While I will lend my support to the legislation before us, I cannot continue to accept such abuses of procedure.

Mr. BRADY of Texas. Madam Speaker, I rise in support of H.R. 674, repealing the requirement that all levels of government withhold 3 percent of payments owed to their contractors.

If not repealed, small businesses operating on the slimmest of margins would see their operating budgets once again taking a hit from the Federal Government.

It is important to remember that our neighbors and friends work at these businesses. Their jobs depend on these businesses having the necessary cash flow to pay their wages so they can raise their families and pay their bills.

And we, as a country, are depending on these same businesses to create new jobs which will help our unemployed friends and neighbors, and move our economy forward.

I am also supportive of simplifying the process for employers to hire our unemployed and disabled veterans through the Work Opportunity Tax Credit program. The one-year extension and simplification will help bring more certainty to the hiring process for our job creators looking to hire veterans who have more than proven their worth to anyone looking for productive employees.

A voice of opposition of H.R. 674 is a vote to remove impediments to American job creation and expand opportunities for our veterans. I urge my colleagues to support the bill.

Mr. VAN HOLLEN. Madam Speaker, three weeks ago, the House passed legislation to repeal the onerous 3% withholding requirement that apply to the request of the gentleman from Michigan (Mr. CAMP) that the House suspend the rules and agree to the amendment offered by Mr. STEARNS of Florida and Mr. SMITH) and the gentleman from Michigan (Mr. CONyers) to H.R. 822.

This legislation requires States that currently allow concealed carry permits, and 40 of these States also extend some degree of reciprocity to permit holders from other States. Forty-nine States now allow concealed carry permits, and 40 of these States also extend some degree of reciprocity to permit holders from other States. Forty-nine States now allow concealed carry permits, and 40 of these States also extend some degree of reciprocity to permit holders from other States. Forty-nine States now allow concealed carry permits, and 40 of these States also extend some degree of reciprocity to permit holders from other States.

This bill simply applies the States’ reciprocal agreements nationwide. This legislation requires States that currently allow people to carry concealed firearms to recognize other States’ valid concealed carry permits, much like States recognize driver’s licenses issued by other States. The bill recognizes the right of States to determine eligibility requirements for their own residents.

State, local, and Federal laws and regulations regarding how, when, and where a concealed firearm can be carried that apply to a resident will apply equally to a nonresident. For example, many States bar individuals from carrying firearms in a bar, at a sporting event, or in a State park. Under this legislation, all of these restrictions will apply to nonresidents as well.

H.R. 822 also addresses concerns regarding the ability of law enforcement agencies to confirm the validity of an out-of-state concealed carry permit. The bill requires a person to show both a valid government-issued identification document, such as a license or passport, and a valid concealed carry license or permit.

State law enforcement agencies can verify the validity of an out-of-state concealed permit through the Nlets system. Nlets is available to law enforcement officials in all 50 States 24 hours a day, 7 days a week. Data from the FBI’s annual Uniform Crime Report shows that right-to-carry States, or those that widely allow concealed

**NATIONAL RIGHT-TO-CARRY RECIPROCITY ACT OF 2011**

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 822.

The SPEAKER pro tempore. Pursuant to rule XX, further proceedings on this question will be post-poned.
carry, have 22 percent lower total violent crime rates, 30 percent lower murder rates, 46 percent lower robbery rates, and 12 percent lower aggravated assault rates, as compared to the rest of the country.

Opponents of this bill have noted that some States would be required to recognize concealed carry permits issued by States with different standards of eligibility. However, 40 States already grant reciprocity to other States, including to States with different eligibility requirements. The States would not do this if different eligibility requirements were a concern.

The Second Amendment is a fundamental right to bear arms that should not be constrained by State boundary lines. Opposition to this legislation comes from those who believe concealed carry permit holders often commit violent crimes, which is demonstrably false, or from those who want to restrict the right of law-abiding citizens to bear arms. This legislation enhances public safety and protects the right to bear arms under the Second Amendment. I urge my colleagues to support H.R. 822.

Madam Chairwoman, I reserve the balance of my time.

Mr. CONYERS. Madam Chairman, I yield myself such time as I may consume.

Members of the House, the measure that we have under consideration today is a very curious one in that there is some misunderstanding of what the constitutional right to carry loaded, hidden guns in public is really all about.

I would begin our discussion pointing out that under the proposal before us, a concealed firearm permit holders often commit violent crimes, which is demonstrably false, or from those who want to restrict the right of law-abiding citizens to bear arms. This legislation enhances public safety and protects the right to bear arms under the Second Amendment. I urge my colleagues to support H.R. 822.

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Mr. CHABOT. I thank the chairman for yielding.

Madam Chairwoman, the Second Amendment to the United States Constitution states: "The right of the people to keep and bear arms shall not be infringed."

In this modern age when it is very common for people to travel to work or for pleasure, it has really become routine, and the National Right-to-Carry Act is a sensible solution to adapt to today's needs.

This legislation allows people with valid, State-issued permits or licenses to carry a concealed firearm in any other State that has essentially the same laws. To be clear, this legislation does not create a national licensing scheme or agency. It does not supersede the laws for firearms use in any other State. The right of self-defense is a fundamental one and well recognized in law and centuries. The Second Amendment dictates that the appropriate way to fight crime is to target criminals, not law-abiding gun owners. Today we have an opportunity to clearly recognize the right to bear arms for our citizens and to allow law-abiding citizens to exercise freedom without restrictive barriers. Let's take that opportunity today.

Mr. CONYERS. Madam Chairwoman, I am pleased to recognize the former chair of the Constitution Subcommittee of the House Judiciary Committee, JERRY NADLER of New York, for as much time as he may consume.

Mr. NADLER. I rise in strong opposition to H.R. 822, what the Brady Campaign correctly calls the "Packing Heat on Your Street" bill.

America is in dire economic straits. Millions of people are out of work. Our growth rate is anemic. People are clamoring for Congress to pass legislation to grow the economy and help create jobs. And so what is the House of Representatives? It is looking to do something that has nothing to do with helping our economy. And it is doing something that is absolutely false, or from those who believe concealed carry permit holders often commit violent crimes, which is demonstrably false, or from those who want to restrict the right of law-abiding citizens to bear arms. This legislation enhances public safety and protects the right to bear arms under the Second Amendment. I urge my colleagues to support H.R. 822.

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permissive concealed-carry rules setting national policy. In some States you don’t even have to be a resident to get a concealed-carry permit. This lowest-common denominator approach will only lead to more people carrying more hidden weapons—packing heat on your street. Knowing there are more concealed handguns all around does not make me feel safer.

Lastly, I want to address the constitutional argument. In Heller, the Supreme Court held there is a Second Amendment or personal right to bear arms. Nowhere did the Court say, however, that there is an unlimited national right to carry a concealed handgun. In fact, Justice Scalia recognized the legality of reasonable limits on the Second Amendment. I can’t imagine a more reasonable restriction for States to impose than those which govern who can carry a concealed firearm in their own States. I ask that Members reject this deeply flawed and dangerous bill.

Mr. SMITH of Texas. Madam Chairwoman, I yield 3 minutes to the gentleman from Arizona (Mr. FRANKS), the chairman of the Constitution Subcommittee.

Mr. FRANKS of Arizona. I thank the chairman.

Madam Chair, H.R. 822, initially introduced by Mr. STEARNS of Florida and Mr. SHULER of North Carolina and supported by more than half of my colleagues in both Representatives, would allow people with a valid permit or license to carry a concealed handgun in any other State that permits concealed carry. This is a policy akin to allowing licensed drivers from one State to drive their car in another State so long as they obey the local laws.

Madam Chair, clearly the constitutional right to defend oneself and one’s family should not be limited to only when they are at home or in their vehicles. Criminals have always preferred unarmed victims. Conversely, law-abiding citizens capable of defending themselves and their fellow citizens demonstrably save innocent lives.

To give one of countless examples, in 2007, a man in Colorado named Matthew Murray wrote online: “All I want to do is kill and injure as many Christians as I can.” Murray then went on a shooting rampage, first killing two young women at their home, then gunning down a training center outside Denver; and then at a gathering of over 7,000 people in and around the New Life Church in Colorado Springs, Colorado, with a rifle and a backpack full of ammunition. Murray went on to open fire, killing two and injuring 24 others at a church in Aurora. A former police officer and a protector, Murray was ultimately stopped and killed by a 14-year-old high school student.

In concluding my remarks, let me highlight that this legislation will simply make it easier for law-abiding permit holders to know that they are simply in compliance with the law when they carry a firearm while they travel this wonderful country of ours.

Mr. STEARNS. I want to thank Mr. T. Trent FRANKS from Arizona for his assiduous and hard work in pushing this through the full committee and subcommittee, and I then thank Chairman LAMAR SMITH for his efforts, too.

Now under this legislation, lawfully issued carry permits will be recognized in all States that also issue carry permits. There are now 49 States that issue these permits. Most of these States also recognize permits issued from at least some other States, while some States recognize all valid permits issued by any State. But herein, simply, lies the problem. The uniformity of the laws regarding reciprocity makes it difficult for law-abiding citizens to be sure if they are obeying the law as they travel from State to State. While preserving the power of the States to set the rules on where concealed firearms can be carried, this legislation will establish interstate carry permit recognition in the 49 permit issuing States. So this legislation will simply make it easier for law-abiding permit holders to know that they are simply in compliance with the law when they carry a firearm while they travel this wonderful country of ours.

Now consider the outcome if States administered driver’s licenses as they currently do carry permits. Drivers would have to stop at the State line to determine whether their license was valid before proceeding. Each State would recognize some licenses but, of course, not all of them. Some States would insist that others have precisely the same requirements for issuance of a driver’s license as theirs. And the status of such reciprocity would be constantly changing, literally day to day.

That is the reality of the current State reciprocity agreements for carry permits today. And only the Congress can remedy this interstate muddle. Our Union is a strong one, and we are proud to be citizens of a Nation who need not present papers to cross internal boundaries. But the holders of carry permits must indeed today worry whether their permit is valid before they safely venture out of their home State while exercising a fundamental right.

Our system of federalism beckons this body
The Acting CHAIR. The time of the gentleman has expired.

Mr. CONYERS. I yield myself 15 additional seconds.

You cannot compare a carrying concealed weapons check with a driver’s license because they are checkable. A concealed-carry weapon, there are States that don’t even permit the information to be revealed from their database. So you’re making a huge error that I hope can be corrected.

With that, Mr. Chairman, I yield 1 minute to the distinguished gentlelady from California (Ms. Chu), a member of the Judiciary Committee.

Ms. CHU. This bill is a blatant attempt to override and weaken States’ laws on an issue that could endanger people’s lives. It hurts my home State of California, which developed laws to protect residents by developing criteria on those who could carry concealed carry weapons. With this bill, that all goes away.

This bill is so bad that it even allows drug dealers convicted of selling drugs to minors to carry a concealed weapon. There’s on a bill in California that because such permits can only go to those of good moral character. But under this law, we would have to accept the concealed weapon permit for every other State that allows weapons to these drug dealers. You would have to go in the Judiciary Committee to stop this, but those on the other side of the aisle voted it down.

With this bill, a person who endangers the lives of our children will be allowed to carry a concealed loaded gun nationwide, and you would be powerless to stop it. It is the individual States that are in the best position to determine how to best protect its citizens.

I strongly urge my colleagues to vote “no” on this dangerous bill.

Mr. SMITH of Texas. Mr. Chairman, first I would like to yield 15 seconds to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Mr. Chair, I just would suggest to my friend, the gentleman from Michigan, that he is correct, one cannot compare this strictly with people and driver’s licenses. The fact is, first of all, driving a car is not a fundamental right to defend as enshrined in our Constitution. Secondly, cars kill many more people than guns. And, third, we don’t usually defend ourselves with cars.

Mr. SMITH of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. CONYERS). Mr. CONYERS. Mr. Chairman, I yield myself 30 seconds.

I want to just say to my dear friend from Florida, CLIFF STEARNS, you cannot not compare licensing concealed-carry permits to driver’s licenses, and that’s why this idea of yours, with all due respect, has never been passed by the Congress. The reason is that no States have the same way to automatically check a driver’s license for concealed-carry.

The National Right-to-Carry Reciprocity Act does just that; it allows Ohioans and others with valid CCW permits issued by their home State to carry concealed while visiting any of the 49 States where it’s not expressly prohibited.

H.R. 822 is not a Federal takeover. The bill preserves States’ rights by requiring residents to comply with their own State’s rules for getting a permit. The bill also maintains the reciprocity agreements the States have already entered into with other States. The bill simply strengthens and protects our constituents’ Second Amendment rights, and that’s why I’ve cosponsored this legislation and look forward to its passage.

Mr. CONYERS. Mr. Chairman, I yield myself 30 seconds.

