodlatte. For what purpose does the gentlewoman from California seek recognition?

Ms. Lofgren. I move to strike the last word.

Chairman Goodlatte. Gentlewoman is recognized for 5 minutes.

Ms. Lofgren. And I would love to yield to the gentleman from Maryland so he can finish making his --

Mr. Raskin. Thank you. Just to complete this very interesting colloquy here, what we are doing is we are essentially overriding the laws of every State to say that people can come in with a permit from another State.

I would assume that the very base consensus would be at least the officers in my State have the right to check out whether it is real or whether it is a fake ID. You know, there is a rampant industry in fake IDs for young people to get into bars.

How long would it take for there to be fake concealed carry permits? And so, what are we going to do to make sure that it is real? Someone presents me a document -- I do not know whether or not it is real -- from Alaska, saying that
this person was able to make it through and has a concealed
carry permit, if we do not check it out with Alaska.

At that point we may as well just throw away the laws
of all the States, because if it is enough for me to assert
that my State back home gave me the permit, then there is no
law anymore. I mean, that is Second Amendment anarchism. I
yield back to the gentlelady.

Chairman Goodlatte. The question occurs on the
amendment offered by the gentleman in Maryland.

All those in favor, respond by saying aye.

Those opposed, no.

In the opinion of the chair, the noes have it and the
amendment is not agreed to.

Are there further amendments to H.R. 38?

Mr. Raskin. Yes, Mr. Chairman, at the desk. And this
furthers this discussion. The amendment is at the desk.

Chairman Goodlatte. The clerk will report the
amendment offered by the gentleman from Maryland.

Ms. Adcock. Amendment to the amendment in the nature
of a substitute to H.R. 38, offered by Mr. Raskin of
Maryland. Page 1, line 11 --

[The amendment of Mr. Raskin follows:]

******* INSERT 18 *******
Chairman Goodlatte. Without objection, the amendment is considered as read and the gentleman is recognized for 5 minutes on his amendment.

Mr. Raskin. Okay. And so, this goes back to the gentleman's questions, and I hope that this helps. Because I think if we are really going to do this -- if we are serious about doing this -- then we have got to get the bureaucracy right. And there are three effective parts to this amendment.

The first would say that the law enforcement officials in my State have the right to verify by telephone or email the accuracy and the integrity of the documents they are being presented, okay? So, that is number one.

Number two is that the issuing States have to conduct a background check every two years to make sure that the person has not committed an offense or somehow been certified to be dangerously unstable in the meantime. Otherwise, if it is just indefinite and permanent, I mean, somebody could even lawfully get one of these concealed carry permits, then commit crimes, and we would have no way of catching them.

And finally, this one includes a GAO study. So, we would collect information about the concealed carry permitting systems in all 50 States. And we would try to determine how many crimes are being committed by people who...
have concealed carry permits. So, we would be able to do
some kind of rough, cursory assessment of how effective this
new regime is. If we are talking about allowing 14.5
million people to travel across State lines anywhere they
want in America, we need to be tracking as much as possible
what is actually taking place in terms of the commission of
crime.

So, again, this is in the manner of trying to make this
vast new system work properly. And I submit it, Mr.
Chairman, to the wisdom of the committee.

Chairman Goodlatte. For what purpose does the
gentleman from Colorado seek recognition?

Mr. Buck. Move to strike the last word.

Chairman Goodlatte. The gentleman is recognized for 5
minutes.

Mr. Buck. Mr. Chairman, I am opposed to this amendment
for a number of reasons. But the first is that the third
line of this amendment would remove the constitutional carry
provision in this bill and would discriminate against those
individuals that come from enlightened States who allow
concealed carry without a permit. And I think
discriminating against those individuals is fundamentally
wrong.

It also places onerous and unnecessary burdens on the
States when it demands a 24-hour per day hotline, basically,
to be set up to require the reciprocity that we are talking about, this bill.

And finally, the concealed carry permit that I possess from Colorado is for a period of 5 years, not 2 years. And to require individuals from Colorado to be checked every two years, again, is onerous and without merit. If, for some reason, an individual in Colorado was convicted of a felony or a domestic violence misdemeanor, that would disqualify them from possessing a firearm. That individual would not be allowed to have a concealed carry permit. And the requirement to check up on that every 2 years would be unnecessary. So, I oppose this amendment and ask the members to vote against it.

Chairman Goodlatte. The question occurs on the amendment offered by the gentleman in Maryland.

All those in favor, respond by saying aye.

Those opposed, no.

In the opinion of the chair, the noes have it and the amendment is not agreed to.

Mr. Raskin. I seek a recorded vote.

Chairman Goodlatte. A recorded vote is requested and the clerk will call the roll.

Ms. Adcock. Mr. Goodlatte?

Chairman Goodlatte. No.

Ms. Adcock. Mr. Goodlatte votes no.
Mr. Sensenbrenner?
[No response.]
Mr. Smith?
[No response.]
Mr. Chabot?
[No response.]
Mr. Issa?
[No response.]
Mr. King?
[No response.]
Mr. Franks?
Mr. Franks. No.
Ms. Adcock. Mr. Franks votes no.
Mr. Gohmert?
[No response.]
Mr. Jordan?
[No response.]
Mr. Poe?
[No response.]
Mr. Marino?
Mr. Marino. No.
Ms. Adcock. Mr. Marino votes no.
Mr. Gowdy?
[No response.]
Mr. Labrador?
Mr. Labrador. No.

Ms. Adcock. Mr. Labrador votes no.

Mr. Farenthold?

[No response.]

Mr. Collins?

Mr. Collins. No.

Ms. Adcock. Mr. Collins votes no.

Mr. DeSantis?

Mr. DeSantis. No.

Ms. Adcock. Mr. DeSantis votes no.

Mr. Buck?

Mr. Buck. No.

Ms. Adcock. Mr. Buck votes no.

Mr. Ratcliffe?

[No response.]

Mrs. Roby?

Mrs. Roby. No.

Ms. Adcock. Mrs. Roby votes no.

Mr. Gaetz?

Mr. Gaetz. No.

Ms. Adcock. Mr. Gaetz votes no.

Mr. Johnson of Louisiana?

[No response.]

Mr. Biggs?

Mr. Biggs. No.
Ms. Adcock. Mr. Biggs votes no.

Mr. Rutherford?

Mr. Rutherford. No.

Ms. Adcock. Mr. Rutherford votes no.

Mrs. Handel?

Mrs. Handel. No.

Ms. Adcock. Ms. Handel votes no.

Mr. Nadler?

Mr. Nadler. Aye.

Ms. Adcock. Mr. Nadler votes aye.

Mr. Conyers?

[No response.]

Ms. Lofgren?

Ms. Lofgren. Aye.

Ms. Adcock. Ms. Lofgren votes aye.

Ms. Jackson Lee?

[No response.]

Mr. Cohen?

[No response.]

Mr. Johnson of Georgia?

Mr. Johnson of Georgia. Aye.

Ms. Adcock. Mr. Johnson votes aye.

Mr. Deutch?

[No response.]

Mr. Gutierrez?
[No response.]

Ms. Bass?

[No response.]

Mr. Richmond?

[No response.]

Mr. Jeffries?

[No response.]

Mr. Cicilline?

[No response.]

Mr. Swalwell?

Mr. Swalwell. Aye.

Ms. Adcock. Mr. Swalwell votes aye.

Mr. Lieu?

Mr. Lieu. Aye.

Ms. Adcock. Mr. Lieu votes aye.

Mr. Raskin?

Mr. Raskin. Aye.

Ms. Adcock. Mr. Raskin votes aye.

Ms. Jayapal?

[No response.]

Mr. Schneider?

Mr. Schneider. Aye.

Ms. Adcock. Mr. Schneider votes aye.

Chairman Goodlatte. The gentleman from Iowa?

Mr. King. No.
Ms. Adcock. Mr. King votes no.

Chairman Goodlatte. The gentleman from Ohio?

Mr. Chabot. No.

Ms. Adcock. Mr. Chabot votes no.

Chairman Goodlatte. The gentleman from Ohio, Mr. Jordan?

Mr. Jordan. No.

Ms. Adcock. Mr. Jordan votes no.

Chairman Goodlatte. The gentleman from Texas?

Mr. Poe. No.

Ms. Adcock. Mr. Poe votes no.

Chairman Goodlatte. The gentleman from Rhode Island?

Mr. Cicilline. Aye.

Chairman Goodlatte. The only one.

Ms. Adcock. Mr. Cicilline votes aye.

Chairman Goodlatte. All right. Has every member who wishes to vote? Oh, the gentleman from Texas, Mr. Gohmert?

Mr. Gohmert. No.

Ms. Adcock. Mr. Gohmert votes no.

Chairman Goodlatte. The clerk will report.

Ms. Adcock. Mr. Chairman, 8 members voted aye; 17 members voted no.

Chairman Goodlatte. And the amendment is not agreed to. Are there further amendments to H.R. 38?

Mr. Raskin. Mr. Chairman?
Chairman Goodlatte. For what purpose does the gentleman from Maryland seek recognition?

Mr. Raskin. I have an amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment.

Ms. Adcock. Amendment to the amendment in the nature of a substitute to H.R. 38, offered by Mr. Raskin of Maryland. Page 2, line 14 --

[The amendment of Mr. Raskin follows:]

********** INSERT 19 **********
Chairman Goodlatte. Without objection, the amendment is considered as read and the gentleman is recognized for 5 minutes.

Mr. Raskin. Mr. Chairman, thank you. The purpose of this amendment is to exempt the Nation's capital, the District of Columbia, from the app of this legislation. Washington, D.C., of course, is the seat of the Federal Government. It is where all three branches of the government operate. It has been the scene and the target of a lot of gun violence.

Here in Washington, D.C., law specifically requires the following for issuance of a concealed carry permit: the individual must be a resident of D.C., must not have suffered any mental illness in the past 5 years that would cause the person to be at risk to themselves or others, is not an alcohol, addict, or habitual user of controlled substances, does not have a propensity for violence, 16 hours of training that includes in-home firearm safety, basic marksmanship principles, and situational awareness, and on the use of the deadly force.

There are currently only 123 residents of the District of Columbia that have concealed carry permits. Now, it may be, in some States -- we have heard that in Florida, there are 1.7 million. That is in the nature of our federalist system. Different jurisdictions have different laws with
respect to the possession of concealed carry firearms.

But we have a special reason to want to make sure that the millions of new guns that will be floating around America do not come into the District of Columbia. The legislation, as I read it, includes any unit of the National Park system. The whole Mall area is part of the National Park system, which would mean that we could have thousands, tens of thousands, or hundreds of thousands of people carrying concealed firearms loaded, locked, here in the District of Columbia.

In addition, we should say that the people of Washington, D.C. remain the only residents of a national capital on the planet Earth who are disenfranchised in our national legislature. They have no voting representation in the House or in the Senate. So, unlike the rest of us, they do not even get to vote "No" on this new national concealed carry regime to destroy the laws of 51 jurisdictions across the land. So, the very least that we can do is to exempt for the people of D.C., who want to go in another direction, and for ourselves and our own safety, the District of Columbia from application of this law. I yield.

Chairman Goodlatte. For what purpose does the gentleman from Florida, Mr. Gaetz, seek recognition?

Mr. Gaetz. To oppose the amendment.

Chairman Goodlatte. The gentleman is recognized for 5
Mr. Gaetz. Thank you, Mr. Chairman. This amendment, to stop people who have a legal concealed carry permit from being able to carry their firearm in the District of Columbia is emblematic of efforts on the political left to punish law-abiding gun owners for the actions of people who do not abide by the law. And so, I oppose the amendment because we are best -- whether it is in our Nation's capital or at any jurisdiction around this country -- when we empower citizens, not the government.

Thomas Jefferson had views on this subject. He said that laws that forbid the carrying of arms disarm only those who are neither inclined nor determined to commit crimes. Such laws make things worse for the assaulted and better for the assailants. They serve, rather, to encourage rather than prevent homicides, for an unarmed man may be attacked with greater confidence than an armed man.

Now, in my State, the State of Florida, concealed carry permit holders contribute to the safe environment in which our citizens live. The gentleman mentioned we have 1.7 million concealed carry permit holders in the State of Florida. And during the time in which we have seen a rapid increase in the number of concealed carry permits issued, we have seen decreases in violent crime. And it is important to note that concealed carry permit holders in my State are
remarkably law-abiding citizens.

As a matter of fact, when we go and evaluate the data of who commits crimes, someone who has a concealed carry permit is eight times less likely to commit a crime than a member of law enforcement. And so, it is ludicrous to suggest that because some people cannot follow the law, we would abridge the God-given constitutional rights of people who are doing everything they can to follow the law and to contribute to the safety in their communities, and in the State, and in the country, and particularly our Nation's capital: Washington, D.C.

I am particularly troubled that in a year when a member of Congress was attacked in an act of gun violence -- where had members the resources to protect themselves, they may have found safer circumstances -- that someone would try to deprive people in the District of Columbia from being able to carry firearms if they have obtained a lawful permit in their State.

It is also worth noting that we could get a lot safer if we allowed open carry in this country. It is worth noting that in States that allow citizens to openly carry firearms, violent crime is 23 percent lower than in States that ban open carry. I look forward to the State of Florida -- my State -- joining the 45 other States in this country that allow their citizens to openly carry in one form or
another.

And so, I oppose the amendment. I support the Second Amendment. And I sincerely hope that we pass this legislation that I have joined in sponsoring so that someone's Second Amendment rights do not stop at the State line. I yield back.

Mr. Raskin. Would the gentleman yield for a question?

Mr. Gaetz. Sure.

Mr. Raskin. Are you aware of a concealed handgun permit holder in Florida whose name is Everett Miller?

Mr. Gaetz. I do not think we have met.

Mr. Raskin. In August of this year, he shot and killed two police officers in Florida with a gun that he was carrying in the State. And there have been over 70 people in your State who have been killed or who have killed themselves with a concealed gun.

So, the point is that if Florida wants to have that law, Florida has the right to do it. But why do not the people in the District of Columbia have a right to govern themselves as they see fit as well?

Mr. Gaetz. Well, it is ludicrous to suggest that because one person --

Mr. Raskin. No. There is many. I can read all of them to you if you want.

Mr. Gaetz. I am reclaiming my time. It is ludicrous
to suggest that because one person, out of, I guess, 1.7
million you have been able to highlight, you know, somehow
impugns everyone else. That is the same logic that would
suggest that because --

Mr. Raskin. How many do you need?

Mr. Gaetz. -- one Democrat on the Judiciary Committee
committed improper conduct, that all Democrats on the
Judiciary Committee would be presumed to have committed
improper conduct. Now, of course, we would never accept
that logic, but it is the very logic that you are applying
to gun ownership.

Mr. Raskin. No. If the gentleman would yield for just
a follow-up, I did not mean to impugn anyone, much less 1.7
million people. The point is, I could give you dozens of
cases where lawful concealed carry permit holders in Florida
committed crimes, committed homicides or suicides with their
guns. And if you are resting your argument on a negation of
that fact, you lose, because it is a reality.

