

110TH CONGRESS
2D SESSION

H. R. 6842

To require the District of Columbia to revise its laws regarding the use and possession of firearms as necessary to comply with the requirements of the decision of the Supreme Court in the case of *District of Columbia v. Heller*, in a manner that protects the security interests of the Federal government and the people who work in, reside in, or visit the District of Columbia and does not undermine the efforts of law enforcement, homeland security, and military officials to protect the Nation's capital from crime and terrorism.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2008

Ms. NORTON (for herself and Mr. WAXMAN) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To require the District of Columbia to revise its laws regarding the use and possession of firearms as necessary to comply with the requirements of the decision of the Supreme Court in the case of *District of Columbia v. Heller*, in a manner that protects the security interests of the Federal government and the people who work in, reside in, or visit the District of Columbia and does not undermine the efforts of law enforcement, homeland security, and military officials to protect the Nation's capital from crime and terrorism.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Capital Secu-
5 rity and Safety Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Washington, DC is both a local self-gov-
9 erning jurisdiction and the seat of the United States
10 government, with unique Federal responsibilities
11 that accompany its role as the Nation’s capital.

12 (2) The Metropolitan Police Department
13 (MPD), the District’s local police force, with more
14 than 4,000 members, is the only sizeable police force
15 in the National Capital Region.

16 (3) In its role as a Federal city, the District of
17 Columbia has always been linked with Federal law
18 enforcement in a partnership to protect the Federal
19 presence, including Federal officials and employees,
20 visiting dignitaries, and other individuals.

21 (4) Since the terrorist attacks by a United
22 States citizen on a Federal facility in Oklahoma
23 City, Oklahoma, and especially since the attacks by
24 foreign terrorists on the National Capital Region on
25 September 11, 2001, the District of Columbia has

1 been considered by Federal law enforcement and se-
2 curity officials to be a likely target for terrorist and
3 domestic attacks on Federal sites and on Federal of-
4 ficials and employees, visiting dignitaries, and other
5 individuals.

6 (5) The MPD works continuously with all Fed-
7 eral law enforcement agencies, including 36 different
8 police agencies, to prevent attacks in the Nation's
9 capital.

10 (6) Federal and District law enforcement inter-
11 ests work together and communicate daily on many
12 efforts, including providing protective escort services
13 to the President, Vice President, first lady, and
14 presidential candidates as they travel and work
15 throughout the District.

16 (7) The President, Vice President, and many
17 cabinet and other Federal officials reside in the Dis-
18 trict of Columbia.

19 (8) MPD teams with Federal officials to pro-
20 vide protective escorts for the more than 40 national
21 and international dignitaries who visit the District of
22 Columbia every month.

23 (9) The Nation's capital is required by law to
24 be the headquarters of every cabinet agency of the

1 Federal government and has the largest concentra-
2 tion of Federal employees, a total of 145,000.

3 (10) In the District of Columbia Home Rule
4 Act, Congress delegated self-governing powers to the
5 District of Columbia local government but retained
6 authority to protect Federal interests when nec-
7 essary.

8 (11) The District of Columbia government has
9 just begun the process of enacting legislation to
10 allow gun ownership in the District for self-defense
11 in a person's home in compliance with the Supreme
12 Court ruling in the case of District of Columbia vs.
13 Heller.

14 (12) Local jurisdictions, including the District
15 of Columbia, enact firearms legislation in keeping
16 with local desires and concerns, but the District of
17 Columbia must take into account that the District
18 also is a Federal city and that such legislation must
19 be consistent with the heightened Federal interest in
20 preventing terrorism and domestic attacks on indi-
21 viduals in the city because of the Federal presence.

22 (13) The most frequent attacks on Federal offi-
23 cials in the Nation's capital have been "lone-wolf"
24 attacks by individuals with concealable handguns,
25 such as the assassinations of Presidents Abraham

1 Lincoln and James Garfield, the serious attempts on
2 Presidents Ronald Reagan and Andrew Jackson, and
3 the July 1998 murder of 2 United States Capitol
4 Police officers in the United States Capitol.