I just want, when we decide how we’re going to carry this bill, to realize you cannot compare a concealed-carry weapon permit with a driver’s license. The States do not have the ability, they do not have the automated machinery to do that. Many will not even release this information, it’s considered a private one. Concealed-carry permit information cannot be revealed in many States.

I now yield 3 minutes to the former chairman of the Subcommittee on Crime, a distinguished member of the Judiciary Committee, the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Chairman, H.R. 822 will harm public safety. That’s why law enforcement organizations such as the International Association of Chiefs of Police, the Major Cities Chiefs Associations, and many other law enforcement organizations oppose this bill.

This bill would allow people to use their concealed weapons permit in any State in the Union without regard to the standards and requirements of those other States. This bill even allows people who are ineligible to get a concealed weapons permit in their home State to go out of State and get a permit and use that permit anywhere in the country except their home State.

Some States have minimum standards for those who may be eligible to carry concealed weapons. For example, some States require firearms training and others deny permits to those who are under 21 or those with certain convictions for assaulting police officers, selling drugs to kids, sex offenses against children, or domestic violence. Standards such as these would be overridden by this bill because permits from States without these standards would have to be recognized.

Not many States already recognize concealed weapons permits from other States. My home State of Virginia recognizes many States’ concealed weapons permits, but it requires a 24-hour
I too offered an amendment which failed in committee. My amendment would have prevented individuals convicted of assaulting a police officer or impersonating a police officer from carrying concealed loaded guns. Several States that allow permits also deny the right to carry to those who have assaulted or impersonated cops. The law enforcement officials of these States have decided that that is what’s best for their communities. This bill will wipe those protections away and then will go further.

May I remind my friends here who are citing the Constitution as their nexus for this law that the right to keep and bear arms in the interest of self-defense of a person at home is not unlimited.

Mr. CONYERS. Mr. Chairman, this bill would override the laws of almost every State by forcing them to accept concealed-carry gun permits from every other State, even if the permit holder would not be allowed to carry a handgun in the State where he or she is traveling. This is ridiculous. Each State should decide who may carry a concealed, loaded gun across their borders; and the Federal Government should respect the States’ rights to do so.

The irony here is that my friends on the Tea Party Republican side of the aisle claim to respect States’ rights, but then they rush this legislation to the House floor, which tramples over States’ rights.

These Tea Party Republicans claim they want to create jobs for the millions of unemployed Americans in our Nation, but they are not focusing on creating jobs. Instead, they’re bowing down to the National Rifle Association by moving this piece of special interest legislation forward.

I urge my colleagues to oppose this dangerous bill.

Mr. SMITH of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. KLINE), the chairman of the Education and Workforce Committee.

Mr. KLINE. I thank the gentleman for yielding.

Mr. Chairman, I rise today in strong, strong support of H.R. 822, the National Right-to-Carry Reciprocity Act. This bill provides important protections for gun owners, and its time is past due.

As a retired marine and avid outdoorsman, I’m an experienced firearms owner and user. I hold a concealed-carry permit in the State of Minnesota, and I believe individuals have the right to keep and bear arms for the protection of their home, property, family and person. They have that right. Unfortunately, there have been a lot of mischaracterizations surrounding this legislation. I’ve heard a lot of it here today. To be clear, this bill does not create a Federal licensing or registration system. It does not create Federal standards, or infringe on the ability of States to make laws for a carry permit, and it does not negatively affect States that have permit-less carry systems.

There are, my colleagues, over 65 million handguns in the United States; and nearly 100,000 people in America every year are shot or killed with a firearm.

I now yield 2 minutes to our distinguished Judiciary colleague, a former magistrate from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, I rise today in opposition to this proposed bill, the National Right-to-Carry Reciprocity Act. The 10th Amendment of the Bill of Rights of the United States Constitution provides as follows: ‘‘The powers not delegated to the United States by the Constitution, nor prohibited by it to the States are reserved to the States respectively, or to the people.’’

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Mr. Chairman, this bill will protect law-abiding gun owners from current confusion caused by the wide array of State laws and preempt the threat of frivolous lawsuits they could face simply by traveling outside of their home State. The National Right-to-Carry Reciprocity Act would allow every American citizen with a valid concealed-carry permit to carry a concealed firearm in all States that allow them for lawful purposes.

Let me be clear: If your State bans concealed firearms, then this law will not affect that ban. This bill does not change any State laws about when and where you can carry a concealed firearm. This bill does not create a new Federal licensing system. It simply reinforces our State and local laws and makes the laws more fair for law-abiding gun owners.

As a strong supporter of the Second Amendment, I believe we must pass the National Right-to-Carry Reciprocity Act and make the laws more fair for law-abiding gun owners.

Mr. CONYERS. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from New Jersey (Mr. Pascrell).

Mr. PASCRELL. I had to make a choice on this bill, whether I would support a disputable constitutional issue about whether you can by law carry a concealed weapon or move towards the other side to those who oppose this.

Now, who opposes this legislation besides me? Mayors Against Illegal Guns, the International Association of Chiefs of Police, the Major Cities Chiefs Association, and the Police Foundation oppose this bill. Doesn’t this mean anything to you at all? Doesn’t it? Or does this bill jeopardize public safety by mandating citizens to those who oppose this.

I prefer community policing than trying to put more guns into the hands of those people who we don’t even know are going to be trained to even use them. That’s my preference, Mr. Chairman.

This means my home State of New Jersey—this is not Idaho, this is not Montana—in fact, we have the most densely populated State in the Union. There is a different culture. When Clinton argued on behalf of gun possession when he was the President of the United States, he always made this point about the cultural differences in different parts of the country. And we respect that.

I’m not against the Second Amendment. I support the Second Amendment. But I don’t want those folks in the street who put-""
for issuing concealed-carry licenses is problematic enough, and I would cer-
tainly not support foisting it on any other State that has stronger safe-
guards that protect its citizens. But this bill will do exactly that.

For example, in just one 6-month pe-
riod in 2006, Florida gave concealed-
carry licenses to more than 1,400 indi-
viduals who had pleaded guilty or no contest to felonies, 216 of them had outstanding warrants, 128 of them had active domestic violence injunctions. And under this bill, other States will be mandated to honor these permits. They will be mandated to allow Flori-
da’s self-admitted felons to carry con-
celled weapons in their States.

This is why the Nation’s leading law
enforcement organizations strongly op-
pose this bill. It’s also opposed by more than two-thirds of the bipartisan Mayors Against Illegal Guns, including many of my local mayors of both par-
ties in south Florida.

Why would this bill be a higher pri-
ority than creating jobs? This is the 11th straight month of this Congress, and the House majority still has no jobs agenda.

Regardless of how Americans feel about guns, the overwhelming majority would agree that gun policy is not a higher priority than job creation is right now.

I urge my colleagues to vote “no” on this bill, and I urge my friends across the aisle to stop putting American lives at risk and start putting us on the right track.

Mr. COBLE. Mr. Chairman, I rise in sup-
port of the bipartisan legislation for two reasons. One, I believe that our gun laws should ensure that a responsible, law-abiding indi-
vidual is able to exercise his Second
Amendment right to carry firearms.

Two, this bill simplifies what is now a
lowest-common-denominator of all of the State laws.

I firmly believe that the Second Amend-
ment confirms a constitutional right for individuals to own a firearm, Mr. Chairman. I also believe that our gun safety and health. That’s why I object to some of our legislation to expand the Federal role in tort law and in mar-
rine law, because it’s not just those things you necessarily agree with, but it’s tougher when it’s those things you may disagree with that are left to the States. Some people have talked about licenses here. You don’t have a right to take your license to practice medicine or law to the next State. We have not required that. We allow States to do that.

Here is the other thing.

My State is one of the most liberal. We have too liberal a law with respect to concealed weapons, but the only way the liberal State legislature in Cali-
ifornia will respond to this is by fol-
lowing Illinois, because it’s the only State that can get a limit, as they see it, on these sorts of things.

The Acting CHAIR. The time of the gentle-
man has expired.

Mr. CONyers. I yield the gentleman an additional 15 seconds.

Mr. DANIEL E. LUNGREN of Cali-

fornia. My suggestion is, those who are concerned about it in my State might have to worry about this because our legis-
lature will now be tempted to get rid of all concealed-weapons permits because, unfortunately, under this legis-
lation, that’s the only thing they can do to police the eligibility of those who get concealed-weapons permits.

So this does cut both ways, and at least I think we ought to understand that States’ rights is a legitimate ar-
"gument here on this floor.

Mr. SMITH of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. I would like to thank my colleague from Florida (Mr. STEARNS) for introducing the bill be-
fore us today.

Mr. Chairman, I support this bipar-
sisan legislation for two reasons. One, I believe that our gun laws should ensure that a responsible, law-abiding indi-
vidual is able to exercise his Second
Amendment right to carry firearms.

This bill simplifies what is now a
piecemeal system of existing reciprocal agreements among the States.

There are millions of concealed-carry permit holders in this country, including thousands in my State. They com-
pose the right to carry a State per-
mit so that they can legally carry weapons for self-defense. By passing this bill, we will ensure that, when they travel to other States, they will be able to exercise their right to self-
defense while away from home. This will not create a new licensing or registration system. It does not allow a concealed-weapon permit holder to carry a concealed weapon in
States like Illinois, which do not allow concealed carry.

I think that addresses the criticism of this legislation that it would over-ride a State’s ability to determine who can carry concealed weapons within that State’s borders. Permit holders who want to take their weapons with them to another State are required to be aware of and abide by that State’s rules.

As a strong supporter of Second Amendment rights, I support this legislation that would adopt H.R. 822, the National Right-to-Carry Reciprocity Act.

This bill is about freedom. It’s about the Constitution and our Bill of Rights. This bill is about the Second Amendment rights under the United States Constitution, including rights under the Second Amendment. The 10th Amendment is certainly an important right as well, but it does not trump the right or the responsibility of the individual to protect rights under the Second Amendment.

Forty-nine States have laws that permit their citizens to carry a concealed firearm in some fashion or another. Unlike driver’s licenses, however, concealed-carry permit holders in one State are not always authorized to carry their firearms when traveling outside their home States.

H.R. 822 remedies this problem by granting concealed-carry permit holders reciprocity between States. The firearm owner must abide by all applicable State laws when carrying in a foreign jurisdiction. This bill affirms that the Second Amendment protects the right to keep and bear arms and that the States cannot unreasonably infringe upon that right.

In McDonald v. Chicago, the Supreme Court concluded that the due process clause of the 14th Amendment incorporates the Second Amendment right recognized by the Supreme Court in the District of Columbia v. Heller. This bill does not create any kind of Federal bureaucracy that may concern someone to their Second Amendment rights when they travel in other States. H.R. 822 recognizes that right, and I urge my colleagues to support this measure.

The gentleman from Michigan has 2 ¼ minutes remaining.

Mr. CONYERS. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Georgia (Mr. Woodall).

Mr. WOODALL. I thank the gentleman for yielding.

I am a member today. I participate in board meetings, and I am proud of that organization. It is probably one of the leading organizations. But to cast that in the form of “they are not the people of America” is wrong. The greatest strength that the NRA has is its members.

Mr. SMITH of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Alaska (Mr. Young).

Mr. YOUNG of Alaska. I thank the gentleman for yielding.

I have listened to this debate. This is a reciprocity vote that allows me to carry my weapon, as I have carried it for the last 50 years, from one State to another as long as I have a permit and they do also.

But more than that, I am a little bit resentful when I hear on the floor that this is “the will of the NRA.” Now, I am proud to have been a lifetime member of the NRA—since I could vote. I am a member today. I participate in their board meetings, and I am proud of that organization. It is probably one of the leading organizations. But to cast that in the form of “they are not the people of America” is wrong. The greatest strength that the NRA has is its members.

Mr. WOODALL. I thank the gentleman for yielding.

I love the Second Amendment. I got my first gun from Santa Claus when I was 6 years old. The first handgun I ever fired wasn’t my dad’s or my uncle’s or my grandfather’s—it was my mother’s. I got my first concealed-carry application filled out as a freshman in law school. I lived in a bad neighborhood and needed it for self protection for the last 20 years.

Mr. SMITH of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. Goodlatte).

Mr. GOODLATTE. I thank the chairman for yielding and for his leadership on this issue.

Mr. Chairman, I rise today in strong support of H.R. 822, the National Right-to-Carry Reciprocity Act of 2011.

This bipartisan bill has 245 cosponsors. It enhances Americans’ right to self-defense by enabling millions of permit holders to exercise their right to self-defense while traveling outside their home States.

The Second Amendment is in the United States Constitution, and we are all taking an oath in this body to uphold the United States Constitution, including rights under the Second Amendment. The 10th Amendment is certainly an important right as well, but it does not trump the right or the responsibility of the individual to protect rights under the Second Amendment.