But if your argument is it should not make any
difference, that is a decision for you to make in Florida.
But why cannot the people of the District of Columbia make a
different choice? They have just around 100 people with
concealed carry. Why cannot they make that choice?

Mr. Gaetz. Mr. Raskin, I am going to reclaim my time
so that I can answer your question. The reason is because
Floridians come to the District of Columbia just as folks from Maryland and all the other States come to the District of Columbia. And when people come to our Nation's capital, they ought to be able to exercise the full complement of their rights.

Chairman Goodlatte. The question occurs on the amendment offered by the gentleman from Maryland.

Ms. Jackson Lee. Mr. Chairman? Mr. Chairman?

Chairman Goodlatte. For what purpose does the gentlewoman from Texas seek recognition

Ms. Jackson Lee. Mr. Chairman, I rise to strike the last word.

Chairman Goodlatte. The gentlewoman is recognized for 5 minutes.

Ms. Jackson Lee. I just could not miss the potent argument that the gentleman from Maryland has made. And we have already heard pleas from the honorable people of the District of Columbia, who have been put upon by laws of people's preferences and have not respected their own integrity.

I was going to use the word "sovereignty," but I did not want to have individuals to use that word and not hear my argument. Though I do believe in the sovereignty of the people of the Washington, D.C. and have voted repeatedly for their sovereign rights, the right to vote, and their right
to have all the rights of every other American; seated senators, and seated members of Congress, and voting rights. But we are now talking about reciprocity, and we know that the District of Columbia has made it very clear on their position on guns and, I assume, open carry, and concealed weapons. And the point was made this morning at a earlier discussion. In this community comes every manner -- every manner -- of governmental and international hierarchy. This is the seat of government. This is our capital. And the District of Columbia and Federal law enforcement are expected to protect heads of state and many others that come to the United States capital.

We have taken great efforts, insurmountable issues but great efforts, to overcome any danger that would come to these people. And I know there are some of you -- the gentleman from Florida, certainly a good colleague of this committee -- that were not here during 9/11 and did not see the conditions in which this Nation was in. The White House, the State Department, to the United States Capitol. Probably did not see but on television members of Congress fleeing violence. No. That was not an individual gun, but it emphasized the danger that comes to this community -- the capital -- as it did to New York, as it did to another State, Pennsylvania, in this region.

And so, what the gentleman from the District of
Columbia is saying, rightly so: how much more do the people of the District of Columbia have to take? And the gentleman of Maryland, who has the amendment: how much more do the District of Columbia people have to take?

But we, as governmental people, must recognize the extra added burden of being in this space and having to protect the comings and goings of individuals who are heads of states, including the President of the United States.

So, I think this is a simple and fair amendment to protect not only the people of the District of Columbia and their rights, but to recognize the heavy responsibility and burden they have with all of the distinguished guests, international figures -- heads of state, and the President of the United States -- which they have responsibility for.

Mr. Raskin. Will the gentlelady yield?

Ms. Jackson Lee. I will be happy to yield to the gentleman.

Mr. Raskin. I want to thank the gentlelady for her very eloquent and impassioned comments on behalf of the people of the District of Columbia. Let's not forget, these are 650,000 taxpaying, draftable U.S. citizens who have no voting representation in the U.S. House or U.S. Senate.

And the idea that we would dare to lecture them about violating other people's constitutional rights, which are not constitutional rights, because nobody has the
constitutional right to take a concealed carry permit from one State and take their loaded arms into another State. That is not a constitutional right. That has never been determined to be a constitutional right by the Supreme Court of the United States.

So, this is a Federal statutory right that is overriding the laws of at least 51 jurisdictions in the land. And the idea that we would lecture them about respect of other people's constitutional rights, the idea that we would lecture them about giving other people full constitutional equality, when they remain the only residents of a national capital on the planet earth who are not represented with full voting rights in their national parliament, in their national legislature. And we have not had a single hearing about that.

We have not had a hearing about this either. We went right to a vote. Maybe we should go ahead and -- right to a vote and give people in the District of Columbia the right to voting representation in the House and the Senate too.

So, we have a public interest also in protecting our own security, as the gentlelady from Texas just pointed out. And if we do not want to allow people in D.C. to be represented, to be part of this discussion and this vote, equally, then we should not impose upon them this regime which tramples the rights of all of the States. I yield
Ms. Jackson Lee. Just simply saying there are 22 million tourists that come here to this great and wonderful capital, but only 123 D.C. residents have concealed carry permits. I think the statement is clear. Let the people of the District of Columbia address their own circumstances. With that, I yield back and ask support of the Raskin amendment.

Chairman Goodlatte. For what purpose does the gentleman from Texas seek recognition?

Mr. Gohmert. Strike the last word.

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Gohmert. Yeah, and I really appreciate the point being made about the District of Columbia not having a full voting member of Congress. And we wrestle with that in a number of sessions. And when realizing that there is no other territory of the United States, no other area of the United States -- except the District of Columbia -- that does not have a full voting member of Congress, that has to pay income tax, I began filing a bill that would eliminate the income tax in the District of Columbia so that we can be consistent.

As Franklin said -- and others joined in -- taxation without representation is tyranny. And he said, if we do
not get to elect one full voting Member of Parliament, they
have no right to exact a tax on us.

So, I am thoroughly pleased to hear my friends across
the aisle bring up this issue, and I feel sure they will be
glad to join in on my bill to -- in this session -- to
eliminate the income tax for residents of the District of
Columbia, for income earned here. And that way, we can
rectify that grievous wrong that has been done for far too
long to the residents of the District of Columbia.

But in the meantime, this is the only place that a
member of the House or Senate can come to do our work. We
are not allowed to vote in any other place but the House
floor. We have to come here. And to have the overzealous
efforts by local authorities, who we have given power -- but
we have the power of supervision over -- to have them keep
taking away our rights to defend ourselves under the Second
Amendment, despite the fact the Supreme Court tells them,
"You are way off the mark in violating the Constitution,"
then this bill is another way that we can -- we do not have
to wait for the Supreme Court to strike down another effort
by the Washington, D.C. folks to prevent people from
carrying weapons lawfully. We can do it ourselves. This is
the appropriate way to do it.

And I am fully in support of the bill but oppose the
amendment. Thank you. I yield back.
Chairman Goodlatte. The question occurs on the amendment offered by the gentleman in Maryland.

All those in favor, respond by saying aye.

Those opposed, no.

In the opinion of the chair, the noes have it and the amendment is not agreed to.

Are there further amendments to H.R. 38?

Mr. Raskin. Mr. Chairman?

Chairman Goodlatte. For what purpose does the gentleman from Maryland seek recognition?

Mr. Raskin. I have a final amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment.

Ms. Adcock. Amendment to the amendment in the nature of a substitute to H.R. 38, offered by Mr. Raskin of Maryland. Page 1, line 11, Strike --

[The amendment of Mr. Raskin follows:]

********** INSERT 20 **********
Chairman Goodlatte. Without objection, the amendment is considered as read and the gentleman is recognized for 5 minutes on his amendment.

Mr. Raskin. Thank you, Mr. Chairman. This goes to the question of the power of our law enforcement community to enforce the law in our States. And it says that this legislation shall not apply with respect to the possession or carrying of a concealed handgun in a State on the basis of a license or permit issued in another State, unless the Attorney General of the State, the head of the State Police, and the Secretary of State of the state jointly have issued a certification that the laws of both States regarding the issuance of such a license or permit are substantially similar.

In other words, this says that we will have a real reciprocity agreement with those States whose laws are similar to ours. And if we have our chief law enforcement officials certifying that the laws are substantially similar, then we will go ahead and be in a reciprocity arrangement. Anything else is not a reciprocity arrangement. It is just pulling out the rug from under State law.

So, I think this is a strong-on-crime, tough-on-crime amendment to what is a weak-on-crime bill. The whole bill is weak on crime because it has nothing to do with the
reciprocity. It creates a new nationwide standard, lowering the whole country to the weakest laws in the Union. That is what it does. But what this does is it restores the idea of real reciprocity.

Now, of course there is nothing that prevents States from engaging in interstate agreements right now. They can engage in those interstate agreements. They have got the right to form interstate compacts with the consent of Congress. They already have that right, which is what makes a joke out of the whole effort here. They can already do it.

But this says, "All right. If we are going to get involved, if we are going to stick our Federal nose into the tent, let's at least say we are going to have enough respect for the sovereignty and the judgment of the people in our own States to say that we will first require a certification by the chief law enforcement officials of the State that the laws under which people are bringing new firearms into our State are substantially similar to our own laws." With that, I would submit the amendment, Mr. Chairman.

Mr. King. Mr. Chairman?

Chairman Goodlatte. For what purpose does the gentleman from Iowa seek recognition?

Mr. King. Move to strike the last word.

Chairman Goodlatte. The gentleman is recognized for 5
minutes.

Mr. King. Thank you, Mr. Chairman. Mr. Chairman, I would rise in opposition to this amendment. I am a little bit struck by the presentation of it, in that the Attorney General, and the head of the State Police and the Secretary of State, if they can get together and issue a joint certification, then this Federal bill that is before us to become a statute would only be ratified if we had that level of agreement of the triumvirate of two adjoining States or nonadjoining States. That is the equivalent of asking each of the States to establish a memorandum of understanding before the basis of this bill could be implemented.

And, I don’t know, that is what we are trying to get away from here, is one Federal standard that lets people have their constitutional rights. In fact, I have not heard very much about constitutional rights, as I have listened to this very long debate here today. And that is the basis for this. The Constitution nullifies almost all of the dialogue that we have heard in the many amendments that have been offered.

And I do not know that anybody over there has to get a permit to exercise their freedom of speech, or religion, or the press. You just go ahead and utilize it. And I think you should, and I am all for it. And I utilize mine as well. But this amendment essentially nullifies the bill and
it would require almost a unanimous agreement between any of the States before the bill would have any effect whatsoever. So, I oppose the amendment, and I yield back the balance of my time.

Mr. Raskin. Would the gentleman yield for a question?

Mr. King. I would yield.

Mr. Raskin. Thank you. Are you aware that agreements like this are already in effect in 22 States, which have voluntarily decided to create real reciprocal concealed carry laws?

Mr. King. Reclaiming my time, yes. And they have demonstrated support across the country that we should eliminate the need for those memorandums of understanding, those reciprocating agreements, and simply assert the Constitution for the entire jurisdiction of this Federal Government.

Mr. Raskin. Would you yield for another question?

Mr. King. I yield again.

Mr. Raskin. When you say, “assert the Constitution,” will you explain what you mean by that? Do you think that the United States Congress has been in violation of the Second Amendment for more than 2 centuries by not passing this law?

Mr. King. In reclaiming my time, I think the gentleman maybe should be a little bit more cautious about that path
because, you know, we are incrementally restoring constitutional rights in the Second Amendment here. I think we all recognize that, and I want to be prudent about it and careful. I also would point out that I had dinner with Mr. Heller. Some of you referenced the Heller decision, and he still does not have his gun, even though he has a Supreme Court decision that reestablished his Second Amendment rights.

And so, it is an incremental approach, but we do not need to require the States to reach these unanimous type agreements between them, and we certainly do not need to empower one individual within a State, whether it is the State Attorney General, the head of the State police, or the Secretary of State to have veto authority over the United States Congress. So, I would urge the defeat of this amendment, but I would yield to the gentleman from California.

Mr. Issa. Thank you. I think the gentleman from Iowa is right in a sense that, perhaps, the gentleman from Maryland would agree with, and that is that there is an essential safeguard here, which is that our Founding Fathers clearly intended States to respect that which was legal in the ordinary course of commerce and other areas in a State.

For example, my State does not like the same standards
on automobiles. But they have to accept a vehicle license
in one State driving into California. Trust me. They did
not want to. They passed at times laws trying to restrict
that, and the court has slapped them down.

Now, a car or some other commercial vehicle, thing,
coming across State lines and not having to reregister, so
to speak, with new standards, it has nothing to do with a
constitutional right. We are dealing with a constitutional
right, the Second Amendment. We are restricting the ability
to assert that with rare exceptions, law enforcement, and
Federal judges and so on. We are restricting it to those
who have been granted in a State a concealed weapons permit.

And so, I think one of the challenges that the
gentleman has is: I appreciate the idea that a compact is a
nice thing. But if this were the case, then we would have
compacts to say that your car could not come in to
California, and we do not because the court has held that
that which is legal in one State in the ordinary course is
legal in the other State after you purchase it.

Mr. King. Would the gentleman yield?

Mr. Raskin. It is the gentleman's time.

Mr. King. I would yield to the gentleman from
Maryland.

Mr. Raskin. Let me just ask because I am trying to
take seriously the logic of this proposal. I hope that you
do understand the completely unprecedented nature of what
you want to do. This is the equivalent of saying that any
State must accept anybody's use of marijuana if that use of
marijuana were legal back in their home State. In other
words, if you have got recreational use in Colorado, then
you should be able to go to Texas and use it there. Would
you agree that that follows the logic?

Mr. Issa. I reclaim my time, since it has expired. I
would point out another inconsistency, and that is our
trucks cannot always go into California. But what is in
front of us is the constitutional right that is specific and
specified in the Second Amendment. And so, I would conclude
and yield back the balance of my time and urge the defeat of
this amendment.

Chairman Goodlatte. A question occurs on the amendment
offered by the gentleman from Maryland.

All those in favor, respond by saying aye.

Those opposed, no.

In the opinion of the chair, the noes have it, and the
amendment is not agreed to.

Ms. Jackson Lee. Mr. Chairman?

Chairman Goodlatte. For what purpose does the
gentlewoman from Texas seek recognition?
Ms. Jackson Lee. I have an amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment.

Ms. Jackson Lee. 006.

Ms. Adcock. Amendment to the amendment in the nature of a substitute to H.R. 38, offered by Ms. Jackson Lee.

Page 5, line 10, insert after --

[The amendment of Ms. Jackson Lee follows:]

********** INSERT 21 **********
Chairman Goodlatte. Without objection, the amendment is considered as read, and the gentlewoman is recognized for 5 minutes on her amendment.

Ms. Jackson Lee. Mr. Chairman, we have tried in every way to be collaborative on the process where guns kill. We want to protect our officers. We want to protect our community. And I think it is important to note: even as we have argued for guns to be in Florida and guns to be in various States, that 114,994 people die every year through gun violence. They are shot; 33,800 fatalities, 2,000 children.

We do not know the reasons that people do so, but my amendment, in particular, says this section will not apply in the case of any person convicted of an offense under Section 249 or substantially similar offense under the law of any State.

That is, my amendment intends to prevent someone convicted of a hate crime, as defined or any substantially similar offense under the law of any State from carrying under this bill. This would enhance public safety by barring those who commit hate crimes from traveling across State lines to engage in similar activities while carrying.

Under Federal law and the law in most States, individuals who have been convicted of hate crimes remain
free to buy and possess guns. One of the most notorious hate crimes where the individual indicated that he was there to start a race war were the actions in Mother Emmanuel in Charleston, South Carolina where an individual came in to a prayer circle, and because he wanted to start a race war, shot nine praying parishioners.