5 (14) The most dangerous attacks on individuals
6 in the United States have been committed with
7 handguns, including the recent attack at Virginia
8 Tech University in which 32 people were shot and
9 killed and the attack at Columbine High School in
10 which 12 people were killed.

11 (15) The government of the District of Colum-
12 bia, with the informed advice of MPD, is best suited
13 to carrying out the complicated task of developing
14 local laws that satisfy the Supreme Court's mandate
15 while protecting Federal officials and employees, vis-
16 iting dignitaries, and other individuals. Congress
17 should allow the District of Columbia the oppor-
18 tunity to enact statutes and promulgate regulations,
19 while preserving the Federal right to intervene under
20 the District of Columbia Home Rule Act if federally
21 protected individuals or the Federal presence are ex-
22 posed to risk.

23 (16) Unregulated firearms in the Nation's cap-
24 ital would preclude the ability of the MPD and, if
25 needed, the Federal government to track guns

1 through registration and otherwise to help ensure
2 that guns do not endanger Federal officials and em-
3 ployees, visiting dignitaries, and other individuals.

4 **SEC. 3. REVISION OF DISTRICT OF COLUMBIA FIREARMS**
5 **LAWS.**

6 (a) **REQUIRING DISTRICT TO REVISE LAWS.—**

7 (1) **REVISION.—**Not later than 180 days after
8 the date of the enactment of this Act, the District
9 of Columbia shall revise the laws and regulations of
10 the District of Columbia which govern the use and
11 possession of firearms, as necessary to comply with
12 the requirements of the decision of the Supreme
13 Court in the case of District of Columbia v. Heller.

14 (2) **CONFORMING AMENDMENT TO LOCAL**
15 **LAW.—**Title VII of the Firearms Control Regula-
16 tions Act of 1975 (sec. 7–2507.01 et seq., D.C. Offi-
17 cial Code) is amended by adding at the end the fol-
18 lowing new section:

19 **“SEC. 712. CONSISTENCY WITH FEDERAL REQUIREMENTS.**

20 “The Mayor and the Council shall ensure that this
21 Act and the regulations promulgated to carry out this Act
22 are consistent with the requirements of the decision of the
23 Supreme Court in the case of District of Columbia v. Hell-
24 er and the criteria provided under section 3(b) of the Na-
25 tional Capital Security and Safety Act.”.

1 (b) CRITERIA FOR REVISIONS.—For purposes of sub-
2 section (a)(1) and section 712 of the Firearms Control
3 Regulations Act of 1975 (as added by subsection (a)(2)),
4 the revisions to the laws and regulations of the District
5 of Columbia which govern the use and possession of fire-
6 arms shall be based upon the following criteria:

7 (1) The need to ensure the safety and security
8 of the Nation’s capital so that nothing in the revi-
9 sions will place at risk the safety and security of
10 Federal buildings or other Federal interests located
11 in the District of Columbia, including the safety and
12 security of Federal employees, or will place at risk
13 the safety and security of the people who reside in
14 or visit the District.

15 (2) The need to ensure that nothing in the revi-
16 sions will interfere with the operations of Federal
17 law enforcement officials (including officials of the
18 Secret Service, the Federal Protective Service of the
19 Department of Homeland Security, the United
20 States Marshals Service and Supreme Court Police,
21 and the United States Capitol Police) and the Met-
22 ropolitan Police Department and other local law en-
23 forcement officials in carrying out their duties to
24 protect those who work in, reside in, or visit the Dis-
25 trict of Columbia.

1 (3) The need to ensure that nothing in the revi-
2 sions will compromise the ability of local and Fed-
3 eral homeland security and military officials to carry
4 out their duties to protect the Nation's capital from
5 terrorism.

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