The Second Amendment is about freedom. It’s about the Constitution and our Bill of Rights to allow me to hunt for deer and turkey. I think the Second Amendment was put in the Bill of Rights so that I could defend my freedom against an overbearing Federal Government.

I don’t believe the Federal Government in any issue of the law where the Constitution does not require it. And it does not require it here.

Don’t tell me it’s an Interstate Commerce Clause issue; we dismiss that on my side of the aisle regularly. Don’t tell me it’s a necessary and proper; we dismiss that on our side of the aisle regularly.

The temptation to legislate is great. The temptation is great. I absolutely believe in the intent of this legislation. I want the right to carry from coast to coast. Georgia has already orchestrated reciprocity agreements with 25 States. We’ve got 24 more to go. The Second Amendment exists so that we can keep and bear arms to defend ourselves against government, no matter how well-intended. Rather than arms, I ask my colleagues to use their voting cards today to defend us against the overreach of the Federal Government, no matter how well-intended.

Mr. SMITH of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Alaska (Mr. Young).

Mr. YOUNG of Alaska. I thank the gentleman for yielding.

The Second Amendment protects the right to keep and bear arms, and it enhances Americans’ right to self-defense while traveling outside their home States. We’ve got 24 more to go. The Second Amendment exists so that we can keep and bear arms to defend ourselves against government, no matter how well-intended. Rather than arms, I ask my colleagues to use their voting cards today to defend us against the overreach of the Federal Government, no matter how well-intended.
officer, I would like to know, if someone would tell me, “Hey, I have a concealed-carry permit and I have a weapon,” rather than finding it either by accident or having it pointed at me. So I stand in great support of this piece of legislation. I do believe that it is good legislation, it isn’t going to harm the people, as I have heard here on the floor.

And I have heard that we aren’t working on jobs. Well, I beg to differ that issue because we have passed over 20 bills sitting in the Senate that have not been heard because there would not be enough support to pass those jobs. So, yes, we are working on jobs and the economy, and we also are working on other issues that are brought to us from our constituents.

I stand in great support of H.R. 822. Mr. SMITH of Texas. Mr. Chairman, I yield myself the balance of my time.

H.R. 822 is important legislation that recognizes that Americans’ ability to exercise their fundamental constitutional rights should not disappear at their state’s borders. The parlous horrors that have been alleged by some of my colleagues on the other side of the aisle are simply not true. Federal law already prohibits felons, domestic abusers, and illegal drug users from possessing a firearm. This legislation does not change that. If a person is prohibited from possessing a firearm under Federal law, they cannot carry a concealed weapon under this bill.

The arguments we have heard so often today against this legislation are against guns in the hands of violent criminals generally, not against lawfully permitted concealed weapons. Concealed-carry laws have shown that concealed weapons actually lower violent crime rates in a jurisdiction. H.R. 822 simply permits law-abiding Americans to take their Second Amendment rights with them when they travel.

I urge my colleagues to support this bipartisan piece of legislation and I yield back the balance of my time.

Ms. SCHAKOWSKY. Mr. Chair, I rise today in strong opposition to H.R. 822, the National Right-to-Carry Reciprocity Act of 2011.

By forcing each state to recognize every other state’s concealed carry permits, this legislation would create serious safety challenges for communities and law enforcement officials across the country. Further, it seriously infringes upon individual states’ rights to set minimum standards based on local needs and concerns.

This legislation has been called the “lowest common denominator approach” to public safety. Currently, states use widely varying criteria to determine who is allowed to carry a concealed firearm. At least 38 states prohibit individuals convicted of domestic violence from obtaining concealed carry permits; 35 states require completion of a gun safety program or other proof of competency in order to receive a permit; at least 36 states have age restrictions; and 29 states will not award concealed carry permits to alcohol abusers.

Forcing national reciprocity would allow individuals who would be denied a permit in their home state to apply for a permit in a less restrictive state. It jeopardizes the safety of police officers making routine stops, who may not have the resources to verify the validity of an unfamiliar, out-of-state concealed carry permit.

Mr. Chair, right now states can determine their own concealed carry regulations. They can choose to recognize reciprocity agreements with other states, and they can choose to end those agreements. They can choose to only allow residents of the state to obtain concealed-carry permits, or they can opt to issue licenses to both residents and non-residents. They can choose to sensibly do, not to allow concealed carry at all.

Different states have different crime fighting concerns and priorities, and this legislation is a dangerous attempt to override state laws. I urge my colleagues to join me in opposing this bill.

Mr. GREEN of Texas. Mr. Chair, I rise in strong support of H.R. 822, the National Right-to-Carry Reciprocity Act of 2011.

This important, bipartisan, legislation reinforces fundamental rights enshrined in the U.S. Constitution. By allowing any person with a valid, state-issued concealed firearm permit to carry a concealed firearm in any state that issues concealed firearm permits.

As an avid hunter and outdoorsman, and as a lifetime member of the National Rifle Association, I can share with personal experience the frustration of my fellow hunters and outdoorsmen the absurdity of having to know which states recognize visiting permit holders from other states and which states that do not.

Our country should not force its law-abiding citizens to check in their fundamental right to self-defense at the state line.

The National Right-to-Carry Reciprocity Act would clarify this matter by requiring states that allow concealed carry to recognize each other’s permits, similar to how states recognize each other’s driver’s licenses.

Right-to-carry laws also help deter crime. Presently, 40 states have right-to-carry laws. Based on crime data from the FBI, right-to-carry states have 22 percent lower total violent crime rates in comparison to the rest of the country.

In my home state of Texas, violent crime has dropped 20 percent and the murder rate has dropped 31 percent, since the enactment of its right-to-carry law in 1996.

This legislation is also in-line with recent rulings found by the U.S. Supreme Court. In 2008 in District of Columbia v. Heller and again in 2010 in McDonald v. City of Chicago, the high court found the right to possess a firearm for self-defense cannot be infringed.

I am a proud co-sponsor of the bill and have co-sponsored similar legislation in previous Congresses.

I call on my colleagues on both sides of the aisle to stand up in support of the U.S. Constitution and the millions of hunters and outdoormen in our country and vote in favor of this bill.

Mr. WAXMAN. Mr. Chair, I rise in strong opposition to H.R. 822, the National Right-to-Carry Reciprocity Act.

I share the view of many Californians that states have a responsibility to enact commonsense measures to keep deadly weapons out of the hands of children, criminals and individuals with a history of serious mental illness. I am appalled that this bill would supersede reasonable state standards and subject California to weaker and oftentimes dangerous gun laws of other states.

As the leading Democrats on the Judiciary Committee stated in their dissenting views to this bill:

H.R. 822, the ‘National Right-to-Carry Reciprocity Act of 2011,’ is a dangerous bill that would override the laws of almost every state by obliging each to accept concealed handgun carry permits from every other state, even if the permit holder would not be allowed to carry or even possess a handgun in the state where he or she is traveling. The law tramples federalism and endangers public safety.

For example, in California, we believe—and it is the law—that if you’re a convicted sex offender, you should lose your right to own a gun. But under this bill, an individual in California convicted of misdemeanor sexual battery could carry a firearm.

In California, it is the law that gun owners should have some basic training to ensure guns are stored safely and away from children. But under this bill, individuals with no knowledge of how to handle a firearm could keep and carry a gun in California.

In California, we believe—and it is the law—that gun owners should have a clean criminal record. But under this bill, an individual with multiple counts of domestic violence could walk the streets of California with a concealed handgun.

This is not a trivial issue. In January 2008, a Florida man, Michael Leopold Phillips, killed his wife and then turned the gun on himself, committing suicide. Mr. Phillips had a long history of spousal abuse; he had been arrested on three occasions for domestic violence, and an ex-wife had issued a restraining order against him years earlier. But Florida has some of the most relaxed gun laws in the country, and Mr. Phillips was granted a concealed carry permit by the state even though he had documented history of abusing women.

I believe that California should have every right, with the full force of our laws behind them, to keep guns out of the hands of people like Mr. Phillips.

The Republican leadership likes to preach its fidelity to the overarching principle of states’ rights—but this bill shows their fidelity to states’ rights is subject to a test of political convenience. When it comes to a state’s right to decide how to protect its citizens from gun violence, the Republican leadership has ceded its principles to the gun lobby.

This bill is an affront to federalism and an assault on public safety. I urge my colleagues to vote no on this dangerous legislation.

Mr. TOWNS. Mr. Chair, in strong opposition to the National Right-to-Carry Reciprocity Act, which preempts the laws of almost every state by obliging each to accept concealed handgun carry permits from every other state, even if the permit holder would not otherwise be allowed to carry or even possess a handgun in the state where he or she is traveling. Presently America’s economy is struggling. Many of our citizens are devastated by unemployment and crime rates are an issue of national concern. Therefore, extending handgun laws simply does not seem logical.

I am greatly perturbed by the negative ramifications that this bill will have on individual state’s abilities to protect their citizens from...
gun violence. For example, states such as Arizona, California, Connecticut, Delaware, Florida, Hawaii, Iowa, Kentucky, Louisiana, Massachusetts, Michigan, Nebraska, New Jersey, Nevada, Oklahoma, Rhode Island, Tennessee, Texas, Utah, Wisconsin, and Wyoming require gun safety training as a requirement to obtain a concealed carry permit. North Dakota requires certain permit applicants only to pass an open book exam to satisfy its requirement. My state, New York prohibits carrying by individuals younger than 21 years of age. H.R. 822 eliminates the authority of states to select who may be eligible to carry a concealed weapon in public. Who can decide the best protective policies for each state besides the officials elected to represent it?

Additionally, H.R. 822 can potentially endanger the lives of our valued law enforcement officials who strive to protect our citizens. Out of state carrying permits are extremely difficult to verify since a national permit database does not exist and officers tend to have difficulties establishing the validity of these particular permits. Such an impediment can lead to an escalation of traffic stops and other high risk situations that could end fatally. Law enforcement officers work diligently to ensure that streets are safe for our citizens but H.R. 822 makes this task more difficult in numerous ways for these esteemed officers. It is our responsibility to protect these law enforcement officials who put their lives at risk on a daily basis to ensure the safety of our citizens.

Supporting this bill will indubitably reverse the efforts by officials in New York to reduce already challenging crime rates. Supporting this bill will jeopardize the safety of my constituents, New York residents and citizens nationwide. Our constituents depend on us to maintain a safe country for them and the generations after them. Voting in support of this bill will put all of our lives at risk. I urge my colleagues on both sides of the aisle to vote "no" on this bill.

Mrs. MILLER of Michigan. Mr. Chair, my home state of Michigan is one of 49 in the nation that currently has a law that allows individuals to receive a license to carry a concealed weapon. Some warned that right-to-carry laws would lead to an increase in crime, but the facts bear out that just the opposite is true. Violent crime has gone down substantially across the nation as more and more states instituted right-to-carry laws.

When criminals know that law abiding citizens have the ability to defend themselves they have to think twice before victimizing people. This legislation simply allows those who have gotten the training to receive a permit to carry in their home state to use that permit in other states.

The bill also requires that concealed weapon permit holders abide by the local laws in the state where they choose to exercise this right and thus is not a federalization of gun laws.

Just as another state cannot deny drivers license holders from Michigan the ability to drive in that state, they should not deny concealed carry permit holders from Michigan the right to carry.

I urge my colleagues to join me in supporting this legislation that strengthens the Constitutional rights of all Americans.

Mr. FARR. Mr. Chair, I am strongly opposed to the National Right to Carry Reciprocity Act of 2011. This misguided bill is unworkable in practice and will compromise officer safety and public safety. Furthermore, this bill flagrantly treads on the rights of states to legislate and enforce public safety within their own states. It is very troubling that at the very time where we all have the responsibility to be more aware of our public safety, my colleagues have introduced a bill that values Wild West "shoot em up" swagger over reasonable measures to protect public safety.

This bill will allow for criminal gun traffickers to travel to gun markets across the country with loaded weapons, without concern for any police scrutiny. Gun traffickers who have concealed carry permits would be able to bring cars or backpacks full of loaded guns into destination states and simply present their permit if stopped. As a practical matter, to arrest the traffickers, law enforcement would have to observe them in the act of selling guns. Far too many U.S.-purchased weapons make it into the hands of criminals in Latin America, and H.R. 822 would only exacerbate this problem.

Mr. Chair, while I support gun rights for law abiding citizens for sport and collection, I simply cannot support this bill. I hope my colleagues will join with me and the California Police Chiefs Association, along with other national enforcement organizations, to defeat this misguided and destructive legislation.