Hate-motivated individuals such as violent extremists and hate criminals often use guns as a tool to terrorize, threaten, and intimidate members of historically vulnerable or marginalized communities. In many instances, African-American communities, poor communities. Use of guns by these perpetrators in immigrant communities infuses a harm done to these communities by introducing a uniquely lethal instrument, a firearm.

Just a few hours ago I introduced legislation preventing someone who had a domestic violence conviction, and indicated that if it is a domestic violence situation you have a gun: it is a 500 percent chance it will end in homicide. If you have hatred, if you are the individuals who are evidenced on the violent video in Charlottesville, Virginia, the University of Virginia, where an individual lost her life: if those individuals were able to be carrying massive guns, what would have occurred? You could see the hatred.
The threat of a gun from dangerous extremists sends a clear message that they not only harbor feelings of bias or hate against a particular group, but also that they are willing to kill in the service of this ideology.

A new analysis of the national crime victimization survey data by the Center for American Progress reveals that between 2010 and 2014 roughly 43,000 hate crimes were committed in the United States that involve the use or threat of guns, and hate crimes are beginning to be on the rise.

The Jackson Lee amendment keeps guns out of the hands of individuals who perpetrate hate crimes and is, therefore, a crucial measure to help ensure the safety of groups that have historically been targeted because of their race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, or disability. Unfortunately, hate proliferates, hate spreads, hate grows, hate can be exercised by anyone.

And so, I would ask my colleagues to make this a comprehensive bill, and to ensure that someone convicted of a hate crime as defined in section 24 or any substantially similar offense under the law of any State from carrying under this bill.

Let me also indicate to my colleagues that the Major
Cities Chiefs Association, representing all of the Nation’s national police chiefs; I think they know a little bit about management. They know a little bit about running police departments from the smallest of the 18,000 to the largest. Members of the Police Departments of Chicago, New York, Atlanta, and various other cities are well aware of the dangers of this legislation.

And so, they have written to oppose H.R. 38. "We are writing to voice our strong opposition to the Concealed Carry Reciprocity Act because we are responsible for public safety in jurisdictions across the Nation. We recognize that this legislation would be an enormous mistake."

By the way, they sent this letter to the Speaker of the House on November 2nd. "The measure is both impractical and contrary to the rights of States. Moreover, it raises constitutional questions about the authority of Congress to direct State officers. Concealed weapon permits have been tailored to the needs of regions and local communities over a period of many years.

An attempt by Congress to preempt these State laws, forces States to accept the lowest minimum standard for concealed carry across the Nation and creates a contradiction between the standards required for State residents and State visitors. The thousands of local permit
formats would make enforcement impossible."

Let me re-emphasize: this is from chiefs of police who have gone up through the ranks, started as a patrol officer, a beat officer, would make enforcement impossible because police officers would not be able to determine the validity of a permit issued in another State or locality. It would be impossible for law enforcement to distinguish true permit carriers from criminals and illegal guns. They are on the street. They are in a stop.

We are confident that Members of Congress will respect the constitutional sovereignty of the States and will not act with disregard for the many reasonable and prudent laws already in place across the Nation. Only 27 States had laws regarding misdemeanor domestic violence. These chiefs are correct. I ask unanimous consent to place this Major Cities Chiefs Association letter of opposition in the record.

Chairman Goodlatte. Without objection, it will be made a part of the record.

[The information follows:]

********** COMMITTEE INSERT **********
Ms. Jackson Lee. Thank you Mr. Chairman, and I ask my colleagues to support the Jackson Lee Amendment dealing with the question of hate. Hate and guns is a toxic mixture and can cause the loss of lives of innocent civilians and our dutiful law-enforcement officers: State, local, and Federal. With that, I ask support of the Jackson Lee amendment. I yield back.

Chairman Goodlatte. The chair thanks the gentlewoman, and recognizes himself.

The gentlewoman's concern about people involved in hate crimes having access to concealed carry permits is a legitimate concern. However, the good news is that the section of the law that she cites, section 249 of title XVIII, only encompasses felonies. So, anyone convicted under section 249 of title XVIII is going to, by virtue of that conviction, be excluded from concealed carry permits. Therefore, the amendment is not necessary, and I oppose it.

Ms. Jackson Lee. Does the gentleman yield?

Chairman Goodlatte. I would be happy to yield.

Ms. Jackson Lee. I will continue, Mr. Chairman. Thank you for your comment, but I do believe that when you have a bill that has potential, as this bill does, for collateral damage, loss of life in a police stopping, that the idea of hate crimes should be specifically so noted in the
Mr. Raskin. Would the gentlewoman yield?

Ms. Jackson Lee. I would be happy to yield to the gentleman.

Mr. Raskin. As I understand it, the chair’s point related just to the Federal section 249, but your amendment would sweep within it any substantially similar offense under State law as well?

Ms. Jackson Lee. That is correct.

Chairman Goodlatte. Any substantially similar offense would be similarly a felony.

Ms. Jackson Lee. No.

Mr. Raskin. Well, I understood that the gentlelady's amendment was targeting hate crimes more broadly understood. In any event, again, if that is the contemplation, there should be no problem clarifying it through the gentlelady's amendment, which is not at all hypothetical, of course, because we have seen terrible incidents of hate crimes conducted with guns, such as the massacre that took place in South Carolina most recently, which is on everyone's minds.

Why would we not be very clear to carve out from this unprecedented and dramatic new nationalization of concealed carry law to override the laws of the States an exception to make sure that we are preventing people who have committed
Chairman Goodlatte. Reclaiming my time. I would just say to the gentleman that the law is very clear under section 249. The offense is a felony. If you have a felony conviction, you do not qualify to possess a firearm, much less have a concealed carry permit. I would argue that any State law that is substantially similar would meet a similar fate for an individual who wants to have a concealed carry permit.

But, if that is not the case, then the imprecise nature of this amendment would cause me concern because you could get into all kinds of efforts. I would think they would be unconstitutional to call certain types of speech and other activities a hate crime. It is not a hate crime unless it is spelled out in a law, and if it is a substantially similar law to the law that is on the Federal books, it is a felony, and it would not be covered. So, I cannot support the amendment.

Ms. Jackson Lee. Would the gentleman allow me to yield just one more moment?

Chairman Goodlatte. I would be happy to yield to the gentlewoman.

Ms. Jackson Lee. Let me just join and associate myself with the remarks of the gentleman from Maryland, Mr.
Chairman, but I also reemphasize that a repetition, not a redundancy, but a repetition in the seriousness of this legislation that opens up mass opportunity to carry guns anywhere you could be permitted.

That is the underlying premise, but as indicated by the Major Chief’s letter, many States have differing permit qualifications, and the State that this individual is entering into may not equate. You have now knocked out, undermined, eliminated, extinguished those either stricter or looser provisions and having law enforcement yield to it.

Let me also just add a letter that has just come in, Mr. Chairman, I ask unanimous consent to put it into the record, from the chief of police of Houston, Texas, Chief Art Acevedo, who has indicated his opposition because States have carefully crafted laws.

"We strongly ask Congress to reject the misguided and impractical proposal for reciprocity as police officers could not be expected to recognize legitimate or forged permits from thousands of jurisdictions. It would be impossible to determine which persons are authorized to carry concealed weapons."

I ask unanimous consent to place it in the record as I yield back for support of my amendment. I yield back.

Chairman Goodlatte. Without objection, the letter from
Sheriff Acevedo, who I had the opportunity to meet thanks to you, will be made a part of the record.

[The information follows:]

************** COMMITTEE INSERT **************
Chairman Goodlatte. A question occurs on the amendment offered by the gentlewoman from Texas.

All those in favor, respond by saying aye.

Those opposed, no.

In the opinion of the chair, the noes have it. The amendment is not agreed to.

A roll call vote is requested and the clerk will call the roll.

Ms. Adcock. Mr. Goodlatte?

Chairman Goodlatte. No.

Ms. Adcock. Mr. Goodlatte votes no.

Mr. Sensenbrenner.

[No response.]

Mr. Smith?

[No response.]

Mr. Chabot?

Mr. Chabot. No.

Ms. Adcock. Mr. Chabot votes no.

Mr. Issa?

Mr. Issa. No.

Ms. Adcock. Mr. Issa votes no.

Mr. King?

Mr. King. No.

Ms. Adcock. Mr. King votes no.
Mr. Franks?
[No response.]

Mr. Gohmert?

Mr. Gohmert. No.

Ms. Adcock. Mr. Gohmert votes no.

Mr. Jordan?

Mr. Jordan. No.

Ms. Adcock. Mr. Jordan votes no.

Mr. Poe?
[No response.]

Mr. Marino?

Mr. Marino. No.

Ms. Adcock. Mr. Marino votes no.

Mr. Gowdy?
[No response.]

Mr. Labrador?
[No response.]

Mr. Farenthold?
[No response.]

Mr. Collins?

Mr. Collins. No.

Ms. Adcock. Mr. Collins votes no.

Mr. DeSantis?

Mr. DeSantis. No.
Ms. Adcock. Mr. DeSantis votes no.

Mr. Buck?

Mr. Buck. No.

Ms. Adcock. Mr. Buck votes no.

Mr. Ratcliffe?

Mr. Ratcliffe. No.

Ms. Adcock. Mr. Ratcliffe votes no.

Mrs. Roby?

Mrs. Roby. No.

Ms. Adcock. Mrs. Roby votes no.

Mr. Gaetz?

Mr. Gaetz. No.

Ms. Adcock. Mr. Gates votes no.

Mr. Johnson of Louisiana?

[No response.]

Mr. Biggs?

Mr. Biggs. No.

Ms. Adcock. Mr. Biggs votes no.

Mr. Rutherford?

Mr. Rutherford. No.

Ms. Adcock. Mr. Rutherford votes no.

Mrs. Handel?

Mrs. Handel. No.

Ms. Adcock. Ms. Handel votes no.
Mr. Nadler?
Mr. Nadler. Aye.
Ms. Adcock. Mr. Nadler votes aye.
Mr. Conyers?
[No response.]
Ms. Lofgren?
Ms. Lofgren. Aye.
Ms. Adcock. Ms. Lofgren votes aye.
Ms. Jackson Lee?
Mr. Cohen?
[No response.]
Mr. Johnson of Georgia?
[No response.]
Mr. Deutch?
[No response.]
Mr. Gutierrez?
[No response.]
Ms. Bass?
[No response.]
Mr. Richmond?
[No response.]
Mr. Jeffries?
Mr. Cicilline?
Mr. Cicilline. Aye.
Ms. Adcock. Mr. Cicilline votes aye.
Mr. Swalwell?
Mr. Swalwell. Aye.
Ms. Adcock. Mr. Swalwell votes aye.
Mr. Lieu?
Mr. Lieu. Aye.
Ms. Adcock. Mr. Lieu votes aye.
Mr. Raskin?
Mr. Raskin. Aye.
Ms. Adcock. Mr. Raskin votes aye.
Ms. Jayapal?
[No response.]
Mr. Schneider?
Mr. Schneider. Aye.
Ms. Adcock. Mr. Schneider votes aye.
Chairman Goodlatte. The gentleman from Texas, Mr. Poe?
Mr. Poe. No.
Ms. Adcock. Mr. Poe votes no.
Chairman Goodlatte. The gentleman from Idaho, Mr.
Mr. Labrador?
Mr. Labrador. No.
Ms. Adcock. Mr. Labrador votes no.

Chairman Goodlatte. The gentleman from Arizona, Mr. Franks?

Mr. Franks. No.

Ms. Adcock. Mr. Frank's votes no.

Chairman Goodlatte. Has every member voted who wishes to vote? The clerk will report.

Ms. Adcock. Mr. Chairman, 8 members voted aye; 19 members voted no.

Chairman Goodlatte. And the amendment is not agreed to. Are there further amendments to H.R. 38?

Mr. Schneider. Mr. Chairman?

Chairman Goodlatte. For what purpose does the gentleman from Illinois seek recognition?

Mr. Schneider. I have an amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment.

Ms. Adcock. Amendment to the amendment in the nature of a substitute to H.R. 38 offered by Mr. Schneider of Illinois. Page 2 --

[The amendment of Mr. Schneider follows:]

********** INSERT 22 **********
Chairman Goodlatte. Without objection, the amendment is considered as read and the gentleman is recognized for 5 minutes on his amendment.

Mr. Schneider. Thank you Mr. Chairman. With more than a month left in 2017, there have already been more than 300 mass shooting events this year. On October 1st, we saw the worst mass shooting in our history as 59 Americans enjoying a concert in Las Vegas were gunned down by a single shooter, ensconced in a hotel room. Just a few short weeks later, 26 Americans were mercilessly murdered while worshiping on a Sunday with family and friends at a church in Texas. Last week, just before Thanksgiving, four people, including two children, were shot outside an elementary school in California.

Our Nation has experienced one mass shooting on average each and every day this year. This is outrageous, and this is nothing to say of the horrific gun violence in cities and homes across the country claiming lives daily. Yet, after all this, we, as a Congress and as a committee, have not yet considered any legislation, not one step, neither large nor small, to meaningfully address the gun violence that is wreaking havoc in communities throughout our country.

Sadly today, we are not here today debating legislation to address gaps in our background check system or consider
the rising problem of stolen guns or even regulate the bump
stock that allowed Las Vegas shooter to convert his weapon
into a functionally automatic one. Instead, this committee
is now marking up a bill that will weaken what existing
commonsense regulations we have in place.

So-called concealed carry reciprocity undermines
American gun laws by forcing States to accept the concealed
carry permitting standards of every other State, even if
another State has no standards at all. My constituents want
gun safety standards to protect our communities; not a race
to the bottom policy that puts more of our neighbors at
risk.

Illinois, in fact, has commonsense regulations on
concealed carry permits. For example, if you have had two
or more DUIs within the past 5 years, you do not have the
right to obtain a concealed weapons permit. And Illinois is
not alone. A majority of U.S. States deny concealed carry
permits to people with multiple recent DUIs.

This is a deliberate decision about who is simply too
irresponsible to carry a firearm in public. Yet, this bill
would steamroll over our States’ laws, allowing multiple
offenders to carry anywhere in the country, so long as they
seek out any low standards permitting system willing to
issue them a permit.
In a new study published earlier this year, researchers showed that among hand owners' convictions for DUI and other alcohol-related crimes are associated with a major increase, a four- to five-fold increase, in the later risk of arrest for a firearm crime or other violent crime. In other words, these convictions are a serious flag that a person is at risk of committing future crimes.

States that have decided to bar these offenders and have determined they are too irresponsible to carry in public and Congress should not be overriding this decision. My amendment to this legislation allows States like Illinois to continue to enforce our State laws barring people with two or more DUI offenses from carrying a concealed handgun.

I urge my colleagues to join me on this amendment to allow States to enforce commonsense rules to preventing irresponsible concealed carry, and I yield back.

Chairman Goodlatte. For what purpose does the gentleman from Iowa seek recognition?

Mr. King. I move to strike the last word.

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. King. Thank you, Mr. Chairman. This is another amendment that just addresses this and essentially says that a misdemeanor should be included. If the States are serious
about this, then they can change their misdemeanors if they want to turn them into felonies, and that has been part of the debate that we have had here all along.