Mr. VAN HOLLEN. Mr. Chair, I rise to oppose the severely flawed H.R. 822, the National Right-to-Carry Reciprocity Act. This bill would make it difficult for states and local governments to enforce their firearms laws and puts the safety of the public and law enforcement at risk. State and local regulations of firearms vary dramatically. Some states have no standards for carrying a firearm beyond the minimum federal requirements. In Maryland, alcoholics and drug addicts, those convicted of certain crimes, or those with a propensity for violence or mental instability, among other things, may not obtain a permit to carry a firearm. This bill would require Maryland concealed carry gun permits from other states even when the permit is not in compliance with Maryland law.

Since there is no national database for concealed carry licenses, it is difficult for states to authenticate conceal carry licenses from out of state. This is one of the reasons Maryland currently does not recognize any out-of-state permits. The ability to quickly and accurately verify the validity of out of state concealed carry permits creates additional risk for law enforcement officers. William McMahon, the President of the Maryland Chiefs of Police Association, recently called this legislation “dangerous and unacceptable.”

I urge my colleagues to join me in opposing this misguided bill.

Mr. GINGREY of Georgia. Mr. Chair, I rise today in strong support of H.R. 822, the National Right-to-Carry Reciprocity Act of 2011, which was introduced by my good friend, Representative CLIFF STEARNS from Florida. H.R. 822 is a sorely needed, commonsense reform to the enforcement of the concealed firearms permitting process. For too long, law-abiding citizens have struggled with conflicting and often confusing state laws. When traveling, many gun owners are sometimes forced to choose between safety and obeying the incompatible laws of another state, even if they have a valid permit in their home state.

In practice, the current system makes the permitted carrying of a concealed weapon legal on one side of an arbitrary line on a map and illegal on the other. Mr. Chair, it makes no sense for a state to deny the concealed-carry-permit of another state than it would to deny a drivers license in the same scenario. This is simply another example in a long line of bureaucratic infringements on individuals’ abilities to exercise their constitutionally protected Second Amendment rights.

Mr. Chair, I urge my colleagues to support the Second Amendment’s rights of law abiding citizens everywhere and vote in favor of H.R. 822.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 822

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the “National Right-to-Carry Reciprocity Act of 2011”.

SEC. 2. RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS. (a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926c the following:

“§926D. Reciprocity for the carrying of certain concealed firearms
“(a) Notwithstanding any provision of the law of any State or political subdivision thereof (except as provided in subsection (b)), a person who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a valid identification document containing a photograph of the person, and a valid license or permit which is issued pursuant to the laws of a State which permits the person to carry a concealed firearm, may possess or carry a concealed handgun (other than a machinemade or destructive device that has been shipped or transported in interstate or foreign commerce, in any State, other than the State of residence of the person, that—
“(1) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or
“(2) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes.
“(b) The possession or carrying of a concealed handgun in a State under this section shall be subject to the same conditions and limitations, except as to eligibility to carry, imposed by or under Federal or State law or the law of a political subdivision of a State, that...
apply to the possession or carrying of a concealed handgun by residents of the State or political subdivision who are licensed by the State or political subdivision to do so, or not prohibited by the State or political subdivision from doing so.

"(c) In subsection (a), the term 'identification document' means a document made or issued by or under the authority of the United States Government, a State, or a political subdivision of a State which, when completed with information concerning a particular individual, is of a type intended or commonly accepted for the purpose of identification of individuals.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by inserting after the item relating to section 926C the following:

"926D. Reciprocity for the carrying of certain concealed firearms.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

SEC. 3. GAO AUDIT OF THE STATES' CONCEALED CARRY PERMIT OR LICENSING REQUIREMENTS FOR NON-RESIDENTS.

(a) The Comptroller General of the United States shall conduct an audit of—

(1) the laws and regulations of each State that authorize the issuance of a valid permit or license to permit a person, other than a resident of such State, to possess or carry a concealed firearm, including a description of the permitting or licensing requirements of each State that issues permits or licenses to persons other than a resident of such State;

(2) the number of such valid permits or licenses issued or denied (and the basis for such denials) by each State to persons other than a resident of such State; and

(3) the effectiveness of such State laws and regulations in protecting the public safety.

(b) Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the findings of the study conducted under subsection (a).

The Acting CHAIR. The amendment of Mr. WOODALL, Mr. Chairman, I yield myself such time as I may consume.

Mr. WOODALL. Mr. Chairman, I yield myself such time as I may consume.

The amendment I have introduced today, because I have such appreciation for the goal of H.R. 822, says: Understanding that there is reciprocity across the Nation for all of those States and for all of those citizens that have already labored in the vineyards to achieve reciprocity, let's leave those State agreements in place. If we must transfer legal responsibility, let's not take it from those areas where the States are working, where the process is working. If you live in my next-door neighbor State, in Alabama, you already recognize 22 other States' permits; in Georgia, we recognize 23; in Florida, to our south, 33. The system is working today. Legislatures are working out these agreements today. If we must expand the size and scope of the Federal reach in the gun law area—let's not tamper on those agreements that already exist to achieve this goal that so many share.

I absolutely support the goal of H.R. 822, which is that all Americans have concealed-carry reciprocity across the Nation. That is already happening today, Mr. Chairman, through State legislatures, through State attorneys general, through State Governors negotiating these agreements.

My amendment would leave those agreements in place and preserve the rights of States to continue to legislate and regulate in this area.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

This amendment undercuts the uniform eligibility standard that forms the foundation of this legislation. The underlying bills would allow individuals with valid State-issued permits to carry a concealed firearm in all other States that also authorize concealed carry. This Second Amendment right to bear arms is, therefore, limited by this amendment.

Forty-nine States authorize concealed carry, and 40 of those States have reciprocity agreements with all or some of the other concealed-carry States. But those agreements vary from State to State, creating a patchwork of laws that limits reciprocity, creates confusion for gun owners, and undermines the Second Amendment. The amendment offered by the gentleman from Georgia keeps this patchwork in place by exempting States with reciprocity agreements from the bill. The amendment prevents individuals from taking advantage of nationwide concealed-carry reciprocity unless the State they reside in has a separate agreement with the State they wish to travel to.

While I appreciate my colleague's dedication to the concept of States' rights, I think it is misapplied to this legislation. H.R. 822 upholds States' rights in several important ways:

First, it does not apply to those jurisdictions that prohibit concealed carry, such as Illinois and the District of Columbia.

Second, the bill does not affect a State's right to set eligibility requirements for its own residents:

Third, H.R. 822 does not impact State laws concerning how firearms are possessed or carried within the various States. All State, Federal, and local laws that prohibit, for example, carrying a concealed handgun in a public building or a place of worship apply equally to any nonresident concealed-carry holder.

Fourth, this legislation does not create any authority for the Federal Government to regulate concealed-carry permits. No Federal agency has any role in the implementation or oversight of this bill which is left, rightfully, up to the States. But, most importantly, this bill respects and protects an individual's right to bear arms when they are traveling.

In two recent decisions, the U.S. Supreme Court affirmed that the Second Amendment endows individuals with the right to keep and bear arms, and this right is based in large part on the right of the States to define those agreements.

For these reasons, I oppose the amendment, and I reserve the balance of my time.

Mr. WOODALL. Mr. Chairman, in closing, I thank the chairman of the committee for his work on these issues. I agree with so much of what he had to say, that it is absolutely true that the merit of this legislation is that it eliminates the patchwork of reciprocity agreements that go on across this country. And the price we pay for eliminating that patchwork is trampling upon the work of the States.

Now, I'm a freshman in this House, Mr. Chairman, and I think small government, conservative Republicans who in Congress have lost their way, particularly during the Bush administration. They went along with a huge expansion of government regulation, with the very best of intentions. They went along with the huge expansion of government that was the best of intentions. They increased the regulatory burden of the Federal Government, with the very best of intentions.
And this bill today is brought with the very best of intentions. But when previous Congresses have gone along with the very best of intentions, personal freedom and liberty have been eroded, even with the very best of intentions.

Mr. Chairman, the only thing that happened in Republican legislatures and passes today is that agreements that already exist for reciprocity, and any future agreements made for reciprocity, will be held supreme over a unified Federal standard. I ask my colleagues, Republican colleagues and my Democratic colleagues, isn’t it worth it? Isn’t sacrificing a uniform framework worthy it to protect the rights of State legislatures and the work of citizens across this country that they have put in to protect, preserve, and promote Second Amendment rights across this Nation.

I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, how much time do I have remaining?

The Acting Chair. The gentleman has 2 minutes remaining.

Mr. SMITH of Texas. I yield 30 seconds to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Thank you, Mr. Chairman, for yielding me this time.

Mr. Chairman, I rise in support of Congressman WOODALL’s amendment. I would point out that currently States have the ability to enter into reciprocity agreements with other States. This legislation, should it pass, would take that ability away. It would mandate that there be this reciprocity agreement, and that’s usurpation of States’ rights.

I have no problem with the Second Amendment, by the way, and the NRA is a lobbying organization which is quite powerful here in Washington, DC.

Mr. SMITH of Texas. Mr. Chairman, I yield myself the balance of my time.

The Acting Chair. Pursuant to the gentleman from Georgia (Mr. JOHNSON), the time of the gentleman from Michigan (Mr. CONYERS) for work starts on the amendment offered by the gentleman from Georgia will be designated.

AMENDMENT NO. 2 OFFERED BY MRS. MCCARTHY FROM NEW YORK

The Acting Chair. Pursuant to House Report 112–283, the bill is now in order to consider amendment No. 2 printed in the text of the amendment is as follows:

Page 5, line 23, strike “that—” and insert “that is in effect a law providing that the provisions of this amendment shall apply with respect to the State, and—”.

The Acting Chair. Pursuant to House Resolution 463, the gentlewoman from New York (Mrs. MCCARTHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield myself such time as I may consume.

I would like to thank my colleague from Michigan (Mr. CONVers) for working with me on this issue. I rise totally in opposition to H.R. 822.

It saddens me, but it does not surprise me. We are here today discussing not how to make Americans safer and reduce gun violence, but, instead, about how to weaken our gun laws and consider a bill that takes local decisions out of the hands of local officials.

The gun manufacturing lobby will try to say otherwise, but I fully support the Constitution, as my colleague mentioned before. I believe in the rights afforded in the Second Amendment, and I support law-abiding gun owners. In the absence of a perfect, nonviolent society, however, we must make laws to protect the public. I know this firsthand. After all, it was a man with a concealed handgun that took the life of my husband and gravely wounded my son on the Long Island Railroad back in 1993.

Now, you may hear arguments today about interstate commerce as a justification for this bill, but this bill has nothing to do with interstate commerce. This bill is simply about the Federal Government overriding the States’ laws about who can carry a concealed weapon.

You may also hear comparisons to gun owners and driver’s licenses, which are recognized nationwide. But if we want to compare guns to cars, as the gun lobby often likes to do, let’s have standing of the specific needs of their communities. H.R. 822 erases all of that and creates an unworkable system.

Under this bill, States with strong gun safety laws, such as New York, California, and Massachusetts, would allow out-of-State visitors, potentially armed with guns, onto our streets armed and dangerous. There are States in our Nation that don’t require a background check before issuing a concealed-carry permit. There are States in our Nation that don’t require any firearm training before getting people walk around with a concealed weapon. These are decisions that those States made for themselves. I don’t want those decisions imposed upon the communities I represent, and neither should anybody else.

Also, police officers would be faced with the task of attempting to determine the authority of permits from 48 other States on the fly and in potentially tense situations. Simply put, this bill is anticommmunity, antisafety, and antipolice.

And, finally, the bill attempts to solve a problem that simply does not exist. Many States have chosen to enter into these agreements with other States to honor each other’s concealed-carry permits. Nothing is stopping a State from recognizing a permit from any other State. The fact that States have not done so represents a deliberate choice to only enter into agreements with States that they feel have the proper approach to issuing concealed-carry permits.

The Federal Government should not be second-guessing the decision of the States in this matter. It saddens me but does not surprise me. We are here today discussing not how to make Americans safer and reduce gun violence, but, instead, about how to weaken our gun laws and considering a bill that takes local decisions out of the hands of local officials.

The gun manufacturing lobby will try to say otherwise, but I fully support the Constitution, as my colleague mentioned before. I believe in the rights afforded in the Second Amendment, and I support law-abiding gun owners. In the absence of a perfect, nonviolent society, however, we must make laws to protect the public. I know this firsthand. After all, it was a man with a concealed handgun that took the life of my husband and gravely wounded my son on the Long Island Railroad back in 1993.

Now, you may hear arguments today about interstate commerce as a justification for this bill, but this bill has nothing to do with interstate commerce. This bill is simply about the Federal Government overriding the States’ laws about who can carry a concealed weapon.

You may also hear comparisons to gun owners and driver’s licenses, which are recognized nationwide. But if we want to compare guns to cars, as the gun lobby often likes to do, let’s have
Mr. Chairman, I yield myself such time as I may consume.

MR. HASHTINGS of Florida. Mr. Chairman, I yield myself such time as I may consume.

My amendment would exempt States from right-to-carry reciprocity when the State does not require individuals to apply for and complete a carry permit application at their local law enforcement station.

The United States Congress should never be in the business of stripping States of the right to make their own decisions about whether to recognize other States’ permits. States have put forward a considerable amount of time trying to determine just what is best for their citizenry in reference to safety. By overriding State-based concealed-carry laws and forcing States to recognize concealed-carry permits from every other State, we’re putting our State and local law enforcement in grave danger.

Manuel C. Rivera died Monday night in the sheriff’s office. He was a police officer in New York. He was 27 years old. He was killed while responding to a domestic disturbance call. He was shot and killed by a suspect who was also killed in the incident.

This amendment closes a loophole that would otherwise be created by H.R. 822. Almost every State allows concealed-carry in some form, but States differ in how they implement their concealed-carry policies, including having, as has been mentioned, different age requirements, training requirements, and excluding individuals guilty of certain crimes. One of these major discrepancies is addressed in this amendment and would force a State wishing to enforce H.R. 822’s State reciprocity requirement to make certain carry permit applications are completed at an individual’s local law enforcement station.

In my home State of Florida, concealed-carry permits may be granted to both residents and nonresidents, and a signed permit is required in order to carry firearms. The permit is good for four years, after which it must be renewed. It is an epidemic and even said that it was a health crisis so many people were killing each other with weapons.
As written, the amendment allows a visitor to carry a handgun under the provisions of the bill only in States that require applications to be completed and submitted in person; however, few States have such a requirement for nonresidents.

This amendment would create unnecessary confusion. For example, Florida accepts applications by mail, but the State of Washington does not. If this amendment were adopted, a Virginia resident who held a valid permit could carry a handgun in Washington, which requires everyone to apply in person, but not in Florida, which has no concerns about issuing permits by mail.

It is possible that the amendment was intended to allow interstate carry under the bill’s provisions only for holders of permits that were issued in person. The problem is that isn’t how the amendment is drafted. If it were, it would still effectively gut the bill because so few States require in-person application.

The fact is that any application or fingerprinting requirements, if a resident or a nonresident to obtain a concealed-carry permit are in addition to all the other requirements, including a national instant-background check that the applicant must go through first to legally purchase the gun.

Despite what some opponents of H.R. 822 would have you believe, not everyone who owns a gun is a criminal. And, in fact, there is overwhelming evidence to show that concealed-carry laws have resulted in lower crime rates in most States. Typically, most criminals don’t bother with legally purchasing a gun and then making sure they have a valid permit before they carry it concealed; they just do it. That’s why we call them criminals.

I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Mr. CHABOT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida (Mr. HASTINGS), I now order to consider amendment No. 4 printed in House Report 112-283.

Ms. JACKSON LEE of Texas. I have an amendment at the desk, Mr. Chairman.

Mr. CHABOT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. CHABOT. Mr. Chairman, I yield myself such time as I may consume.

This amendment would effectively gut the bill, though the intent is actually somewhat unclear.
would do what Republicans and Democrats say they want to do: protect law enforcement officers.

Failing to implement a national system that would allow law enforcement officials to check the status of individuals who are legally allowed to carry a concealed weapon could result in a life-threatening situation, such as a traffic stop, becoming a life-threatening situation. If an officer discovered a gun during a routine traffic stop, the officer might quickly and accurately determine whether the driver possessed a valid out-of-state permit.

Oh, yes, we can offer reciprocity, but does the officer on the street walk around and look at the car that’s coming across the border of their State and say, ‘Who can oppose such a simple amendment?’

The gentleman for his kindness.

Mr. Speaker, I rise today in support of my amendment #4 to H.R. 822, the “National Right-to-Carry Reciprocity Act of 2011.” My amendment ensures that a comprehensive database is created to provide a listing of individuals from each State who possess permits and licenses to carry concealed weapons. This amendment would also require that the concealed weapons database be available to law enforcement officials in all States 24-hours a day.

Failing to implement a national system that would allow law enforcement officials to check the status of individuals who are legally allowed to carry a concealed weapon could result in a life-threatening situation. If an officer discovered a gun during a routine traffic stop, the officer must quickly and accurately determine whether the driver possesses a valid out-of-state permit. It is a nearly impossible task for the officer to verify the validity of 48 different carry permits in the middle of what could be a tense situation.

Even if that person is legally carrying a weapon based upon the permit from another State, according to the majority’s report on this bill, only 18 States maintain an electronic database of concealed-carry permits that are immediately accessible to other law enforcement agencies. Seven States cannot provide any real-time access to this basic information to out-of-state agencies, and 2 States do not even maintain a database for their own purposes. This amendment gives state and local law enforcement a plausible chance to verify whether out-of-state concealed carry permits are legitimate.

Consider for a moment, a police officer in Houston, Texas has just pulled someone over for speeding. The driver from Missouri, gives the officer a concealed carry permit from Utah, which is a state that grants concealed carry permits to nonresidents. Under our current system it is impossible for the officer in Houston to instantly confirm whether or not the driver from Missouri has a valid right to carry a concealed weapon.

Failing to implement a national system that would allow law enforcement officials to check the status of individuals who are legally allowed to carry a concealed weapon could result in a life-threatening situation. If an officer discovered a gun during a routine traffic stop, the officer must quickly and accurately determine whether the driver possesses a valid out-of-state permit. It is a nearly impossible task for the officer to verify the validity of 48 different carry permits in the middle of what could be a tense or dangerous situation.

According to the Majority’s report on this bill, only 18 States maintain an electronic database of concealed-carry permits that are immediately accessible to other law enforcement agencies. 7 States cannot provide any real-time access to this basic information to out-of-state agencies, and 2 States do not even maintain a database for their own purposes. This amendment gives state and local law enforcement a plausible chance to verify whether out-of-state concealed carry permits are legitimate.

Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 1 minute remaining.

Ms. JACKSON LEE of Texas. I yield to my ranking member on this amendment.

Mr. CONyers. I thank the gentlelady for yielding. And I am in full support of the logical and rational approach that she is taking in supporting a database.

I plead with my colleagues to join us in a bipartisan sense to support an amendment that would create a comprehensive mechanism so that all permits and licenses for carrying concealed weapons would be available on a 24-hour-a-day basis. I congratulate the gentlelady for her amendment.

Ms. JACKSON LEE of Texas. I thank the gentleman for his kindness.

Who can oppose such a simple amendment, particularly when it is noted that some States do not have this electronic database?

The officer who went to his dispatcher, who was doing the right thing, he lost his life. He left behind children.

Do we want squinting children getting an immunization shot or getting shot?

THE STORY OF MARQUS
this measure passes every state will be com-
pelled to honor every other State’s permit to
carry concealed and loaded guns, regardless of
how different each state’s standards or cri-
teria to secure a permit may be.

States should have the right to know whether
the individual carrying concealed weapons
have valid permits or licenses to carry or pos-
sess concealed weapons. This measure would
require that one central database be created,
which encompasses the information of each
person from each state who has a current,
valid license to carry or possess a concealed
handgun—and requires that this comprehensive
database be accessible to law
enforcement in any state 24 hours a day.

I believe that an amendment creating a
comprehensive listing of licensed individuals
each state, in one main location that is
accessible at any time of day is a necessary
tool that will protect the public and the safety
of law enforcement officers.

I yield back the balance of my time.

Mr. GOWDY. Mr. Chairman, I rise in
opposition to the amendment.
The Acting CHAIR. The gentleman
from South Carolina is recognized for 5
minutes.

Mr. GOWDY. Mr. Chairman, I yield
myself such time as I may consume.

This amendment seeks to require
States to maintain a database of all
concealed-carry permits that would be
accessible to law enforcement officers
24 hours a day. This amendment, aside
from being a version of NCIC for law-
abiding citizens, is unnecessary for a
number of reasons.

The State-issuing authority already
maintains a database of concealed-
carry permits. A number of States
make these databases accessible to law
enforcement through the Nlets System,
which law enforcement in all 50 States
can use to determine whether someone
visiting from another State is carrying
a valid concealed permit. This system
is available to law enforcement officers
24 hours a day, 7 days a week.

Law enforcement officers can also
contact other States to determine
whether a person has a criminal back-
ground, a warrant out for their arrest,
or other information that will help de-
termine whether someone poses a safe-
ty threat to themselves or the general
public.

But the fundamental flaw of this
amendment is that it continues to place
conditions and restraints on law-
abiding citizens all the while ignoring the
crime and the terrorist threat is that people
tent on doing harm do not register
their firearms nor call ahead to report
their travel schedule.

No database has yet been created
which can determine whether a person
with a concealed carry permits intends to use it in a
criminal matter, whether the firearm
is carried illegally or not, so officers
are trained to be careful in every situa-
tion and have the authority to take
necessary precautions to ensure the
safety of those on the scene of an in-
vestigative stop.

This amendment, as is true with
many other amendments that we have
and will consider today, is premised on the
flawed view that concealed-carry
permit holders pose a threat to public
safety. People intent on committing il-
legal acts will not go to the trouble of
obtaining a concealed-carry permit,
and statistics back that up.

I oppose the amendments. Mr. Chair-
man, and I yield back the balance of
my time.

The Acting CHAIR. The question is
on the amendment offered by the gent-
lewoman from Texas (Ms. JACKSON
LEE).

The question was taken; and the Act-
ing CHAIR announced that the ayes ap-
peared to have it.

Mr. SMITH of Texas. Mr. Chairman, I
demand a recorded vote.

The Acting CHAIR. Pursuant to
clause 6 of rule XVIII, further pro-
ceedings on the amendment offered by
the gentlewoman from Texas will be
postponed.

The Chair understands that amend-
ment No. 5 will not be offered.

AMENDMENT No. 6 OFFERED BY MR. JOHNSON OF
GEORGIA

The Acting CHAIR. It is now in order
to consider amendment No. 6 printed in
House Report 436, the Johnson of
Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will
designate the amendment.
The text of the amendment is as fol-
lores:
Page 6, line 14, after the period insert the
following: “Notwithstanding the preceding
sentence, the possession or carrying of a con-
cealed handgun shall not be subject to
any law of the State that limits the eligi-
bility to possess or carry a concealed hand-
gun to persons who have received firearm
safety training that includes a live-fire exer-
cise.”.

The Acting CHAIR. Pursuant to
House Resolution 463, the gentleman
from Georgia (Mr. JOHNSON) and a
Member opposed each will control 5
minutes.

The Act-
ing CHAIR recognizes the gentleman
from Georgia.

Mr. JOHNSON of Georgia. Mr. Chair-
man, I yield myself such time as I may
consume.

I rise in support of my amendment to
this dangerous bill, the National Right-
to-Carry Reciprocity Act.

My amendment is about protecting a
State’s right to decide who may carry
a concealed, loaded handgun within its
borders. The question is that States
require the possession or carrying of a concealed
handgun in a State be subject to that State’s
law regarding firearm safety training,
including live-fire exercise.

Currently, at least 34 States require
applicants to complete a firearm safety
training course or present proof of
equivalent experience in order to ob-
tain a concealed-carry permit; 19
States require live-fire instruction to
obtain a carry permit. However, some
States only require minimal training
such as an introduction. Even worse,
are the States that do not require any firearm
training to obtain a concealed-carry permit.

This bill would override State laws
and require States to allow out-of-
State residents to carry loaded, con-
cealed weapons in public, even if they
have not met basic licensing or train-
ing requirements mandated for
transporting a firearm in that State. This does not make any sense.

By federally mandating recognition
of all out-of-State concealed handgun
permits, H.R. 822 would allow individu-
als who do not meet a State’s live-fire
firearm training standards to carry
concealed weapons within their borders
and prohibit States from ever restrict-
ing carrying by those individuals.

According to the Violence Policy
Center, since May 2007, at least 385 peo-
ple, including law enforcement officers,
have been killed by individuals with
concealed-carry permits. None of these
incidents involved self-defense. Some of
these incidents included mass shoot-
ings—the most recent occurring in
July at a child’s birthday party at a Texas
roller rink—claiming the lives of 89 innocent victims. This illustrates
why States should have the right to de-
terminare to carry firearms within their borders. They know what is best for their communities.

This bill is all about the National
Rifle Association and its needs, not
about the American people and putting
them back to work. Congress should
not put its stamp of approval on this
dangerous and misguided legislation.

States that require a person to demon-
strate that they know how to use a
firearm or meet minimum training
requirements before obtaining a con-
cealed-carry permit, States that do not meet State’s concealed license-
training requirements, especially if a State
requires that individuals undergo live-
fire training to ensure they know how
to properly operate a firearm. This is
common sense.