And so, it is another amendment that I believe is redundant. But I appreciate the spirit that the gentleman offers this amendment in and the tenacity with which you have fought back this bill that restores some modicum of constitutional rights. And I urge the defeat of this amendment, and I yield back the balance of my time.

Chairman Goodlatte. A question occurs on the amendment offered by the gentleman from Illinois. All those in favor, respond by saying aye.

Those opposed, no.

In the opinion of the chair, the noes have it. The amendment is not agreed to.

Mr. King. A recorded vote, please.

Chairman Goodlatte. A recorded vote is requested and the clerk will call the roll.

Ms. Adcock. Mr. Goodlatte?

Chairman Goodlatte. No.

Ms. Adcock. Mr. Goodlatte votes no.

Mr. Sensenbrenner?

[No response.]

Mr. Smith?
Mr. Chabot?

Mr. Chabot. No.

Ms. Adcock. Mr. Chabot votes no.

Mr. Issa?

[No response.]

Mr. King?

Mr. King. No.

Ms. Adcock. Mr. King votes no.

Mr. Franks?

[No response.]

Mr. Gohmert?

Mr. Gohmert. No.

Ms. Adcock. Mr. Gohmert votes no.

Mr. Jordan?

Mr. Jordan. No.

Ms. Adcock. Mr. Jordan votes no.

Mr. Poe?

[No response.]

Mr. Marino?

Mr. Marino. No.

Ms. Adcock. Mr. Marino votes no.

Mr. Gowdy?

[No response.]
Mr. Labrador?
Mr. Labrador. No.
Ms. Adcock. Mr. Labrador votes no.
Mr. Farenthold?
[No response.]
Mr. Collins?
Mr. Collins. No.
Ms. Adcock. Mr. Collins votes no.
Mr. DeSantis?
[No response.]
Mr. Buck?
Mr. Buck. No.
Ms. Adcock. Mr. Buck votes no.
Mr. Ratcliffe?
Mr. Ratcliffe. No.
Ms. Adcock. Mr. Ratcliffe votes no.
Mrs. Roby?
Mrs. Roby. No.
Ms. Adcock. Mrs. Roby votes no.
Mr. Gaetz?
Mr. Gaetz. No.
Ms. Adcock. Mr. Gates votes no.
Mr. Johnson of Louisiana?
Mr. Johnson of Louisiana. No.
Ms. Adcock. Mr. Johnson votes no.

Mr. Biggs?

Mr. Biggs. No.

Ms. Adcock. Mr. Biggs votes no.

Mr. Rutherford?

Mr. Rutherford. No.

Ms. Adcock. Mr. Rutherford votes no.

Mrs. Handel?

Mrs. Handel. No.

Ms. Adcock. Mrs. Handel votes no.

Mr. Nadler?

Mr. Nadler. Aye.

Ms. Adcock. Mr. Nadler votes aye.

Mr. Conyers?

[No response.]

Ms. Lofgren?

Ms. Lofgren. Aye.

Ms. Adcock. Ms. Lofgren votes aye.

Ms. Jackson Lee?


Mr. Cohen?

Mr. Cohen. Aye.

Ms. Adcock. Mr. Cohen votes aye.
Mr. Johnson of Georgia?
[No response.]
Mr. Deutch?
[No response.]
Mr. Gutierrez?
[No response.]
Ms. Bass?
[No response.]
Mr. Richmond?
[No response.]
Mr. Jeffries?
[No response.]
Mr. Cicilline?
Mr. Cicilline.  Aye.
Ms. Adcock.  Mr. Cicilline votes aye.
Mr. Swalwell?
Mr. Swalwell.  Aye.
Ms. Adcock.  Mr. Swalwell votes aye.
Mr. Lieu?
Mr. Lieu.  Aye.
Ms. Adcock.  Mr. Lieu votes aye.
Mr. Raskin?
Mr. Raskin.  Aye.
Ms. Adcock.  Mr. Raskin votes aye.
Ms. Jayapal?

[No response.]

Mr. Schneider?

Mr. Schneider. Aye.

Ms. Adcock. Mr. Schneider votes aye.

Chairman Goodlatte. The gentleman from California?

Mr. Issa. No.

Ms. Adcock. Mr. Issa votes no.

Chairman Goodlatte. The gentleman from Arizona?

Mr. Franks. No.

Ms. Adcock. Mr. Franks votes no.

Chairman Goodlatte. Has every member voted who wishes to vote? The clerk will report.

Ms. Adcock. Mr. Chairman, 9 members voted aye; 18 members voted no.

Chairman Goodlatte. And the amendment is not agreed to. Are there further amendments to H.R. 38?

Mr. Swalwell. Mr. Chairman, I have an amendment at the desk.

Chairman Goodlatte. Who said that? Oh, the clerk will report the amendment of the gentleman from California.

Ms. Adcock. Amendment to the amendment in the nature of a substitute to H.R. 38 offered by Mr. Swalwell of California. Page 5, line 10, strike the closed quotation
marks and the following period. Page 5 --

[The amendment of Mr. Swalwell follows:]

********** INSERT 23 **********
Chairman Goodlatte. Without objection, the amendment is considered as read, and the gentleman is recognized for 5 minutes on his amendment.

Mr. Swalwell. thank you Mr. Chairman. My amendment is offered in the spirit of the bipartisan King-Thompson universal background check legislation. My amendment would condition the ability for concealed carry reciprocity on States expanding who is subject to Federal background checks. This is a bipartisan idea that should improve this bill.

Background checks have blocked more than 3 million sales to prohibited persons since the Brady Act went into effect in 1994. It is just a cold, hard fact that background checks keep Americans safer. It protects our communities.

Unfortunately, a large percentage of gun sales today occur without a background check. This is in part due to upgrades in technology since 1994 like internet sales, but it also includes gun show sales, and in sales to people with concealed carry permits under certain circumstances. Over 90 percent of Americans believe we should have universal background checks. In fact, most Americans believe that universal background checks, despite not existing actually, are, in fact, in place.
I implore my Republican colleagues: if we are going to have reciprocity for concealed carry, let's do all we can to ensure that every community in America that will now have to honor another State's concealed carry laws at least can guarantee to people in that community that the person carrying the firearm has gone through an expanded, universal background check.

Again, this is a bipartisan idea. It is endorsed by Congressman Peter King and Mike Thompson, as well as dozens of other Republican and Democratic colleagues. It is an idea that the American people are largely and overwhelmingly behind, and I think if we are going to dramatically expand firearm carrying in this country, we should make sure that every person is subject to an enhanced, universal background check. And with that, I yield back.

Chairman Goodlatte. The chair recognizes the gentleman from Iowa for 5 minutes.

Mr. King. I move to strike the last word. Thank you, Mr. Chairman. I arise in opposition to this amendment. I wonder if the gentleman has ever tried to buy a gun at a gun show, and I have not had much luck doing that without a background check, although I do carry a concealed weapon permit along with me, and that requires a background check as well.
These loopholes that are discussed are continually the mantra of the antigun left, but when you look into the facts of them, the facts do not support the statements that are made. There is no loophole for private sales. The line in Federal law was intentionally drawn at commercial activity, rather than occasional casual transfers.

I can, though, present a gun to my son under the Christmas tree, and I should continue to be able to do that. We do not want to outlaw Christmas at the Kings. And so, I would say also that the gun show loophole background check amendment has a number of references to loopholes in it, but they have not been held up by the facts, and I urge defeat of this amendment. I yield back the balance of my time.

Chairman Goodlatte. For what purpose does the gentleman from Maryland seek recognition?

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

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Raskin. I am rising in very strong support of the Swalwell amendment here. Public opinion polls show that more than 90 percent of the American people support a universal background check. A majority of Democrats, a majority of Republicans, a majority of Independents, north, east, west, south.
I have not seen any polls showing support for this idea of nationalizing concealed carry law. So, the very least that this amendment would do would be to radically improve the popularity of this legislation, and I think it is the least that we can do in terms of public safety --

Ms. Jackson Lee. Will the gentleman yield?

Mr. Raskin. Yes.

Ms. Jackson Lee. Yes. Let me, if I might, rise in support of universal background checks. I cannot think of a more appropriate initiative for us to continue to remind our colleagues of the sentiment of the majority of the American people. I heard a terminology that I know my good friend from Iowa just had a slip of the tongue on the left gun second amenders, if you will.

I know that there is no left or right when it comes to lives that have been lost by the proliferation of guns, and the importance of ensuring universal background checks to ensure everyone’s safety, including my good friend from Iowa.

But the point that I simply want to make is that it stuns me that we are passing this legislation in the backdrop of my native city, a city that is in my State, where parishioners died on a Sunday morning. Or that we are passing this legislation in the backdrop of a city that is still trying to heal in Las Vegas, Nevada, where 58 people
died.

I am stunned. I ask my colleagues to reconsider. There is something of laying this on the table. This legislation needs to be laid on the table and we really should not proceed, and with that I yield back to the gentleman.

Mr. Swalwell. Will the gentleman yield?

Mr. Raskin. Yes, I will yield for a moment.

Mr. Swalwell. Thank you, and to address the gentleman from Iowa’s concerns about Christmas at the Kings. Well, we were not specifically addressing Christmas at your home, Mr. King, but if you read, there is an exception for the transfer of a firearm between spouses, between parents, or spouses of parents and their children as long as there is no reason to know that the person is prohibited from receiving or possessing firearm.

So, this does not even prohibit the family transfer of firearms. It is to address internet sales and sales at gun shows where background checks are not being conducted. And I yield back to Mr. Raskin.

Mr. Raskin. I just want to close out this useful colloquy by saying that for the first time, there is a proposal on the floor to nationalize conceal carry law, to destroy and thwart the laws of 50 States and other jurisdictions in the country. And if we are going to create
that national law, let’s at least build into that law the consensus of national popular sentiment, which is that we need to have a universal background check in the wake of everything that we have seen that has taken place.

Everything that took place in Las Vegas. Everything that took place in New Town, Connecticut. Everything that took place in Charleston, South Carolina. Everything that is taking place every single day in the urban areas, in the rural areas, in the suburban areas of America. We do not have to live like this.

We can respect people’s Second Amendment rights by honoring the right to possess a handgun for purposes of self-defense and allowing people to have rifles and long guns for the purposes of hunting and recreation, while having a universal background check, which is supported by the vast majority of the American people.

Do we really want to send the message, in the wake of these calamities that we have seen all over American, that all we can do is radically increase the availability and access to guns across the country by opening up this huge conceal carry loophole to allow 14 and a half-million conceal carry permit holders to travel wherever they want? And lots of them, and we can give you the numbers, have committed crimes with those guns.

So, that is all we can do in response to these
catastrophes that we have seen that have come to our own
doorstep? That have affected our own members? I mean, that
is a remarkable proposition. I would hope that Mr.
Swalwell’s reasonable, commonsense, common ground amendment
would be one that every member of this committee could
support. I yield back, Mr. Chairman.

Chairman Goodlatte. The question occurs on the
amendment offered by the gentleman from California.
All those in favor, respond by saying aye.
Those opposed, no.
In the opinion of the chair, the noes have it. The
amendment is not agreed to.

Mr. Swalwell. May I have a record?
Chairman Goodlatte. Word vote is requested. Chair
will call the roll.

Ms. Adcock. Mr. Goodlatte?
Chairman Goodlatte. No.
Ms. Adcock. Mr. Goodlatte votes no.
Mr. Sensenbrenner?
[No response.]
Mr. Smith?
[No response.]
Mr. Chabot?
Mr. Chabot. No.
Ms. Adcock. Mr. Chabot votes no.
Mr. Issa?

Mr. Issa. No.

Ms. Adcock. Mr. Issa votes no.

Mr. King?

Mr. King. No.

Ms. Adcock. Mr. King votes no.

Mr. Franks?

[No response.]

Mr. Gohmert?

Mr. Gohmert. No.

Ms. Adcock. Mr. Gohmert votes no.

Mr. Jordan?

Mr. Jordan. No.

Ms. Adcock. Mr. Jordan votes no.

Mr. Poe?

[No response.]

Mr. Marino?

Mr. Marino. No.

Ms. Adcock. Mr. Marino votes no.

Mr. Gowdy?

[No response.]

Mr. Labrador?

[No response.]

Mr. Farenthold?

[No response.]
Mr. Collins?

Mr. Collins. No.

Ms. Adcock. Mr. Collins votes no.

Mr. DeSantis?

Mr. DeSantis. No.

Ms. Adcock. Mr. DeSantis votes no.

Mr. Buck?

Mr. Buck. No.

Ms. Adcock. Mr. Buck votes no.

Mr. Ratcliffe?

Mr. Ratcliffe. No.

Ms. Adcock. Mr. Ratcliffe votes no.

Mrs. Roby?

Mrs. Roby. No.

Ms. Adcock. Mrs. Roby votes no.

Mr. Gaetz?

Mr. Gaetz. No.

Ms. Adcock. Mr. Gaetz votes no.

Mr. Johnson of Louisiana?

[No response.]

Mr. Biggs?

Mr. Biggs. No.

Ms. Adcock. Mr. Biggs votes no.

Mr. Rutherford?

Mr. Rutherford. No.
Ms. Adcock. Mr. Rutherford votes no.

Mrs. Handel?

Mrs. Handel. No.

Ms. Adcock. Mrs. Handel votes no.

Mr. Nadler?

Mr. Nadler. Aye.

Ms. Adcock. Mr. Nadler votes aye.

Mr. Conyers?

[No response.]

Ms. Lofgren?

[No response.]

Ms. Jackson Lee?


Mr. Cohen?

Mr. Cohen. Aye.

Ms. Adcock. Mr. Cohen votes aye.

Mr. Johnson of Georgia?

[No response.]

Mr. Deutch?

Mr. Deutch. Aye.

Ms. Adcock. Mr. Deutch votes aye.

Mr. Gutierrez?

[No response.]

Ms. Bass?
Mr. Richmond?
[No response.]
Mr. Jeffries?
[No response.]
Mr. Cicilline?
Mr. Cicilline. Aye.
Ms. Adcock. Mr. Cicilline votes aye.
Mr. Swalwell?
Mr. Swalwell. Aye.
Ms. Adcock. Mr. Swalwell votes aye.
Mr. Lieu?
Mr. Lieu. Aye.
Ms. Adcock. Mr. Lieu votes aye.
Mr. Raskin?
Mr. Raskin. Aye.
Ms. Adcock. Mr. Raskin votes aye.
Ms. Jayapal?
[No response.]
Mr. Schneider?
Mr. Schneider. Aye.
Ms. Adcock. Mr. Schneider votes aye.
Chairman Goodlatte. The gentleman from Arizona?
Ms. Adcock. Mr. Franks votes no.
Chairman Goodlatte. The gentleman from Idaho?
Ms. Adcock. Mr. Labrador votes no.

Chairman Goodlatte. Has every member voted who wishes to vote? The clerk will report.

Ms. Adcock. Mr. Chairman, 10 members voted aye; 18 members voted no.

Chairman Goodlatte. And the amendment is not agreed to. Are there further amendments to H.R. 38?