This is a commonsense amendment,
and it will keep Americans safe. It sim-
ply would require the possession or car-
rying of a concealed handgun in a
State be subject to that State’s law
regarding firearm safety training,
including live-fire exercises.

I urge my colleagues to support
this amendment and oppose the underlying
bill.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I
yield myself such time as I may
consume.

This amendment allows States to
prohibit nonresidents from carrying a
concealed firearm if they did not take
part in a firearm safety class that in-
cluded a live-fire exercise as part of the
permitting process. This amendment
clearly favors the interests of the
Federal Government into the
State’s concealed-carry permitting
process. H.R. 822, by contrast, protects
Mr. SMITH of Texas. Mr. Chairman, I yield myself the balance of my time.

The Acting CHAIR. The gentleman from Georgia has 1 minute remaining.

Mr. JOHNSON of Georgia. Thank you, Mr. Chairman. I agree wholeheartedly with my colleague from Texas, Chairman Smriti. This legislation does, in fact, insert the Federal Government into State licensing of firearms, and it does it in a big way. It actually eviscerates the States' ability to regulate how or the qualifications for applicants to be able to receive a concealed-carry permit.

As I stated earlier, 34 States require applicants to complete a firearms safety training course; unfortunately, Georgia does not. But that does not mean that is right or proper. I believe that other States can certainly have a more conscientious approach to gun control, and certainly States have had a right to do that, and I want to preserve that right.

With that, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield myself the balance of my time.

The Acting CHAIR. The gentleman is recognized for 3 minutes.

Mr. SMITH of Texas. Mr. Chairman, I am glad that the gentleman from Georgia agrees with me that this amendment does insert the Federal Government into the States' concealed-carry permitting process. I would simply say that that admission and the fact that is true is reason enough to oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question and the Acting Chair announced that the ayes appeared to have it.

Mr. SMITH of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

__1540__

AMENDMENT NO. 7 OFFERED BY MR. COHEN

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112-283.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 14, after the period insert the following: "Notwithstanding the preceding sentence, the possession or carrying of a concealed handgun in a State under this section shall be subject to any State law limiting the eligibility to possess or carry a concealed handgun to individuals who have attained 21 years of age."

The Acting CHAIR. Pursuant to House Resolution 463, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Chairman, I yield myself such time as I may consume.

Before I came to Congress, I was a member of the Senate of the Tennessee for probably an inordinate amount of years before I graduated to this august body. It took me 24 years to matriculate. But during those 24 years, I worked on much important legislation to help the people of Tennessee.

One of the things I helped the people in Tennessee with was I wrote the Right to Carry bill in Tennessee. The fact is this was a difficult bill to pass; it was a difficult bill to craft. There were people with different opinions of what should be in the bill, and we debated it. We went back and forth on what should be in it. We took votes and certain things passed and certain failed, and we came up with a bill we thought was a good bill.

I always felt that people who could take a gun and have enough vision and caliber vision and could target at some pace, not have a criminal record, and pass a written test of limited challenge, should have a right to carry a gun. In fact in Tennessee, very few people with the right to carry a gun have committed crimes and used their guns improperly.

But the fact is we worked on this law and we had certain restrictions, and one of the restrictions is you have to be 21 years of age, the same age that you have to be to buy a beer or to drink. And 36 other States came to that same decision that you should be 21 before you can get a permit to carry a gun.

Eight States have differed: Alabama, Delaware, Indiana, Iowa, Maine, Montana, New Hampshire, and South Dakota. So you've got a southern State in there, you've got an eastern State, a couple of Big Tens, a couple out in the Big Sky world, and some in the east. And they decided you only had to be 18, those eight States.

This bill, if passed, would tell the citizens in those 37 States and the legislators in those 37 States that argued and determined that 21 was the right age that it would be the right age in your State for the people who are residents of your State, but if somebody from one of those other eight States came into your State and was less than 21, they could carry a gun when your citizens couldn't. Because their State decided 18 was sufficient, your laws made no difference; and you'd have teenagers carrying guns in States that had determined that it was not the appropriate age.

Twenty-one is the right age to drink, and I'm not submitting that it should be less at this time, but the fact is the brain doesn't really develop to a certain extent until you're out of your teens; and that is why much of the crime and the violent crime is committed by people 18 to 20. They are only 5 percent of the population, but 20 percent of the homicides in violent crime are committed by people from 18 to 20. And if you pass this bill, you'll have people 18 to 20 going into States having a right to carry a gun when the citizens of that State won't have it. That makes no sense.

In 2007, the most recent year in which we have data, there were 13,000 people who lost their lives in this country to accidents involving alcohol; but there were 31,000 people, over twice as many, who lost their lives because of gunfire. It doesn't make sense that we would not only trample on the laws of the different States but upon the legislators such as me who worked hard within the legislative bodies, within the give-and-take of Senate and House and conference committees to come up with what we thought was the policy of our State to have that over-ridden by the folks here in this United States House of Representatives, the Senate would be concurring, to pass a bill to say your laws make no difference, and 18- and 19- and 20-year-olds from Alabama and South Dakota and Maine and New Hampshire are going to be able to come in your State and carry a gun when your citizens won't be able.
It should be up to each of the States to decide that, and what we’re getting to is the lowest common denominator, which isn’t right.

So the fact is these laws should be left up to the States. The States right now have reciprocity agreements. Tennessee didn’t have one when we passed our bill in 1996, but in 2003 they got one. But the State of Tennessee decided on its reciprocity, not the United States Congress. And States have reciprocity agreements, and they’re all going to be different. Some are more liberal than others—Tennessee is the most liberal—but other States have got restrictions. They’re all going to be set aside because of this.

I would hope that the Members who come from the 37 States that require your citizens to be 21 would not allow people under 21 to come into your State and have teenagers who are most likely to commit crimes with guns to come into your State with a concealed-carry permit.

Mr. CONyers. Will the gentleman yield?

Mr. COHEN. I yield to the distinguished gentleman from Michigan.

Mr. CONyers. I thank the gentleman for yielding.

Your experience in your State legislature and your legal experience really have impressed me that your amendment, and we haven’t talked about this today on H.R. 822, is extremely important. I hope my colleagues will join with you.

Mr. COHEN. I thank the gentleman. I yield back the balance of my time.

Mr. GOWDY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from South Carolina is recognized for 5 minutes.

Mr. GOWDY. Mr. Chairman, I yield myself such time as I may consume.

This amendment prohibits persons who are legally permitted to carry a concealed weapon between the ages of 18 and 21 from taking advantage of H.R. 822’s grant of reciprocity. We continue to believe, Mr. Chairman, that adults who reach the age of 18—which is the age of majority for well nigh everything in this country, save alcohol—are capable of being responsible just as 19-year-olds and 20-year-olds are. They can vote. More importantly, they can serve in the military where they are highly trained to handle firearms in very critical situations.

Fewer than 10 States allow people under 21 to receive a concealed-carry permit. One State allows this if a weapon is necessary for the person’s job, such as law enforcement, and another if a person gets permission from law enforcement.

This amendment eliminates the current practice of many States, including the amendment sponsor’s home State of Tennessee, recognizing concealed-carry permits from nonresidents between the ages of 18 and 21, even though their own residents must be 21 to conceal carry.

In fact, 14 States recognize all valid permits issued by any States, including those States that permit persons between the ages of 18 and 21. As many as 10 additional States recognize 18-year-old permit holders from other States with which they have reciprocity. Mr. Chairman, America trusts our brave men and women under the age of 21 to volunteer for duty and to defend our country. What this amendment says, however, is you can carry a gun and defend this country overseas, but you can’t carry a gun and defend yourself once you get back. This is not consistent with the Second Amendment, nor is it reflective of our views with respect to what 18-year-olds can and should be permitted to do. What is good enough to defend the foundations of this Republic and us, I hasten to add, should be sufficient to defend oneself.

Mr. COHEN. Will the gentleman yield?

Mr. GOWDY. I yield to the gentleman from Tennessee.

Mr. COHEN. I thank the gentleman for yielding.

Based on your argument, you would think that the state that the laws of the 37 States have that limit gun permits to people that are 21 should be abolished. Why does your legislation not go further and trample on the States’ rights and say that you can only have a limitation of age 18 and say that you cannot have a limitation of age 21.

Mr. GOWDY. The only thing that this debate today has given me cause for celebration for is I now know my colleagues on the other side of the aisle are familiar with the concept of States’ rights because I have not heard them talk about it for the first 11 months. Do you suppose Tennessee should have a different version of the First Amendment or the Fourth Amendment or the Fifth Amendment or the Eighth Amendment? So when are we treating the Second Amendment like it is in the constitutional trash heap?

Mr. COHEN. No. What I’m saying to you, sir, is your belief is obviously that the Second Amendment is the individual right so that the States that have laws that say you have to be 21, those laws should be abolished and we should limit it to 18.

For the record, I have talked about States’ rights on medical tort liability, and I’ve talked about States’ rights on medical marijuana.

Mr. GOWDY. Reclaiming my time, the gentleman from Tennessee is right. He has from time to time mentioned States’ rights, which puts him in a very lonely position on his side of the aisle.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. Conyers). The question was taken; and the Acting Chair announced that the noes appeared to have it.
their intention to carry or possess a concealed handgun in another State. States must retain their ability to know which individuals are allowed under this newly proposed bill to possess and carry a concealed weapon.

Now, my friend did not engage with me in a gentleman, I believe, from South Carolina.

But just imagine a trooper with a traffic stop on, say, for example, I-45 in the State of Texas—it could be I-95 in Maryland. The car has a Colorado license plate, and the driver supplies a Colorado driver's license. The State trooper goes back to his car, and he can instantly validate this person is from Colorado with respect to the license plate and the license. Upon returning to the car, the trooper notices that the driver has a concealed weapon on his hip. The driver hands over his Colorado concealed-carry permit. The trooper has no ability to determine the validity of that permit. Therefore, if that individual is required to have a State agency in Texas or in Maryland, that information might be readily accessible.

I heard a comment about the NLET process. You can go to the NLET. Only 12 States currently allow electronic access to their concealed-carry databases known as NLET. It does not respond, in essence, to the other 38 States.

My friends, we are recklessly passing a bill that we think is surely needed. It does not have anything to do with protecting innocent children. It has nothing to do with making sure our law enforcement is safe. I am simply adding an amendment that would make it better. When you're coming into our State, let's make our law enforcement know, and let's provide safety to the American people.

I reserve the balance of my time.

Mr. GOWDY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from South Carolina is recognized for 5 minutes.

Mr. GOWDY. Mr. Chairman, I yield myself such time as I may consume.

This amendment is based on the premise that any person who possesses a gun, including an American who legally purchases a gun and obtains a concealed-carry permit, is a criminal and must seek permission to exercise his or her second amendment rights, which would be nice, indeed, if we could get those who harbor criminal intentions to call ahead of time and inform local law enforcement of their plans. It would, in fact, be ideal if they would let us know which store they were going to rob, which home they were going to invade, which car they intended to steal.

That typically doesn't happen, Mr. Chairman, and to require law-abiding citizens to call ahead is mind-boggling. Do we have to call ahead when we plan to assert our First Amendment rights? Do we have to call ahead and inform States we're traveling through of our intention to rely upon our Fourth Amendment rights? What about Miranda? Do we call ahead and reserve our Miranda reservations? Do we need to tell them which road we'll be traveling on, Mr. Chairman—and who do they call, may they tell them when they call? Do they describe the gun? Do they tell them what caliber? What is law enforcement supposed to do with this information? Does anyone really think criminals ever call ahead and announce their intentions? What happens if a person fails to provide notice, Mr. Chairman? What is the designated law enforcement agency expected to do with this information—maintain a database of all entering nonresidents and track the person's movements inside the State?

Should a nonresident with a concealed-carry permit engage in criminal activity within the State, is the State then liable for not preventing it? Would a person who lives in Maryland but works in Virginia be required to call every day, Mr. Chairman? What if it's an emergency trip—the birth of a grandchild? A sickness in the family? Do we let our trip so we can meet the requirements of this amendment or do we sacrifice our right to travel in self-defense because we didn't call quickly enough?

This is a practical nightmare. It's a constitutional abomination. I urge my colleagues to oppose it.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The gentlewoman from Texas has 1 1/2 minutes remaining.

Ms. JACKSON LEE of Texas. I'm so glad my dear friend rose to speak to the new phenomenon of apples and oranges.

My friends, I am not coddling criminals. We know this is a distinctive bill that is not addressing the question of criminals who come to do us harm. What we are suggesting is that guns kill people and suggesting that people use guns to kill.