Mr. Raskin. Mr. Chairman?

Chairman Goodlatte. For what purpose does the gentleman from Maryland seek recognition?

Mr. Raskin. I have an amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment.

Ms. Adcock. Amendment to the amendment in the nature of a substitute to H.R. 38 offered by Mr. Raskin of Maryland. Page 1, line 2 --

[The amendment of Mr. Raskin follows:]

******* INSERT 24 **********
Chairman Goodlatte. Without objection, the amendment is considered as read. The gentleman is recognized for 5 minutes.

Mr. Raskin. Mr. Chairman, Thank you. We obviously have a radical difference in philosophy with respect to federalism, States’ rights, law enforcement, and public safety. But I hope we can at least converge around the principal of truth in advertising. This amendment would just change the short title of the bill from the Concealed Carry Reciprocity Act of 2017 to the National Override of State Concealed Carry Laws Act of 2017.

As we have determined throughout discussion today, this legislation is absolutely nothing to do with reciprocity. There are 22 agreements in place right now where there are compacts, agreements between the States. Those are all being destroyed by this legislation. We are nullifying the actual agreements of reciprocity that have been developed by the States just like we have turned the Congress into a bulldozer of State laws across the country governing concealed carry laws.

So, we cannot honestly call this a Concealed Carry Reciprocity Act. It is a National Override of State Concealed Carry Act of 2017. I have tried to state it as neutrally as possible, and I hope that both sides of the aisle would agree to the honesty of this approach.
Chairman Goodlatte. The question occurs on the amendment offered by the gentleman from Maryland.
All those in favor respond by saying aye.
Those opposed, no.
In the opinion of the chair, the noes have it. The amendment is not agreed to.

Are there further amendments to H.R. 38?
The question occurs on the amendment in the nature of substitute as amended.
All those in favor respond by saying aye.
Those opposed, no.
In the opinion of the chair, the ayes have it. The amendment is agreed to.

A reporting quorum being present, the question occurs on the motion to report the bill H.R. 38 as amended favorably to the House.
Those in favor say aye.
Those opposed, no.
The ayes have it, and the bill is ordered reported favorably.

Mr. Swalwell. May we have a record vote?
Chairman Goodlatte. A recorded vote is requested and the clerk will call the roll.
Ms. Adcock. Mr. Goodlatte?
Chairman Goodlatte. Aye.
Ms. Adcock. Mr. Goodlatte votes aye.

Mr. Sensenbrenner?

[No response.]

Mr. Smith?

[No response.]

Mr. Chabot?

Mr. Chabot. Aye.

Ms. Adcock. Mr. Chabot votes aye.

Mr. Issa?

Mr. Issa. Aye.

Ms. Adcock. Mr. Issa votes aye.

Mr. King?

Mr. King. Aye.

Ms. Adcock. Mr. King votes aye.

Mr. Franks?

[No response.]

Mr. Gohmert?

Mr. Gohmert. Aye.

Ms. Adcock. Mr. Gohmert votes aye.

Mr. Jordan?

Mr. Jordan. Yes.

Ms. Adcock. Mr. Jordan votes yes.

Mr. Poe?

[No response.]

Mr. Marino?
Mr. Marino. Yes.
Ms. Adcock. Mr. Marino votes yes.
Mr. Gowdy?
[No response.]
Mr. Labrador?
Mr. Labrador. Yes.
Ms. Adcock. Mr. Labrador votes yes.
Mr. Farenthold?
[No response.]
Mr. Collins?
Mr. Collins. Aye.
Ms. Adcock. Mr. Collins votes aye.
Mr. DeSantis?
Mr. DeSantis. Aye.
Ms. Adcock. Mr. DeSantis votes aye.
Mr. Buck?
Mr. Buck. Aye.
Ms. Adcock. Mr. Buck votes aye.
Mr. Ratcliffe?
Mr. Ratcliffe. Yes.
Ms. Adcock. Mr. Ratcliffe votes yes.
Mrs. Roby?
Mrs. Roby. Aye.
Ms. Adcock. Mrs. Roby votes aye.
Mr. Gaetz?
Mr. Gaetz. Aye.

Ms. Adcock. Mr. Gates votes aye.

Mr. Johnson of Louisiana?

[No response.]

Mr. Biggs?

Mr. Biggs. Aye.

Ms. Adcock. Mr. Biggs votes aye.

Mr. Rutherford?

Mr. Rutherford. Aye.

Ms. Adcock. Mr. Rutherford votes aye.

Mrs. Handel?

Mrs. Handel. Aye.

Ms. Adcock. Mrs. Handel votes aye.

Mr. Nadler?

Mr. Nadler. No.

Ms. Adcock. Mr. Nadler votes no.

Mr. Conyers?

[No response.]

Ms. Lofgren?

Ms. Lofgren. No.

Ms. Adcock. Ms. Lofgren votes no.

Ms. Jackson Lee?

[No response.]

Mr. Cohen?

Ms. Jackson Lee. How am I recorded?
Ms. Adcock. Not recorded.

Ms. Jackson Lee. No.

Ms. Adcock. Ms. Jackson Lee votes no.

Mr. Cohen?

Mr. Cohen. No.

Ms. Adcock. Mr. Cohen votes no.

Mr. Johnson of Georgia?

[No response.]

Mr. Deutch?

Mr. Deutch. No.

Ms. Adcock. Mr. Deutch votes no.

Mr. Gutierrez?

[No response.]

Ms. Bass?

[No response.]

Mr. Richmond?

[No response.]

Mr. Jeffries?

[No response.]

Mr. Cicilline?

Mr. Cicilline. No.

Ms. Adcock. Mr. Cicilline votes no.

Mr. Swalwell?

Mr. Swalwell. No.

Ms. Adcock. Mr. Swalwell votes no.
Mr. Lieu?
Mr. Lieu. No.

Ms. Adcock. Mr. Lieu votes no.

Mr. Raskin?
Mr. Raskin. No.

Ms. Adcock. Mr. Raskin votes no.

Ms. Jayapal?
[No response.]

Mr. Schneider?
Mr. Schneider. No.

Ms. Adcock. Mr. Schneider votes no.

Chairman Goodlatte. The gentleman from Arizona?
Mr. Franks. Aye.

Ms. Adcock. Mr. Franks votes aye.

Chairman Goodlatte. The gentleman from Georgia?
Mr. Johnson of Georgia. No.

Ms. Adcock. Mr. Johnson votes no.

Chairman Goodlatte. The gentleman from Louisiana?
Mr. Johnson of Louisiana. Yes.

Ms. Adcock. Mr. Johnson votes yes.

Chairman Goodlatte. Has every member voted who wishes to vote? The clerk will report.

Ms. Adcock. Mr. Chairman, 19 members voted aye; 11 members voted no.

Chairman Goodlatte. The ayes have it. The bill is
ordered reported favorably to the House. Members will have 2 days to submit views. And, without objection, the bill will be reported as a single amendment in the nature of a substitute incorporating all adopted amendments and staff is authorized to make technical and conforming changes.

Pursuant to notice, I now call up H.R. 4477 for purposes of markup and move that the committee report the bill favorably to the House. The clerk will report the bill.

Ms. Adcock. H.R. 4477. “To enforce current law regarding the National Instant Criminal Background Check System.”

[The bill follows:]

********** INSERT 25 **********
Chairman Goodlatte. Without objection, the bill is considered as read and open for an amendment at any time, and I will begin by recognizing myself for an opening statement.

In order to purchase a firearm from a Federal firearms dealer in the United States, an individual must undergo a National Instant Criminal Background Check System, or NICS, check administered by the Federal Bureau of Investigation. A NICS check includes a query of three databases maintained by the FBI.

If a NICS check identifies a person as falling within a prohibited category, the FBI advises the firearms dealer that the transfer is denied. Our NICS system is only as good as the information that resides within it. Unfortunately, records in the NICS prohibited individuals are incomplete. In 2007, we tragically learned what can happen when all the relevant information is not properly uploaded into NICS.

On April 16, 2007, on the campus of Virginia Tech, a student shot and murdered 32 people and wounded 17 others in two separate attacks. Prior to these horrific events, the shooter had been adjudicated mentally ill and ordered to attend treatment. This adjudication should have barred him from purchasing the firearms used in the attacks.

However, the State did not report the legal status of
the murderer to NCIS. In response, Congress passed and the
President signed the NICS Improvement Amendments Act of
2007. The NIAA sought to address the gaps in information
available to NICS about such prohibiting mental health
adjudications and commitments and other prohibiting
backgrounds.

Filling these information gaps was intended to better
enable the system to operate as intended to keep laws out of
the hands of persons prohibited by Federal or State law from
receiving or possessing firearms.

A decade later, all of the relevant prohibiting
information is still not available in the NICS system.
Earlier this month, a mass shooting occurred at the First
Baptist Church in Sutherland Springs, Texas. The gunman
murdered 26 and injured 20 others. The perpetrator was
prohibited by law from purchasing or possessing firearms and
ammunition due to a domestic violence conviction.

Unlike the Virginia Tech shooting, the shooter in this
instance had been convicted before a Federal tribunal. He
was found guilty during a court martial while in the United
States Air Force. However, the Air Force failed to record
the conviction in the FBI NCIC database. The Fix NICS Act
before us today will plug the holes and allow these
convictions to go unreported in NICS.

Among other things, the bill requires all Federal
agencies to certify twice per year that they are uploading criminal records information to NICS and requires them to establish an implementation plan to ensure maximum coordination and reporting of records.

The bill holds Federal agencies accountable for failing to upload records by requiring the attorney general to publish on the Department of Justice website and report to Congress the status of any agency that has failed to submit the required certification or failed to comply with its implementation plan.

Finally, the bill reauthorizes the NICS Record Improvement Program and the National Criminal History Improvement Program. I urge my colleagues to support this legislation. It is now my pleasure to recognize ranking member of the Judiciary Committee, the gentleman from New York, Mr. Nadler, for his opening statement.

[The prepared statement of Chairman Goodlatte follows:]

******* COMMITTEE INSERT *******
Mr. Nadler. Thank you, Mr. Chairman. Mr. Chairman, I support the Fix NICS Act as a sensible step to improve our national firearms background check system. When we enacted the Brady Act in 1994, we evolved from a waiting period based system to one that has establish so called instant check through the National Instant Criminal Background Check System, what we now call the NICS.

When a licensed gun dealer runs a check on a prospective gun purchaser, that check is ultimately conducted through the NICS and the various constituent Federal and State databases in the NICS. If the check reveals that purchase is prohibited under Federal law from purchasing and possessing firearms, the sale should be denied. Of course, it was always apparent that this system would only be as effective as the information reported to and contained in the NICS.

With a national background check system was instituted, we established the National Criminal History Record Improvement Program, NCHIP, the help States automate criminal history record case dispositions, many of which were still record only on paper and were filed away in courthouses across the country.

Although that program has been helpful in making progress toward a seamless background check system, there have been numerous other obstacles. One such problem was
illustrated by the shooting deaths of 32 people at Virginia Tech in 2007. The young student was able to purchase a firearm from a gun dealer because his prohibiting mental health record had not been reported to the NICS system.

In response, we enacted the NICS Improvement Amendments Act in 2008 to encourage the submission of mental health records to the NICS and to direct Federal agencies to ensure that they submit to the system all relevant records in their possession. That law also established the NICS Act Record Improvement Program, otherwise known as NARIP, to help States collect and submit records to the NICS.

Now, after the Sutherland Springs, Texas shooting on November 5th, it is apparent that there continue to be dangerous gaps in reporting to the system. The Air Force had failed to report the court martial conviction of Devin Kelley for domestic abuse against his wife and child. Subsequently, Kelley was able to purchase firearms from a gun dealer after passing a background check he should have failed, and he subsequently shot and killed 26 people.

In response, we have the Fix NICS Act before us today. The bill would take a number of steps to address the shortcomings with the NCIS system. They would require Federal agencies to certify twice a year, that they are uploading relevant records to the NICS and would require agencies to establish implementation plans for submitting
their recodes. It would reauthorize the NCHIP and NARIP programs.

It would incentive States to specify which records submitted constitute disqualifying domestic violence records so that background checks may be processed more quickly when such records are encountered, and it would require that plans be established for each State to ensure that they submit relevant records to the NICS with grand preferences for States who comply with their plans.

These are all sound steps, which I hope will increase reporting of records to the NICS and will make the system more effective. Accordingly, I will support this bill. However, the logic of increasing reporting to the system to reduce gaps in the system, also extends to the need to expand the background check requirement to all commercial sales, not just sales by license gun dealers. We know that a large percentage of all gun sales proceed without a background check through the NICS. It is every bit as urgent that we close that massive loophole, which is much more than a gap in the system.

I look forward to addressing this issue as well as other legislation to strengthen our gun laws to make our citizens safer. Finally, I note that the last section of the bill would direct the Justice Department to report to Congress the number of instances in which bump stock devices
have been used in a crime.

I believe we should remove this provision from the bill. It is no substitute for doing what we now know must be done. Ban these devices, ban the bump stocks, which when added to a semiautomatic rifle, allow it to be fired at a much higher rate, sometimes approximating full automatic fire.

The ATF has told members of staff that they do not have the authority to ban these devices through classification or administrative action. So, it is up to us and we certainly should not wait for the results of a report before taking action. We already know how dangerous they are. I ask my colleagues to join me in supporting this bill today and, perhaps more importantly, in working with me on these other measures in the future. I thank you and I yield back the balance of my time.

[The prepared statement of Mr. Nadler follows:]

********** COMMITTEE INSERT **********
Chairman Goodlatte. Thank you, Mr. Nadler. Are there any amendments to H.R. 4477? I am going to go with the gentlewoman from Georgia.

Mrs. Handel. Thank you.

Chairman Goodlatte. You two talk, because I think you have similar amendments.

Chairman Goodlatte. Okay.

Mrs. Handel. Mr. Chairman, I have an amendment to the bill.

Chairman Goodlatte. The clerk will report the amendment.

Mrs. Handel. Is the clerk at the desk? Has it not come out?

Chairman Goodlatte. It is on the way.


Ms. Adcock. Amendment to H.R. 4477 offered by Mrs. Handel of Georgia. Page 17 -- [The amendment of Mrs. Handel follows:]

********** INSERT 26 **********
Chairman Goodlatte. Without objection, the amendment is considered as read and the gentlewoman is recognized for 5 minutes on her amendment.

Mrs. Handel. Thank you, Mr. Chairman. I support this bill wholeheartedly. It strengthens NICS and injects some much-needed accountability into the entire system. However, in the aftermath of the evil act perpetrated in Las Vegas last month, it is abundantly clear that bump stocks have become a topic of very high conversation in the overall debate about firearms.

This amendment would instruct the Attorney General to report to Congress on the number of instances in which a bump stock has actually been used in the commission of a crime and the specific type of firearms with which the bump stocks has been used in the course of criminal activity.

Additionally, the Attorney General would be required to report back to Congress with an opinion on whether the use of bump stocks in criminal activity is already covered under law. It is important that Congress fully understand this issue and this amendment will help us gather the relevant and much needed information so that we can act prudently and expeditiously in the best interest of the people and with that Mr. Chairman, I yield back.