On that lonely, dark road at 3 a.m., when that trooper identifies your driver's license but can't identify whether or not you have a legitimate concealed-weapon permit to carry, then we are asking for you to have help. We're asking for there to be 24-hour notification. I am sure there will be the possibility of waivers, but don't tell me that a law enforcement entity, once known that notification should be in, that that individual might not carry. Or, in essence, that has the notification that someone is coming in from another State with a concealed weapon, will not find it useful. In fact, it will help this law enforcement officer tell this individual carrying legally, On your way, sir; On your way, ma'am. On your way, you. Or, in essence, we might catch someone who has a concealed weapon and a permit from another State, but that person is rushing across the State to get away from a wife or a husband and has been in a violent domestic abuse or a domestic violence altercation.

So let me just say, for all of the laughers, guns kill, and it is a shame that we allow the ghost of the NRA to ride into this place and just smack down common sense. Save the lives of children because guns kill. Save the lives of law enforcement officers who leave behind children, because guns kill. Don't fool around with the NLET to do this. Let's notify. I ask for the support of my amendment.

Mr. Chair, I rise today in support of my amendment No. 8 to H.R. 822, the “National Right-to-Carry Reciprocity Act of 2011.” My amendment ensures that a person seeking to possess a concealed weapon in a state other than the state that issued the concealed carry permit must provide at least 24 hours advance notice to law enforcement agencies of their intention to carry or possess a concealed handgun in another State.

States must retain their ability to know which individuals are allowed, under this newly proposed bill, to possess and carry concealed weapons within their borders. This measure would require an individual to notify out of state law enforcement officials of their intention to possess or carry a concealed weapon into the borders of a State in which those individuals are not licensed.

In its current form, the bill will have a difficult time verifying out of state permits in real time, safeguarding their lives, and the lives of the public. State and local law enforcement must always be aware of who is carrying loaded, hidden guns. This information will give law enforcement a fighting chance as they protect their communities.

I believe that an amendment requiring prompt and adequate notification to law enforcement officials regarding an out of state individual's intention to carry a concealed weapon is necessary to protect the safety of the public and to protect the safety of the men and women who protect the public.

According to the Majority's report on this bill, only 12 states maintain electronic databases of concealed carry permits that are immediately accessible to other law enforcement agencies. 7 states cannot provide any real time notifications, and 2 states do not even maintain databases.

Currently, there are several states that have implemented time requirements to ensure the safety of their citizens when dealing with a variety of weapons. This amendment will create a standard that is sure to provide law enforcement with the information desperately needed to keep the public safe from unknown harms.

This is a fundamental states rights issue. The measure before us today takes away a state's right to set their own criteria for determining who can be allowed to carry a firearm within their borders.

Texas has robust handgun concealed carry laws and these laws would only undermine the criteria established by my home state. This measure would bolster the protections that Texas and many other states seek to implement to protect their citizens from gun violence. Texas standard to attain a permit is curiously higher than any other federal law authorities.

As it stands Texas already honors the permits of 39 other states; which only emphaizes that this can be allowed at the state level. One of my main concerns is that the lives and safety of men and women working in the line of duty will be compromised if we fail
to effectuate this amendment requiring a 24-hour advance notice of out of state individuals carrying concealed weapons.

Law enforcement officers put their lives on the line for us every day. Since 2009 least 122 law enforcement officers have been shot and killed, with an average of one officer killed by gunfire each month. Since the beginning of 2011, guns have killed at least 30 law enforcement officers. It is important that the very men and women who put their lives on the line are the very men and women who have instant access to information on whether on not the individual is carrying a concealed weapon.

The Acting CHAIR. Pursuant to House Resolution 463, the gentleman from Rhode Island (Mr. Cicilline) and a Member opposed each will control 5 minutes.

The Acting CHAIR. Pursuant to the Amendment No. 9 offered by Mr. Cicilline.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. Jackson Lee).

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

Amendment No. 9 offered by Mr. Cicilline.

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 112–283.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 21, strike the close quotation marks and the following period.

Page 6, after line 21, insert the following:

(a) Subsection (a) 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 have jointly issued a certification that the laws of both States which provide for the issuance of such a license or permit are substantially similar.

The Acting CHAIR. Pursuant to House Resolution 463, the gentleman from Rhode Island (Mr. Cicilline) and a Member opposed each will control 5 minutes.

The Acting CHAIR. Pursuant to the Amendment No. 9 offered by Mr. Cicilline. Mr. Chairman, I yield myself such time as I may consume.

The Acting CHAIR. Pursuant to the Amendment No. 9 offered by Mr. Cicilline.

As a founding member of the bipartisan Mayors Against Illegal Guns, co-chaired by Mayor Menino of Boston and Mayor Bloomberg of New York, I rose today in strong opposition to the National Right-to-Carry Reciprocity Act.

This amendment threatens public safety by undermining the ability of States and localities to prevent gun violence by limiting the carrying of loaded concealed weapons within their borders.

This bill has nothing to do with honoring the Second Amendment. It, instead, completely dishonors the rights of local law enforcement officials to make decisions to protect the well-being and safety of their citizens. This bill will facilitate a new path that allows and more potentially dangerous individuals to carry concealed loaded guns within our borders and against our will. This must not be allowed.

I urge my colleagues to support my amendment to H.R. 822 in order to ensure that we can know who is carrying a loaded and concealed weapon. It instead forces a State to accept standards set in other States.

As a result, this bill strips away reasonable limitations properly enacted by States and imposes upon every State, except Illinois, the least restrictive standard in the country for carrying a concealed loaded gun. The implications of this bill are drastic and a radical departure from well-settled practice and law that assigns primary responsibility for public safety to States and localities.

In Rhode Island and in many States like it, this bill would decimate the strong concealed-carry framework developed by duly elected officials within the State. These officials enacted requirements that they believe most effectively prevent dangerous individuals from carrying a concealed firearm within their borders.

Rhode Island does not have any reciprocity agreements recognizing any other State permits; and our heighten standards require applicants to be at least 21 years old, of good character, not an abuser of alcohol, of abuse, to complete a firearm safety training course that includes a live-fire examination, and to show good cause for needing a concealed-carry permit. To further provide for the public safety needs, Rhode Island also grants broad discretion to local law enforcement officials in the process of approving or denying a concealed-carry permit. As a result, Rhode Island ranks among the States with the lowest gun death rates, less than half the national average.

Under this bill, Rhode Island would be forced to recognize concealed-carry permits from all States that recognize issuance of concealed weapons. Such protections would be completely undermined by this law. This bill is a clear and undeniable threat to public safety and will facilitate a new path that allows more and potentially dangerous individuals to carry concealed loaded guns within our borders and against our will. This must not be allowed.

I urge my colleagues to support my amendment and protect the citizens of this country from the imposition of dangerously lax standards for the carrying of concealed weapons in direct contradiction to the decision of local and State governments charged with protecting the lives and safety of their citizens.

I reserve the balance of my time.
Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

This is one of three amendments under consideration today that would allow the States to opt out of the nation-wide concealed-carry system that H.R. 822 establishes. On the contrary, it demonstrates the bill’s goal of creating national uniformity in our concealed-carry laws.

This amendment provides that every State attorney general, head of police, and secretary of State must certify that concealed-carry eligibility laws of every other State are substantially similar to their own before the State can participate in this legislation’s grant of reciprocity. This is obviously intended to be overly burdensome. It’s really about respecting the people of concealed-carry permits and to the States themselves. It is also simply a way for State officials who do not support the Second Amendment right to bear arms to decide that their State will not recognize out-of-State concealed-carry permits.

The amendment also incorrectly assumes that there are critical differences between the States’ eligibility requirements, which is simply not the case. Each State has a vested interest in making sure that those with a propensity towards violence are not granted a concealed-carry permit. Every State conducts a thorough background check so that unqualified individuals will not be able to carry a concealed firearm. The eligibility standards used by the States are more similar than not. The fact that there may be small differences among the States’ eligibility laws should not allow a State to prohibit the exercise of Second Amendment rights within its boundaries.

Also, Federal and State laws governing the purchase of a firearm must be complied with before a person can even apply for a concealed-carry permit. In order to purchase a firearm or take advantage of the reciprocity extended by H.R. 822, a person convicted of a felony or a domestic violence misdemeanor cannot legally purchase a firearm under Federal law. A person must also be cleared through the Federal Bureau of Investigation’s National Instant Criminal Background Check System, or NICS, before they can purchase a firearm.

Data from the FBI's annual Uniform Crime Report show that right-to-carry States, those that widely allow concealed-carry permits, have 22 percent lower total violent crime rates, 30 percent lower murder rates, 46 percent lower robbery rates, and 12 percent lower aggravated assault rates as compared to the rest of the country. This amendment allows the current patchwork of concealed-carry laws to continue and ignores the right to bear arms guaranteed by the Second Amendment.

For those reasons, I oppose this amendment, and I reserve the balance of my time.

The Acting CHAIR. The gentleman from Rhode Island has 30 seconds remaining.

Mr. CICILLINE. Just very quickly, the purpose is not, of course, to overly burden State governments but, instead, to respect the states’ judgments and decisions they’ve made in weighing the equities and making determinations as to what is the right criteria, to give respect to the duly elected officials in States who have made those judgments. It happens in South Dakota. It happens in Nebraska. It’s not unduly burdensome. It’s really about respecting the people in State government and in local governments who have the responsibility to protect the public health, safety, and well-being of residents of States.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SMITH of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. REICHERT

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. 6. GAO STUDY OF THE ABILITY OF STATE AND LOCAL LAW ENFORCEMENT TO VERIFY THE VALIDITY OF OUT-OF-STATE CONCEALED FIREARMS PERMITS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the ability of State and local law enforcement authorities to verify the validity of licenses or permits, issued by other States, to carry a concealed firearm.

(b) REPORT TO THE CONGRESS.—Within 1 year after the date of the enactment of this Act, the Comptroller General shall submit to—

(1) the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a written report which contains the results of the study required by subsection (a).

The Acting CHAIR. Pursuant to House Resolution 463, the gentleman from Washington (Mr. REICHERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington (Mr. REICHERT). Mr. REICHERT. Mr. Chairman, I yield myself such time as I may consume.

Today we are considering a national reciprocity law for firearms licenses and permits. I have always supported Second Amendment rights for people to carry and keep firearms.

I come at this from a little bit of a different perspective. I was a police officer for 33 years. I asked the streets for 6 years in a patrol car, SWAT commander, hostage negotiator. I have had guns pointed at me. I have looked down the barrel of a shotgun. I have looked down the barrel of a rifle. I have heard the shots fly by. I have been hit by the other end of the gun, too. Fortunately, I have not had to fire at anyone, but in protection of the people in my community, I have experienced being at both ends of a firearm.

So I understand and I get the concerns of cops, my brothers and sisters in law enforcement. What we want to make sure today is that those law enforcement officers across this country that protect us—and they’re protecting us while we’re in the Capitol today—are equipped and prepared to enforce this law.

I have a concern, so my amendment would require that the GAO look into whether or not law enforcement officers are able and have the ability to verify the validity of out-of-State concealed firearms permits and licenses. Within 1 year of enactment, the results of this study will be reported to the House Judiciary Committee and the Senate Judiciary Committee. Our State and local law enforcement across this country every day put their lives on the line. They put the badge on. They put their uniforms on. They walk out into the street. They go out in their patrol cars and are putting their lives on the line. It’s a risk and responsibility that they will gladly accept. They want to come home safely, of course, to their families, but they know the risks they leave their home. They know the risks when they leave their home. They know the risks when they put on the badge. We owe it to them to ensure the underlying bill does not create any unintended consequences or additional safety concerns.

Right now it is unclear whether every cop in every jurisdiction across this Nation can efficiently determine the validity of concealed-firearms permits. Each State decides how best to store and distribute information and have access to its own concealed-carry permit information, but maybe not that of other States.

Only 12 States right now are participating in a program that allows electronic access to a joint concealed-carry database. In the remaining 38 States, law enforcement officers are required to contact appropriate local officials over the phone or by email. This method is not timely enough and not effective. We must understand how long it takes for law enforcement officers to determine whether or not a State concealed-carry permit is legitimate or fraudulent. This is critical to both the
safety of the cops patrolling our neighbor- hoods and protecting the rights of law-abiding citizens.

This GAO study will help us better understand the impact of national reciprocity for concealed firearms on our Nation’s law enforcement and their ability to effectively enforce the law. We must pass this amendment to ensure that our cops have the adequate tools to enforce this law.

I reserve the balance of my time.

Mr. CONYERS. I claim the time in opposition.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. CONYERS. I merely wanted to ask our distinguished colleague from Washington if I understood correctly that the GAO would conduct a study about the ability of the State and local law enforcement to verify the validity of out-of-state concealment after this bill is passed? I yield to the gentleman.

Mr. REICHERT. I thank the gentleman for yielding.

The question is whether or not this study is tied to the passage of the bill. No, the study is not tied to the passage of the bill. The study will begin upon passage of the bill, and the report must be filed before 1 year is up.