Chairman Goodlatte. The chair thanks the gentlewoman.

For what purpose does the gentleman from New York seek
Mr. Nadler. I move to strike the last word.

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Nadler. Mr. Chairman, I oppose this amendment. Mrs. Handel is quite correct. The bump stocks are very dangerous, as we mentioned before. But at this point, to contemplate our navels by asking for a report on what we already know, namely that bump stocks are extremely dangerous, that they turn semiautomatic weapons essentially into automatic weapons, which have been banned since the 1930s is absurd. It is either irresponsible or a method of evading what we should do, which is to ban the bump stocks. There is no function for a bump stock other than to turn a legal weapon into the equivalent of an illegal weapon, namely a fully automatic rifle. We have seen the results of bump stocks. We ought to eliminate them. They serve no function whatsoever.

You do not hunt deer with bump stocks. You do not protect your home from thieves with bump stocks. We have made a decision back in the 1930s, which no one, to my knowledge, has ever contested, that we do not want automatic weapons and machine guns into the hands of people other than the military.

Bump stocks essentially are a clever way around that.
And we should not study them. Now, that we know what they do, now that we know two things that the public did not know basically a year ago, less than a year ago, a) that they exist, and b) what they do. We should ban them, which I think we are going to have an amendment to do. And it is simply disingenuous at this point to order a study. We know the results of a study. We do not need a study. We do not want a study. And it is just an excuse for evading action when action is required.

Chairman Goodlatte. Will the gentleman yield?

Mr. Nadler. Sure.

Chairman Goodlatte. I appreciate the gentleman yielding. You say we do not need a study. We know the results of the study. Can you answer question number one there? “Specify the number of instances in which a bump stock has been used in the commission of the crime in the United States?”

Mr. Nadler. Reclaiming my time. No, I cannot answer the amount of times, but I know the answer to the more important question. It ought never be used. We know at least one, and that is one too many. There is no legitimate function for a bump stock whatsoever. The only function of a bump stock is to take a semiautomatic weapon, which we allow to be sold, and turn it into an automatic weapon, which we have banned in this country since the 1930s. There
is no function.

How many times this evasion of the criminal law has been used to effect the criminal end is not the question. We ought to stop it, whether it is one, or 100, or 1 million, it ought to be stopped. I yield back.

Chairman Goodlatte. The question occurs on the amendment offered by the gentlewoman from Georgia.

All those in favor, respond by saying aye.

Those opposed, no.

In the opinion of the chair, the ayes have it. A recorded vote is requested. The clerk will call the roll.

Ms. Adcock. Mr. Goodlatte?

Chairman Goodlatte. Aye.

Ms. Adcock. Mr. Goodlatte votes aye.

Mr. Sensenbrenner?

[No response.]

Mr. Smith?

[No response.]

Mr. Chabot?

Mr. Chabot. Aye.

Ms. Adcock. Mr. Chabot votes aye.

Mr. Issa?

[No response.]

Mr. King?

Mr. King. No.
Ms. Adcock. Mr. King votes no.

Mr. Franks?

[No response.]

Mr. Gohmert?

Mr. Gohmert. No.

Ms. Adcock. Mr. Gohmert votes no.

Mr. Jordan?

Mr. Jordan. No.

Ms. Adcock. Mr. Jordan votes no.

Mr. Poe?

[No response.]

Mr. Marino?

Mr. Marino. No.

Ms. Adcock. Mr. Marino votes no.

Mr. Gowdy?

[No response.]

Mr. Labrador?

[No response.]

Mr. Farenthold?

[No response.]

Mr. Collins?

Mr. Collins. Aye.

Ms. Adcock. Mr. Collins votes aye.

Mr. DeSantis?

[No response.]
Mr. Buck?

Mr. Buck. No.

Ms. Adcock. Mr. Buck votes no.

Mr. Ratcliffe?

[No response.]

Mrs. Roby?

[No response.]

Mr. Gaetz?

[No response.]

Mr. Johnson of Louisiana?

Mr. Johnson of Louisiana. No.

Ms. Adcock. Mr. Johnson votes no.

Mr. Biggs?

Mr. Biggs. No.

Ms. Adcock. Mr. Biggs votes no.

Mr. Rutherford?

Mr. Rutherford. Yes.

Ms. Adcock. Mr. Rutherford votes yes.

Mrs. Handel?

Mrs. Handel. Yes.

Ms. Adcock. Mrs. Handel votes yes.

Mr. Nadler?

Mr. Nadler. No.

Ms. Adcock. Mr. Nadler votes no.

Mr. Conyers?
Ms. Lofgren?  No.
Ms. Adcock.  Ms. Lofgren votes no.
Ms. Jackson Lee?
[No response.]
Mr. Cohen?
Mr. Cohen.  No.
Ms. Adcock.  Mr. Cohen votes no.
Mr. Johnson of Georgia?
[No response.]
Mr. Deutch?
[No response.]
Mr. Gutierrez?
[No response.]
Ms. Bass?
[No response.]
Mr. Richmond?
[No response.]
Mr. Jeffries?
[No response.]
Mr. Cicilline?
Mr. Cicilline.  No.
Ms. Adcock.  Mr. Cicilline votes no.
Mr. Swalwell?
Mr. Swalwell. Aye.

Ms. Adcock. Mr. Swalwell votes aye.

Mr. Lieu?

Mr. Lieu. Aye.

Ms. Adcock. Mr. Lieu votes aye.

Mr. Raskin?

Mr. Raskin. No.

Ms. Adcock. Mr. Raskin votes no.

Ms. Jayapal?

[No response.]

Mr. Schneider?

Mr. Schneider. Aye.

Ms. Adcock. Mr. Schneider votes aye.

Mr. Poe. No.

Ms. Adcock. Mr. Poe votes no.

Mr. Labrador. No.

Ms. Adcock. Mr. Labrador votes no.

Mr. Raskin. Excuse me, Mr. Chairman? How is Mr. Raskin recorded?

Ms. Adcock. No.

Mr. Raskin. I would like to be recorded aye.

Mr. Cicilline. Mr. Chairman, I would also like to be recorded as aye.

Chairman Goodlatte. The clerk will report. The clerk will suspend.
Ms. Lofgren. Mr. Chairman?

Chairman Goodlatte. Yes.

Ms. Lofgren. How am I recorded?

Chairman Goodlatte. The clerk needs to answer the question of the gentlewoman from --

Ms. Adcock. No.

Ms. Lofgren. I will vote aye.

Chairman Goodlatte. Has every member voted who wishes to vote? The clerk will report.

Ms. Adcock. Mr. Chairman, 12 members voted aye, 12 members voted no.

Chairman Goodlatte. The amendment is not agreed to.

Are there further amendments to H.R. 4477?

Mr. Swalwell. Mr. Chairman, I have an amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment of the gentleman from California.

Ms. Adcock. Amendment to H.R. 4477 offered by Mr. Cicilline of Rhode Island.

Chairman Goodlatte. The clerk will clarify the recordation of the vote.

Ms. Adcock. 12 members voted aye, 10 members voted no.

Chairman Goodlatte. On that basis, the amendment is agreed to.

Mr. Poe. Mr. Chairman, I have a parliamentary inquiry.
Chairman Goodlatte. The gentleman will state his parliamentary inquiry.

Mr. Poe. How come it was 12 to 12 and now it is 12 to 10? We have got three people counting over there. Can that be explained?

Chairman Goodlatte. I can only explain it on the basis on the clerk sometimes making an error and apparently she did in this case.

Mr. Nadler. Three people made the same error?

Chairman Goodlatte. We can vote again, if you would like to vote again. We can certainly do that.

Mr. Poe. I just would like an answer to that question. Did we lose two votes? Did two people disappear?

Chairman Goodlatte. I think there was miscommunication amongst the three members of the panel there, and it is regrettable because they do a good job most of the time.

But, apparently, there was a miscalculation there. Several people changed their votes, and apparently that did not --

Mr. Poe. Not to belabor the point, but there were 24 votes, but now there are 22 votes.

Chairman Goodlatte. And there only were 22 people voting, so that is --

Mr. Poe. Okay. All right, thank you, Mr. Chairman.

Chairman Goodlatte. Sure. I think he has got it.

Mr. Poe. I am fine.
Chairman Goodlatte. Anyway, the amendment is adopted, 12 to 10. And now, we are considering the amendment offered by the gentleman from California, Mr. Swalwell, and the clerk will report the amendment.

Ms. Adcock. Cicilline?

Chairman Goodlatte. Okay, we are doing Mr. Cicilline now. All right.

Ms. Adcock. Amendment to H.R. 4477 offered by Mr. Cicilline of Rhode Island. Add at the end the following:

section 7, prevalidation of records. Section 101(a)(4) of the NICS Improvement Act of 2007 is amended by adding at the end the following: prevalidation of records. If a Federal department or agency under subparagraph A has any record of any person demonstrating that the person falls within one of the categories described in subsection G(1), G(8), G(9) or end of section 922 of Title XVIII United States code, the head of such department or agencies shall, not less frequently than quarterly, prevalidate the contents of the prohibiting record by using the identification for firearm sales, flag, or Brady indicator. Or making such records available in the NICS index for persons who have been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or a misdemeanor crime of domestic violence, or are subject to a disqualifying protection order.
The FBI shall not construe a Federal department or agency’s decision not to --

Mr. Cicilline. Mr. Chairman, I am asking unanimous consent that we dispense with the reading of this very excellent amendment.

[The amendment of Mr. Cicilline follows:]

********** INSERT 27 **********
Chairman Goodlatte. Scintillating, but, without objection, the amendment will be considered as read, and the gentleman is recognized for 5 minutes.

Mr. Cicilline. Thank you, Mr. Chairman. Mr. Chairman, when the NICS database contains up-to-date and accurate records, it can work efficiently to prevent criminals, domestic abusers, and the seriously mentally ill from obtaining firearms. My amendment to the Fix NICS Act would help make sure that the NICS system is even more effective by requiring that Federal agencies prevalidate certain records indicating a person should be barred from purchasing or owning a firearm.

A licensed firearm dealer running a background check may transfer a firearm to a person if the dealer has not received a response within 3 business days from the NICS system. However, the background check process can take much longer than 3 days for certain categories of prohibitive persons. For example, in order to deny a firearm transfer to a person with a domestic violence conviction or protection order, NICS system officials must ensure that several criteria are met. These criteria include confirming the crime involves an element of force and that there was a relationship between the offender and the victim.

Another challenge regarding these kind of records is that States differ on which criminal offenses should be
could be considered a misdemeanor domestic violence conviction. Some States have assault, battery, or disturbing the peace officers; other States have specific domestic violence offenses. Background checks that involve multiple criteria or State-specific offenses can lengthen the background check process because of necessary coordination with local agencies to obtain relevant information.

Federal and State agencies can submit prevalidated records to the NICS system by identifying domestic violence convictions and protection orders that are entered into the NICS database and proactively flagging these records as prohibiting. Prevalidated records can significantly expedite NICS checks because they can be used to immediately deny an unlawful firearm transfer and allow NICS officials to bypass the additional time necessary to identify prohibiting criteria. Therefore, it is encouraging that our Senate colleagues arrived at a bipartisan solution to improving the NICS system in the Fix NICS Act, which specifically addresses prevalidation.

The Fix NICS Act would incentivize prevalidation by authorizing the head of each Federal agency to establish a plan to ensure the accuracy of records submitted to NICS, including the prevalidation of those records. While I commend my Senate colleagues for developing a prevalidation
standard, I believe the language on prevalidation in the Fix NICS Act could be even stronger.

Instead of making this practice voluntary, my amendment would require Federal agencies to prevalidate disqualifying domestic violence convictions, felony convictions, and protection order records. Creating an across the board standard will lead to more timely and accurate NICS checks and, importantly, keep guns out of the hands of domestic abusers and violent persons.

The gunmen in Sutherland Springs, Texas and Charleston, South Carolina were able to illegally purchase firearms because of serious reporting gaps in the NICS system. The more we implement vital tools to bolster prompt NICS compliance, such as the prevalidation of records, the more the our broad contracts system will stop dangerous people from walking out of a gun store with an illegally obtained weapon. And I urge my colleagues to support this amendment.

Chairman Goodlatte. The chair recognizes himself in opposition to the amendment. I appreciate the gentleman’s intent, but I think that the bill already includes a strengthening of addressing the very problem that the gentleman wants to address. And, frankly, I think this could make the situation worse by requiring more input from people that are not doing enough to put input into it now. So, I think the “Fix-It” is in the bill, is a better
approach to this than this, which I think is regulatory overkill. So, I would oppose the gentleman’s amendment.

I would be happy to work with the gentleman if he wants to withdraw it and work with us as we go to the floor to see if there is a way to do some of this or marry this up with the language that is the legislation already. But, that is the best I can do at this point.

Mr. Cicilline. Mr. Chairman, if the chairman is willing to work with me to try to strengthen this prevalidation requirement, I am happy to withdraw my amendment.

Chairman Goodlatte. We will work on it with you, thank you. Without objection, the amendment is withdrawn. Are there further amendments to H.R. 4477?

Mr. Swalwell. Mr. Chairman?

Chairman Goodlatte. I have an amendment at the desk.

The clerk will report the amendment.

Ms. Adcock. Amendment to H.R. 4477 offered by Mr. Goodlatte. Page 9, line 12: strike reauthorization of --

[The amendment of Chairman Goodlatte follows:]

********** INSERT 28 **********
Chairman Goodlatte. Without objection, the amendment is considered as read, and I will recognize myself for 5 minutes to explain the amendment.

So these are a long series of technical corrections, but I do not have the explanation here in front of me. So we will go on to another amendment and return to this amendment.

The gentleman from California.

Mr. Swalwell. Mr. Chairman, I have an amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment.

Mr. Swalwell. Thirty, No. 30.

Chairman Goodlatte. The clerk will report the amendment.

Ms. Adcock. Amendment to H.R. 4477, offered by Mr. Swalwell of California. At the end of the bill, add the following: GAO evaluation effectiveness of this act. In --

[The amendment of Mr. Swalwell follows:]

********** INSERT 29 **********
Chairman Goodlatte. Without objection, the amendment is considered as read, and the gentleman is recognized for 5 minutes on his amendment.

Mr. Swalwell. Thank you, Mr. Chairman. I am encouraged that we have already made bipartisan amending this bill. I hope we can continue to do that. My amendment would require an analysis and report of the bill’s effectiveness, including recommendations for improvements by the GAO, the Government Accountability Office.

I do want to thank the chairman for quickly bringing this bill to improve background checks to markup. Background checks imposed by the 1993 Brady Act has stopped more than 3 million weapons sales to ineligible people like dangerous felons and the mentally ill. The bottom line is that background checks work.

Under our background check system, a licensed dealer checks a prospective purchaser for the National Instant Criminal Background Check System, NICS. If and when the person is checked against the system, a record is found that they are not allowed to purchase a firearm they are supposed to be denied.

However, we have seen tragic results when this does not occur. Just last month, Devin Kelley shot and murdered 26 people at a church in Texas. He had a domestic violence conviction, which should have prohibited him from purchasing
a firearm, but the Air Force failed to submit that to the FBI.