Mr. CONYERS. I see. Could I ask the gentleman why we wouldn’t conduct the study in the front of the bill rather than after the bill?

Mr. REICHERT. The way that this amendment is presented, it’s presented allowing the study to go on as law enforcement encounters this new law and will then know what challenges they face as they look to enforce the law. We won’t know all of those things until years later, if our responsibility as Federal legislators was to determine the impact of this proposal on public safety before we pass it, not years later after we pass it.

Would the gentleman concede that that might be the more appropriate path that we normally take?

Mr. REICHERT. Yes, sir. That is what my amendment is intended to do, to gather that information so we can appropriately revise the current policies that may exist in police departments across the country and sheriff’s offices across the country.

T. CONYERS. I thank the gentleman.

I yield back the balance of my time.

Mr. REICHERT. Mr. Chairman, I yield the balance of my time to the gentleman from Texas (Mr. SMITH), the distinguished chairman of the Judiciary Committee.

The Acting CHAIR. The gentleman is recognized for 1 minute.

Mr. SMITH of Texas. Mr. Chairman, I want to thank the gentleman from Washington, a former sheriff himself, for yielding me time; and I appreciate his offering this amendment, which requests a study by the Government Ac-
The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 148, noes 277, not voting 12, as follows:

[Vote list]

Mr. ROSKAM, Ms. MATSUI, Ms. LEE of California, Ms. BROWN of Florida, Messrs. CANTOR, HONDA, and WEST-MORELAND changed their vote from "aye" to "no."

Ms. JACKSON of Illinois, CLY-BRUDY, BRADY of Pennsylvania, CARNEY, Ms. WASSERMAN SCHULTZ, Messrs. TIERNEY, VAN HOLLEN, OLVER, KING of New York, SHERRY, BLUMENAUER, FARR, DAVID SCOTT of Georgia, GEORGE MILLER of California, WAXMAN, PERL-MUTTER, KEATING, ISRAEL, Ms. LO-RETTA SANCHEZ of California, Ms. LINDA T. SANCHEZ of California, and Ms. TSONGAS changed their vote from "no" to "aye."

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MRS. MCCARTHY OF NEW YORK

The Acting CHAIR (Mrs. CAPPTO). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mrs. McCarthy) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Acting CHAIR redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 148, noes 277, not voting 12, as follows:

[Vote list]
ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote). There is 1 minute remaining.

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. Jackson Lee) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 139, noes 294, not voting 10, as follows:

[Roll No. 486]
November 16, 2011

CONGRESSIONAL RECORD—HOUSE

NO. 886

November 16, 2011

CONGRESSIONAL RECORD—HOUSE

H7685

NOT VOTING—10

NOT VOTING—8

ANNOUNCEMENT OF THE VOTING

The Acting CHAIR (during the vote). There is 1 minute remaining.

[Roll No. 886]

AYES—141

AYES—150

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 150, noes 276, not voting 7, as follows:

[Roll No. 886]

AYES—150

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 150, noes 276, not voting 7, as follows:

[Roll No. 886]

AYES—150

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 150, noes 276, not voting 7, as follows:
<table>
<thead>
<tr>
<th>Amendment No. 8 Offered by Ms. Jackson, Lee of Texas</th>
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The Acting Chair. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON of LEE) on which further proceedings were postponed and in which the noes prevailed by voice vote.

The Clerk will redesignate the amendment. The Clerk redesignated the amendment.

**RECORDED VOTE**

The Acting Chair. A recorded vote has been demanded.

A recorded vote was ordered. The Acting Chair. This is a 2-minute vote.

The vote was taken by electronic device, and there were—aye 123, noes 299, not voting 11, as follows:

![The roll call results are shown in the image, indicating the voting outcomes for each amendment.](image-url)
The Acting CHAIR. The amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT NO. 9 OFFERED BY MR. CICILLINE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been ordered.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 146, noes 277, not voting 10, as follows:

Roll No. 850

NOT VOTING—11

ANNOUNCEMENT BY THE ACTING CHAIR

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The Acting CHAIR. Under the rule, the Committee rose. Accordingly, the Committee rose.

The SPEAKER pro tempore, under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the report from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

NOT VOTING—10

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. WESTMORELAND) (during the vote). There is 1 minute remaining.

Mr. CICILLINE. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The gentleman opposed to the bill?
The Clerk read as follows:

Mr. Cicilline moves to recommit the bill H.R. 822 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Page 5, after line 3, insert the following:

**SEC. LIMITATIONS ON RECIPROCITY FOR CHILD SEX OFFENDERS, DOMESTIC VIOLENCE OFFENDERS, AND KNOWN OR SUSPECTED TERRORISTS.**

(a) In GENERAL, Section 2 of this Act shall not apply to a person—

(1) who has been convicted in any court of a sex offense against a minor;

(2) who has been subject within the past 10 years to a restraining order which restrained the person from harassing, stalking, or threatening a spouse, family member, an intimate partner, or a child of an intimate partner; or

(3) whom the Attorney General determines is known or reasonably suspected to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism.

(b) DEFINITIONS.—In subsection (a):

(1) INTIMATE PARTNER.—The term ''intimate partner'' means an individual—

(i) who has been convicted of a sex offense against a minor;

(ii) who has been convicted of a sex offense against a minor;

(iii) who has been subject within the past 10 years to a restraining order which restrained the person from harassing, stalking, or threatening a spouse, family member, an intimate partner, or a child of an intimate partner; or

(iv) whom the Attorney General determines is known or reasonably suspected to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism.

(2) TERRORISM.—The term ''terrorism'' means international terrorism (as defined in section 2331(b)(1) of title 18, United States Code).

(3) DOMESTIC TERRORISM.—The term ''domestic terrorism'' means terrorism (as defined in section 2331(b)(5) of such title).

Mr. GOWDY (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was none.

The SPEAKER pro tempore. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. CICILLINE. Madam Speaker, with nearly 14 million unemployed Americans and our Nation’s economy continuing to struggle, it is disheartening that we stand here today divided, engaging in heated debate about expanding the ability of people to carry concealed weapons and ignoring the most pressing issue confronting our country, the jobs crisis. We’re debating an effort to undermine the ability of States to protect residents from the scourge of gun violence, and we have before us a bill that will effectively preclude States from limiting who can carry a concealed weapon within its borders and for what purpose.

While many of my colleagues and I are seriously opposed to the passage of the underlying bill, there still remains an opportunity for us to find common ground. There’s a chance for us to unite around a reasonable and commonsense amendment which would prevent the privileges in this bill from being extended to some of the most dangerous individuals into our society.

The Amendment would preclude child sex offenders, domestic violence offenders, and known or suspected terrorists from carrying or transporting a loaded gun into another State. While these glaring loopholes are present in the underlying bill, and if my amendment is not passed by this body, this dangerous and appalling pathway for terrorism remains.

For far too long, terrorism has inspired fear in our country and threatened the happiness and safety of our citizens. While we continue to live in a world that requires constant vigilance and full awareness of the danger of future terrorist attacks, there is not a single provision in H.R. 822 that would prevent suspected or known terrorists who acquire concealed-carry permits in one State with lax regulations from carrying that same concealed weapon into another State with more stringent regulations.

In addition, many current States’ concealed-carry laws do not sufficiently protect victims of domestic violence. For instance, 20 states and the District of Columbia require domestic violence victims to have a court order to be granted a protective order. Unfortunately, Florida’s licensing system has granted concealed-carry permits to more than 1,400 people who had pleaded guilty or no contest to a felony, 128 people with active domestic violence injunctions, and six registered sex offenders.

In fact, in 2010 Gerardo Regalado, a man who had a record of violent behavior against women, was able to obtain a concealed-handgun permit in Florida. He then went on to commit the worst mass killing in Hialeah, Florida’s history when he killed his estranged wife and three other women at a local restaurant. H.R. 822 will force other States to recognize Florida’s concealed-carry permits, the same permit held by Gerardo Regalado.

Finally, there are no protections in H.R. 822 to prevent individuals convicted of a sex offense against a minor from carrying a concealed loaded gun into a State whose requirements might have otherwise prevented that individual from acquiring a concealed-carry permit. Child sex offenders, individuals who create unimaginable lasting harm in our communities, should not be allowed to continue to perpetrate further violence on our children and families. H.R. 822 will force other States to recognize permits issued to these individuals who pose danger to our children. All too often, guns legally end up back in the hands of criminals, and nothing in this underlying bill would impede child sex offenders or domestic violence offenders from carrying their loaded concealed guns across State lines.

In the simplest of terms, my amendment would preclude child sex offenders, domestic violence offenders, and known or suspected terrorists from enjoying the privilege of concealed-carry reciprocity authorized in the underlying bill. We owe this commonsense amendment to our brave law enforcement officials and first responders, who bear the greatest responsibility in protecting us from terrorist attacks.

We owe this to our Nation’s children, whose innocence is threatened by dangerous individuals who prey on them. We owe this to the victims of abuse, who deserve some consolation that the law will not send their abusers legally armed into another State to continue stalking, threatening, and perpetuating abuse.

Now is the time for our Chamber to unite. Let’s demonstrate to the American people that we can use common sense and come together to do what is right. While there is no question that the Second Amendment embodies the right to bear arms, our citizens also enjoy the right to be free from the scourge of gun violence.

I urge all Members to support this meaningful and commonsense amendment.

Mr. GOWDY. Madam Speaker, I rise in opposition to the motion to recommit. The SPEAKER pro tempore. The gentleman from South Carolina is recognized for 5 minutes.

Mr. GOWDY. Thank you, Madam Speaker.

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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman will suspend.

Members are reminded to not traffic the well while another Member is under recognition.

Mr. GOWDY. Madam Speaker, the Second Amendment to our Constitution was drafted, debated, and ratified in precisely the same manner as the First Amendment, the Fourth Amendment, the Fifth, the Sixth, and other amendments our colleagues on the other side of the aisle hold sacred. And consistent with this belief that liberty and the right to arm one’s self are inextricably linked, it is settled law that our Constitution protects the right to travel. It protects the right to self-defense. It protects the right to defend the lives of others. Not once, Madam Speaker, but twice the Supreme Court has held the right to keep and bear arms is a fundamental individual right. And those rights do not know any geographic boundary. Our right to defend ourselves does not end and flow with the vicissitudes of our travel or because we transverse a State line.

Despite the fact that these rights are protected in the Constitution, there are still those who seek to treat the Second Amendment as a constitutional second-class citizen. Sometimes those efforts to denigrate the constitutional status of the Second Amendment are overt and sometimes they are obscure. And as much as we appreciate the renewed—and I’m sure short-lived—infatuation with States’ rights embraced...
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by some of our colleagues on the other side, let me ask you simply this:

What limits are you willing to accept with regard to the First Amendment? Does your State want reporters to have to pass a test so they can exercise their First Amendment? Do you want 50 different versions of freedom of religion?

What about the Fourth Amendment? Is one State free to dispose of the exclusionary rule because it doesn’t agree with it? Do we have 50 different versions of what is a reasonable search and seizure?

What about the Fifth Amendment? Do we have 50 different versions of Miranda?

What about the Eighth Amendment? Are there 50 different versions of cruel and unusual punishment?

We are delighted, Madam Speaker, to have our colleagues rediscover the beauty of the 10th Amendment and the concept of State rights. Eventually, we hope the same for the Second Amendment.

This motion to recommit is offered to jettison the underlying bill and further relegate the Second Amendment to a constitutional scrap heap. All of these amendments were dealt with in Committee, and the matters of State law classifications are just that, State law. The fact that certain State legislatures refuse to protect their citizens does not mean this body will refuse or abdicate its responsibility to protect the Second Amendment.

This bill, H.R. 822, has 245 cosponsors, more than half the Members of this body, and it enjoys that wide and diverse support because it is emblematic of our forefathers’ genius. They gave us the fundamental right to travel. They gave us the fundamental right to protect others. They gave us the fundamental obligation to defend liberty.

I urge my colleagues to oppose this motion, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the passage of the bill. There is no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the motion to recommit the bill was adopted by the following vote:

AYES—161

[Roll No. 851]

[Members listed]

NOES—263

[Members listed]

RECORDED VOTE

Mr. CICILLINE. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage, if ordered, and the motion to suspend the rules on H.R. 674.

The vote was taken by electronic device, and there were—ayes 161, noes 263, not voting 9, as follows:

[Members listed]
The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill in the Senate amendment to the bill (H.R. 674) to amend the Internal Revenue Code of 1986 to repeal the imposition of final business is the vote on the motion to suspend the rules and pass the bill in the Senate amendment to the bill (H.R. 674) to amend the Internal Revenue Code of 1986 to repeal the imposition of 3% withholding repeal and job creation act.