The Fix NICS Act would improve the background checks we do have by reauthorizing two programs that provide funds to States to upload criminal records to NICS. Additionally, it would require Federal agencies to develop a plan to ensure they are doing all they can to submit records to NICS.

Further, it would require the Attorney General to develop similar plans for each State.

Before I get to my amendment, I would be remiss if I did not mention here what this bill does not do. While it is hard to disagree with the idea of improving the data in NICS, many people believe, on both sides of the aisle, that only requiring background checks for sales by licensed dealers leaves major loopholes. People who go to gun shows or to online, or buy from anyone else, are not subject to a background check. That is a huge loophole that needs to be closed.

Upwards of 90 percent of Americans agree we need universal background checks, and I urge the majority of move on legislation to provide for such checks as soon as possible. But while it does not go far enough, this bill would improve the background checks we do have. My amendment would require a review by the independent, non-partisan GAO, of the effectiveness of the bill and provide a
report to Congress within 5 years. The report would include its findings as well as recommendations on further reforms that should be made to improve the data in the NICS system. Such recommendations will help Congress refine this bill over time and improve NICS.

My amendment, then, is intended to strengthen the bill and further its intent. I ask my colleagues to support it, and I yield back.

Chairman Goodlatte. The chair recognizes himself. I think the gentleman has another amendment involving yet another study that we are prepared to accept. But this one is a study of a bill that has not even become law yet, that requires that it report 5 years from now. I think that is premature at best, and I would ask the gentleman to withdraw the amendment, or I would oppose it just because it seems like it is getting way down the -- I want to study the effectiveness of what we are doing, but I think this is premature.

Mr. Swalwell. Would the chairman yield?

Chairman Goodlatte. Within 5 years of the enactment of this --

Mr. Swalwell. Would the chairman yield?

Chairman Goodlatte. I would be happy to yield.

Mr. Swalwell. I do appreciate the chairman and his staff working with us on amendment 31, which I believe is
what you are referring to, and I would withdraw this one, and move to consideration of amendment 31.

Chairman Goodlatte. Thank you. Let’s consider amendment 31 then. Clerk will report the amendment of the gentleman from California.

Ms. Adcock. Amendment to H.R. 4477, offered by Mr. Swalwell of California. Page 4, line 18, after the period, insert “the head of each Federal department or agency shall update the plan biannually to the extent and –”

[The amendment of Mr. Swalwell follows:]

********** INSERT 30 **********
Chairman Goodlatte. Without objection, the amendment is considered as read and the gentleman is recognized for 5 minutes on his amendment.

Mr. Swalwell. Thank you, Mr. Chairman. As I said when I offered my previous amendment, a database is only as good as the information in it, and NICS is no exception. And one of the ways that this bill seeks to improve NICS is by requiring Federal agencies to develop implementation plans for how to ensure all of the relevant records are accurate and submitted to NICS.

Similar plans would be developed by the Attorney General for each State. Plans would have mechanisms within them on which the Attorney General could measure annual success. This amendment requires the Attorney General to actually make an assessment every 2 years of the extent to which the bill has resulted in improvements in the NICS system. Then the Attorney General and Federal agencies would use that assessment to update implementation plans to the extent necessary.

I urge all members to support my amendment.

Chairman Goodlatte. Would the gentleman yield?

Mr. Swalwell. Yes.

Chairman Goodlatte. I thank the gentleman for yielding. I think the National Instant Check System is an important system that has saved lives, has prevented people
who should not have firearms in their possession from getting firearms. But I think there is a serious problem with the system in terms of the States, and now we have discovered at least one agency of the Federal Government not putting appropriate information into the system. The system does not work if you do not get the data in there.

I think the Attorney General and others need to be more diligent about overseeing the system to make sure that the information is getting in there. So I think the gentleman’s amendment is a good one and I support it. I urge my colleagues to do the same.

Mr. Swalwell. Reclaiming my time and I will yield back.

Chairman Goodlatte. Thank you. A question occurs on the amendment offered by the gentleman from California.

All those in favor, respond by saying aye.

Those opposed, no.

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

For what purpose does the gentleman from Rhode Island seek recognition?

Mr. Cicilline. Mr. Chairman, I have an amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment.
Ms. Adcock. Amendment of H.R. 4477, offered by Mr. Cicilline of Rhode Island. Page 17, line 16, insert after “solicited,” the following: section 108 --

[The amendment of Mr. Cicilline follows:]

********** INSERT 31 **********
Chairman Goodlatte. Without objection, the amendment is considered as read, and the gentleman is recognized for 5 minutes on his amendment.

Mr. Cicilline. Thank you, Mr. Chairman, I again want to commend my colleagues in the Senate for coming together to draft the underlying bipartisan bill, the Fix NICS Act, which will incentivize NICS compliance and create more accountability for agencies who do not properly report relevant records.

I have introduced several pieces of legislation to keep guns out of the hands of dangerous individuals. One such bill, the Unlawful Gun Buyer Alert Act, which would particularly improve the NICS compliance by adding a vital safeguard when a firearm has transferred to a person who is barred from possessing or buying a firearm. And that is why I am offering this amendment.

Before selling a firearm, a licensed firearm dealer must run a background check using the NICS system, which brings up any records indicating that the person may not be allowed to buy a gun. If the dealer has not received a response within 3 business days of initiating the background, they are allowed to go through with the firearm sale.

The background check can be a lengthy process and the FBI may make a denial determination after the 3-day waiting
period and up to as many as 90 days after the background check stars. If in that time, the FBI makes a denial determination but finds that a firearm has still been transferred to a prohibited person, they can refer these cases to ATF for firearm retrieval. However, given its limited funding and resources, ATF is not always able to make timely firearm retrievals, increasing the risk that prohibited persons can use a firearm in a dangerous crime or in harming others.

The importance of having an even stronger backstop for unresolved background checks is made apparent by a 2016 report by the Government Accountability Office. The 2016 GAO report studied NICS checks between 2006 through 2015 that involve prohibiting domestic violence convictions and protection orders.

The GAO report found that, while 70 percent of these checks were completed within 3 days, 30 percent of checks were only resolved after 3 business days. And the GAO report also found that about 6 percent of NICS checks involving a disqualifying protection order were only denied after the 3-day period.

What happened as a result of the delayed denials is alarming. Between 2006 and 2015, firearms were transferred to about 6,700 persons with domestic violence convictions. Firearms were also transferred to more than 500 individuals
with prohibited protection orders. The individuals were able to purchase guns even with laws on the books that should have stopped the purchases from going through.

There is a clear need for a stronger backstop when individuals successfully make an illegal gun purchase. This amendment would create exactly such a safeguard and strengthen enforcement of the NICS system. If a person’s background check is denied after 3 business days, and a firearm has been transferred to that person, the NICS system would have to send a notification to the local FBI field office and State and local law enforcement agencies.

Notifying local FBI and police would importantly alert law enforcement that an individual has illegally obtained a firearm and may be a danger to themselves or others. Notification of unlawful transfers would also allow these agencies to share the burden of firearm retrieval with the ATF and expedite their recovery.

And I would ask my colleagues to support this amendment.

Chairman Goodlatte. Would the gentleman yield?

Mr. Cicilline. Yes.

Chairman Goodlatte. I thank the gentleman for yielding. My complaint about the whole debate about gun control has been that we have lots of laws on the book already that are not being properly enforced, and people are
getting firearms because the current system is not working properly.

This amendment would provide a simple straightforward notification when it is discovered that someone has been able to purchase a firearm that the law prohibits from getting a firearm; and therefore, I think it is a good amendment, and I support it and I urge my colleagues to do the same.

Mr. Cicilline. Thank you, Mr. Chairman.

Chairman Goodlatte. A question occurs on the amendment offered by the gentleman from Rhode Island.

All those in favor, respond by saying aye.

Those opposed, no.

In the opinion of the chair, the ayes have it. The amendment is agreed to.

The chair recognizes himself for the purposes of offering an amendment, and the clerk will report the amendment.

Ms. Adcock. Amendment to H.R. 4477, offered by Mr. Goodlatte. Page 9, line 12, strike “reauthorization of,” Page 10, lines 14 through 22, and insert the following. [The amendment of Chairman Goodlatte follows:]

********** INSERT 32 **********
Chairman Goodlatte. Without objection, the amendment is considered as read, and I will recognize myself to explain the amendment.

This amendment assures that this legislation complies with the House’s cut-go protocol and reauthorizes funding for two very important components at the Department of Justice, the Bureau of Justice Statistics, and the National Institute of Justice.

This amendment also authorizes ample funding to carry out the NICS Act Record Improvement Program and the National Criminal History Improvement Program. Over the last 5 years, Congress has appropriated an average of $59 million a year for the NARIP and NCHIP programs. For each of the last 3 years, the amount appropriated has been $73 million. This amendment authorizes a total of $100 million a year in funding for these two programs; a 37 percent increase over current funding levels, in keeping with Congress’s practice of allowing the Department of Justice flexibility to allocate funds between these two programs in response to demand.

By fully offsetting the authorization for appropriations in accordance with the cut-go protocol, this amendment will make it more likely that these programs will continue to receive the funding needed to support and encourage State, tribal, and territorial efforts to improve
the quality and timeliness of the criminal history records
that are so vital to the success of NICS.

In addition, because research is so critical to the
development of sound criminal justice policy, this amendment
reauthorizes two of the Department of Justice’s flagship
research entities. The National Institute of Justice is the
research, development, and evaluation agency of the U.S.
Department of Justice. The work of NIJ advances our
understanding of crime and justice issues through science,
and provides objective and independent knowledge and tools
to reduce crime and promote justice, particularly at the
State and local levels. Funding for NIJ has not been
reauthorized since 1995.

The mission of the Bureau of Justice Statistics is to
collect, analyze, publish, and disseminate information on
crime, criminals, victims of crime, and the operation of
justice systems at all levels of government. The
information BJS develops and disseminates is critical to
Federal, States, and local efforts to combat crime and enact
policies that ensure justice is both efficient and
evenhanded.

Like NIJ, funding for this valuable institution has not
been reauthorized since 1995. Reauthorizing these two
programs for the first time in over 20 years will reassert
the importance of combating crime including firearms
offenses.

I urge the adoption of this important amendment.

A question occurs on the amendment.

Mr. Nadler. Mr. Chairman?

Chairman Goodlatte. For what purpose does the gentleman from New York seek recognition?

Mr. Nadler. Mr. Chairman, I rise in opposition to this amendment because it would reduce funding authorizing the bill for two important programs: the National Criminal History Record Improvement Program and the NICS Act Record Improvement Program.

In the bill they are authorized at $200 million and $125 million per year respectively. The amendment would reduce combined funding for the programs to $100 million a year, which is a dramatic reduction from $325 million. The programs are essential to assisting the States to improve the state of their criminal history and other relevant records, and report them to the NICS.

As many of our members on both sides of the aisle has said, the NICS is only as good as the completeness of the information it contains. We must authorizing at a robust level to recognize the seriousness of the problem and the dangerous implications of failing to ensure the effectiveness of the system. We should not make these cuts simply to comply with Republican cut-go requirements.
We are going to reduce this program by $225 million while we are reducing taxes by $1.7- or $1.8 trillion. This cut-go is entirely unnecessary -- I mean, it is necessary we are told to hold the deficit in check, and we are going to pass a tax bill that will increase the deficit by roughly $2 trillion; never mind its other problems. So I would rather reduce the tax bill by $125 million and have an adequate reporting system to prevent gun violence.

So I oppose this amendment. There are other ways of dealing with this. And this is, of course, what is brought about by the cut-go rules, but we should oppose the cut-go rules rather than give in to them and gut what we have been working on all afternoon.

I yield back.

Chairman Goodlatte. Would the gentleman yield?

Mr. Nadler. Yes.

Chairman Goodlatte. I thank the gentleman for yielding. I just want to reiterate that while it may be cutting what is authorized, it is increasing and paying for what we have increased by 37 percent; from $73 million to $100 million.

Mr. Nadler. Reclaiming my time. We ought to appropriate the entire authorization so that this gets done properly; not nickel and dime -- it is more than nickel and diming it -- and then I will reference everything else I
Chairman Goodlatte. A question occurs on the amendment offered by the chair.

All those in favor, respond by saying aye.

Those opposed, no.

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

Are there further amendments to H.R. 4477?

For what purpose does the gentleman from Rhode Island seek recognition?

Mr. Cicilline. Mr. Chairman, I have one final amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment.

Mr. Chabot. Mr. Chairman, reserving a point of order.

Chairman Goodlatte. Point of order has been reserved.

The clerk will report the amendment offered by the gentleman from Rhode Island.

Ms. Adcock. Amendment to H.R. 4477, offered by Mr. Cicilline of Rhode Island. Page 17, strike line 22 and all that follows through Page 18, line 18, and insert the following.

[The amendment of Mr. Cicilline follows:]

********** INSERT 33 **********
Chairman Goodlatte. Without objection, the amendment is considered as read, and the gentleman is recognized for 5 minutes on his amendment.

Mr. Cicilline. Thank you, Mr. Chairman. My final amendment to the Fix NICS Act would strike language requiring a study of bump stocks, and insert language from my legislation, H.R. 3947, the Automatic Gunfire Prevention Act.

In October of this year, a shooter was able to unleash hundreds of rounds of gunfire during a concert in Las Vegas by using a device known as a bump stock, which can convert semiautomatic firearms into guns that function as a fully automatic weapon. The Las Vegas shooter had at least 12 bump stock devices, along with 23 guns, and was able to kill 58 people, and injure over 500 people.

Although obtaining a fully automatic weapon is extremely difficult, and prohibited in most States, a bump stock, which modifies a semiautomatic weapon so that it fires at near-automatic speeds, is readily available for purchase online, and legal to buy. Bump stocks and similar devices are not regulated under the National Firearms Act, because they technically do not convert semiautomatic weapons into automatic weapons, even though they permit them to function as such. These devices, whose sole purpose it is to fire as many bullets as quickly as possible, and which
we have seen can lead to devastating carnage, should not be legal.

We must close the bump stock loophole immediately, and that is why I introduced the Automatic Gunfire Prevention Act, which would ban the sale, transfer, importation, manufacturing or possession of bump stocks, trigger cranks or any other device that accelerates a semiautomatic rifle's rate of fire. I am proud that 175 of my colleagues support the Automatic Gunfire Prevention Act. However, our committee has yet to take any action to consider this legislation, or hold a hearing on the issue of bump stocks and other similar devices.

And although the Fix NICS Act addresses bump stocks, it does not go nearly far enough to get these devices off the market, and out of the hands of people that seek to harm others. The Fix NICS Act merely requires the Bureau of Justice Statistics to prepare reports specifying the number of times that a bump stock has been used in the commission of crime.

We are far beyond the need for study about the public safety threat that these devices pose. We do not need a study to know that bump stocks as instruments were part of the deadliest mass shooting in modern American history. We do not need a study to know that this shooting could be easily replicated by another dangerous individual, as long
as bump stocks are legal and easy to buy. We must use every tool available to address this epidemic of gun violence and prevent more mass shootings in the United States. A study of bump stocks is simply not enough. We must take action, and ban them entirely, and my amendment would do that. And I encourage my colleagues to support the amendment.

Chairman Goodlatte. Does the gentleman from Ohio insist on his point of order?

Mr. Chabot. Mr. Chairman, I do insist.

Chairman Goodlatte. The gentleman is recognized.

Mr. Chabot. Thank you, Mr. Chairman, I will be brief. This amendment is not germane. It puts criminal penalty in a bill that has no criminal penalties. For that reason, Mr. Cicilline’s amendment is not germane.

Chairman Goodlatte. Does the gentleman from Rhode Island, offering the amendment, wish to speak on the point of order?

Mr. Cicilline. I would like to yield to Mr. Raskin.

Chairman Goodlatte. The gentleman from Rhode Island is recognized to speak on the point of order. He can yield if he wishes to do so.

Mr. Cicilline. Thank you. I yield to Mr. Raskin.

Mr. Raskin. Well, it seems to me that it clearly relates to the subject matter of the legislation, and the fact that it adds a criminal penalty does not distract from
its clear germaneness and relevance, unless there is some
authority I am unaware of. We pass bills all the time that
have both criminal civil provisions in them.

Chairman Goodlatte. On the point of order, and it is
the opinion of the Chair that the amendment is not germane.
We do not add criminal penalties to bills that do not cover
that, and that are civil in nature. So, this amendment is
not germane. Are there further amendments to H.R. 4477?

Reporting quorum being present, the question is on the
motion to report the bill H.R. 4477, as amended, favorably
to the House.

Those in favor, respond by saying “Aye.”

Those opposed, “No.”

The ayes have it. The bill is ordered reported
favorably.

Voice. Mr. Chairman, could we get a recorded vote, please?

Chairman Goodlatte. Recorded vote is requested, and
the clerk will call the roll.

Ms. Adcock. Mr. Goodlatte?

Chairman Goodlatte. Aye.

Ms. Adcock. Mr. Goodlatte votes aye.

Mr. Sensenbrenner?

[No response.]

Mr. Smith?
[No response.]

Mr. Chabot?

Mr. Chabot. Aye.

Ms. Adcock. Mr. Chabot votes aye.

Mr. Issa?

[No response.]

Mr. King?

Mr. King. No.

Ms. Adcock. Mr. King votes no.

Mr. Franks?

[No response.]

Mr. Gohmert?

[No response.]

Mr. Jordan?

Mr. Jordan. No.

Ms. Adcock. Mr. Jordan votes no.

Mr. Poe?

[No response.]

Mr. Marino?

[No response.]

Mr. Gowdy?

[No response.]

Mr. Labrador?

Mr. Labrador. No.

Ms. Adcock. Mr. Labrador votes no.
Mr. Farenthold?
[No response.]
Mr. Collins?
[No response.]
Mr. DeSantis?
[No response.]
Mr. Buck?
Mr. Buck. No.
Ms. Adcock. Mr. Buck votes no.
Mr. Ratcliffe?
Mr. Ratcliffe. Yes.
Ms. Adcock. Mr. Ratcliffe votes yes.
Mrs. Roby?
[No response.]
Mr. Gaetz?
[No response.]
Mr. Johnson of Louisiana?
Mr. Johnson of Louisiana. Aye.
Ms. Adcock. Mr. Johnson votes aye.
Mr. Biggs?
Mr. Biggs. No.
Ms. Adcock. Mr. Biggs votes no.
Mr. Rutherford?
Mr. Rutherford. Yes.
Ms. Adcock. Mr. Rutherford votes yes.
Mrs. Handel?

Mrs. Handel. Yes.

Ms. Adcock. Mrs. Handel votes yes.

Mr. Nadler?

Mr. Nadler. No.

Ms. Adcock. Mr. Nadler votes no.

Mr. Conyers?

[No response.]

Ms. Lofgren?

Ms. Lofgren. No.

Ms. Adcock. Ms. Lofgren votes no.

Ms. Jackson Lee?

[No response.]

Mr. Cohen?

[No response.]

Mr. Johnson of Georgia?

[No response.]

Mr. Deutch?

[No response.]

Ms. Adcock. Mr. Gutierrez?

[No response.]

Ms. Bass?

[No response.]

Mr. Richmond?

[No response.]
Mr. Jefferies?

[No response.] 8466

Mr. Cicilline?

Mr. Cicilline. Aye. 8467

Ms. Adcock. Mr. Cicilline votes aye. 8468

Mr. Swalwell?

Mr. Swalwell. Aye. 8470

Ms. Adcock. Mr. Swalwell votes aye. 8471

Mr. Lieu?

Mr. Lieu. Aye. 8473

Ms. Adcock. Mr. Lieu votes aye. 8474

Mr. Raskin?

Mr. Raskin. Aye. 8476

Ms. Adcock. Mr. Raskin votes aye. 8477

Ms. Jayapal?

[No response.] 8479

Mr. Schneider?

Mr. Schneider. Aye. 8481

Ms. Adcock. Mr. Schneider votes aye. 8482

Mr. Nadler. Mr. Chairman?

Chairman Goodlatte. The gentleman from New York? 8484

Mr. Nadler. Mr. Chairman, how am I recorded? 8485

Ms. Adcock. No. 8486

Mr. Nadler. I want to change to yes, please. 8487

Ms. Lofgren. Mr. Chairman?
Chairman Goodlatte. The gentlewoman from California?

Ms. Lofgren. How am I recorded?

Ms. Adcock. No.

Ms. Lofgren. I am yes.

Chairman Goodlatte. The gentlewoman from Texas?

Ms. Jackson Lee. Aye


Chairman Goodlatte. The gentlewoman from Alabama?

Mrs. Roby. Yes.

Ms. Adcock. Mrs. Roby votes yes.

Chairman Goodlatte. The gentleman from Pennsylvania?

Mr. Marino. Yes.

Ms. Adcock. Mr. Marino votes yes.

Chairman Goodlatte. Has every member voted who wishes to vote? The gentleman from Texas?

Mr. Poe. Yes.

Ms. Adcock. Mr. Poe votes yes.

Chairman Goodlatte. The clerk will report. The gentleman from Texas?

Mr. Gohmert. No.

Ms. Adcock. Mr. Gohmert votes no.

Chairman Goodlatte. The clerk will report.

Ms. Adcock. Mr. Chairman, 17 members voted aye, 6 members voted no.

Chairman Goodlatte. And the ayes have it, and the bill
is ordered reported favorably to the House. Members will have 2 days to submit views, and without objection, the bill will be reported as a single amendment in the nature of a substitute, incorporating all adopted amendments. And the staff is authorized to make technical and conforming changes.

Ms. Jackson Lee. Mr. Chairman.

Chairman Goodlatte. I now call up H.R. 2666, for purposes of markup, and move that the committee report the bill favorably to the House. The clerk will report the bill.

Ms. Adcock. H.R. 2666, “To amend the Protect Act to make Indian tribes eligible for AMBER Alert grants.”

[The bill follows:]

********** INSERT 34 **********
Chairman Goodlatte. Without objection, the bill is considered as read and open for amendment at any time. And I will begin by recognizing myself for an opening statement, which is that I support this bill offered by the gentleman from Arizona. It surprised me to learn that Indian country is not covered by the AMBER Alert program. I think it is a great idea to do that. It would have saved a life that Mr. Biggs will tell us about, I am sure, in a minute. And I think it is great that the family of this young woman has shown the courage to come to Washington and advocate for the passage of this law.

And I urge my colleagues to join me in supporting the legislation, and now recognize the gentleman from New York, Mr. Nadler, for his opening statement.

Mr. Nadler. Thank you, Mr. Chairman. Mr. Chairman, I join you in urging support for this bill, the AMBER Alert in Indian Country Act of 2017. It is an important bill to give Indian tribes the ability to respond quickly to child abductions. Through the grant program authorized by this legislation, tribal law enforcement agencies would gain the ability to initiate their own AMBER Alerts immediately, while tribal alert systems could also be integrated with relatively more advanced AMBER Alert communications plans with State and regional law enforcement. The inability to do this has been a hole in our protective system.
I ask unanimous consent to insert my statement in the record, I do not think I have to make the entire statement verbally now. But this is a welcome thing to do, and I urge my colleagues to support this bill.

Chairman Goodlatte. The Chair thanks the gentleman, and recognizes the ranking member of the Crime, Terrorism, Homeland Security Investigations Subcommittee, Ms. Jackson Lee, for her opening statement.

Ms. Jackson Lee. Mr. Chairman, I thank you, and I sense a very positive spirit in this room, and I will join in that spirit in my enthusiastic support for the AMBER Alert in Indian Country Act of 2017. Likewise, I will ask the unanimous consent for my entire statement to be put in the record. But I do want to make the point that we have tried in a bipartisan manner to consistently assure Native Americans, and the places where they live, that they will provided the protections that are so very important for them and their families. This is an important protection, and I would ask my colleagues to support this legislation as it moves to the floor. And I yield back.

Chairman Goodlatte. The Chair thanks the gentlewoman, and is now pleased to recognize the chief sponsor of the legislation, the gentleman from Arizona, Mr. Biggs. I understand the gentleman has an amendment, is that correct?

Mr. Biggs. That is correct.
Chairman Goodlatte. Why do we not offer the amendment, and he give his statement, and talk about the amendment at the same time?

Mr. Biggs. Thank you. I have an amendment at the desk.

Chairman Goodlatte. The clerk will report the amendment.

Ms. Adcock. Amendment to H.R. 2666 offered by Mr. Biggs. Page one, line seven --

[The amendment of Mr. Biggs follows:]

********** INSERT 35 **********
Chairman Goodlatte. Without objection, the amendment is considered as read, and this Chair is pleased to recognize the gentleman for 5 minutes.

Mr. Biggs. Thank you, Mr. Chairman, I appreciate your bringing the bill forward, and I appreciate the bipartisan support of this bill. I am honored to be the sponsor of the AMBER Alert in Indian Country Act, in memory of the life of Ashlynn Mike. Eleven-year-old Ashlynn lived in the Navajo Nation, the largest Indian reservation in the United States, which is located in four States: Arizona, Utah, Colorado, and New Mexico. And her favorite color was yellow, and she enjoyed playing music for her friends and family. She was a kind-hearted young girl, with enormous potential. After school on Monday, May 2nd, 2016, while Ashlynn and her 9-year-old brother Ian played near the local bus stop, a stranger approached them and lured them into his vehicle by offering them a ride home on this remote reservation. He abducted the children and took them to a secluded part of the reservation, where he violently abused Ashlynn, and he left her to die, and left her 9-year-old brother Ian to fend for himself. Indeed, Ashlynn died, alone.

She had been abducted around 4:00 p.m. Her father filed the Missing Person report within three hours, but unfortunately authorities did not send an AMBER Alert until 2:30 a.m. on Tuesday, almost 10 hours after Ashlynn went
missing. According to law enforcement records, Tom Begaye, Jr., Ashlynn’s attacker, admitted that though seriously injured, Ashlynn was alive when he left her stranded in the desert.

Mr. Chairman, had Indian Country been included as partners in the AMBER Alert plans, law enforcement might have rescued Ashlynn in time, and she still might be alive today. When a child is abducted or missing, action in those first hours is crucial for their safe return. The AMBER Alert program has proven effective at instantly providing information to the public to assist in this effort.

According to the National Center for Missing and Exploited Children, of the AMBER Alerts issued in 2016, 94 percent of the recovered children were found within the first 72 hours, including 47 percent who were found within the first 3 hours.

Between 1997 and 2017, the AMBER Alert program was credited with the safe recovery of 868 children. It is obvious that AMBER Alerts save lives, and today we have the opportunity to ensure that all children can benefit from the AMBER Alert program if necessary, no matter where they reside. This bill, the AMBER Alert in Indian Country Act of 2017, amends the Protect Act of 2003, which initially established the Federal AMBER Alert Program, by including all 567 federally recognized tribes as partners in the AMBER
Alert program, allowing the U.S. Attorney General to waive the 50-50 Federal share cost for Indian tribes on a case-by-case basis, and requiring the U.S. Attorney General to examine and report back to Congress on specific readiness, education, training needs, technological challenges, or other obstacles specific to Indian tribes.

Mr. Chairman, again I thank you for bringing this bill forward, and I thank my colleagues, and urge all the members in memory of Ashlynn and others to support this legislation.

And the amendment I will address briefly, Mr. Chairman. It makes two small but important changes to the bill. First, it amends the program requirements to the grant program explicitly requiring these grants to be used to integrate tribal AMBER Alert communications systems into State systems. When children are abducted, a perpetrator may transport them on or off tribal property, and it is important that the alerts are able to reach the most extensive audience possible. Imagine, if you will, a child abducted in Northern Virginia prompts an AMBER Alert that did not reach the District of Columbia or Maryland. Integration is a critical component of these communications systems, and funds awarded under this program should be used to facilitate this integration.

Second, the amendment makes changes to the authorization language to update the year the money is
authorized, to 2019, in order to ensure the legislation complies with House cut-go rules. Children are our most precious resource, and we must be sure our laws are geared toward preventing harm to them. AMBER Alert systems aim to do just that, and we must assure the benefits of these systems are available to all our children. Again, I urge my colleagues to support this amendment and the underlying bill. Thank you, Mr. Chairman. I yield back.

Chairman Goodlatte. The question occurs on the amendment offered by the gentleman from Arizona. All those in favor, respond by saying aye. Those opposed, no. The ayes have it. The amendment is agreed to.

Are there further amendments to H.R. 2666? The reporting quorum being present, the question is on the motion to report the bill H.R. 2666 as amended favorably to the House.

All those in favor, respond by saying aye. Those opposed, no. The ayes have it. The bill is ordered reported favorably. Members will have 2 days to submit views. And without objection, the bill will be reported as a single amendment in the nature of a substitute incorporating all adopted amendments, and staff is authorized to make technical and conforming changes.
This concludes our business for today. I thank all the members for --

Ms. Jackson Lee. Mr. Chairman.

Chairman Goodlatte. For what purpose does the gentlewoman from Texas seek recognition?

Ms. Jackson Lee. I think just on the appeal that we just passed, NICS bill, the information bill, was a good start. As we well know, we had some issues dealing with reporting through the Defense Department, which I have an amendment. I assume that bill will be going to the floor under rule? This is the background check.

Chairman Goodlatte. It will be going to the floor under rule.

Ms. Jackson Lee. It will be going under rule. I appreciate it. And do we know its immediacy or its timeframe?

Chairman Goodlatte. I think it is quite imminent. So, soon.

Ms. Jackson Lee. It may be next week?

Chairman Goodlatte. It could be, so I would urge the gentlewoman to get with us about her amendment. If it is something we can agree to, we will work with her. If not, she can present it to the Rules Committee.

Ms. Jackson Lee. I will be happy to do it, thank you.

Chairman Goodlatte. The Chair thanks the gentlewoman.
The business is concluded for the day. I thank all the members for attending, and the markup is adjourned.

[Whereupon, at 5:57 p.m., the committee was adjourned.]