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House of Representatives

The House met at 9 a.m.

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

You have given us Your word, gracious God, that You are with us in all the moments of life. Those times when we are filled with exaltation and wonder and joy and those times when we feel the pressures of life that cause anxiety and worry.

We pray, O loving God, that we would be surrounded by Your gracious spirit and strengthened by Your mighty hand. Help us to turn away from only our private interests and see instead how we can help and support others through our friendship, our concerns and our love.

In Your name we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from New York (Mrs. MALONEY) come forward and lead the House in the Pledge of Allegiance.

Mrs. MALONEY of New York led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 40. Concurrent resolution commending the President and the Armed Forces for the success of Operation Allied Force.

The message also announced that pursuant to Public Law 96–388, as amended by Public Law 97–84, the Chair, on behalf of the President pro tempore, appoints the following Senators to the United States Holocaust Memorial Council—

the Senator from Utah (Mr. HATCH);

the Senator from Alaska (Mr. MURKOWSKI); and

the Senator from Michigan (Mr. ABRAHAM).

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE RESOLUTION 853

Mr. HOBSON. Mr. Speaker, I ask unanimous consent to have my name removed as cosponsor of H.R. 853.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair today will entertain 1-minutes at the end of legislative business.

MANDATORY GUN SHOW BACKGROUND CHECK ACT

The SPEAKER. Pursuant to House Resolution 209 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2122.

☐ 0903

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2122) to require background checks at gun shows, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on the legislative day of Thursday, June 17, 1999, a request for a recorded vote on amendment number 5 printed in Part B of House Report 106–186 by the gentleman from Florida (Mr. MCCOLLUM) had been postponed.

It is now in order to consider amendment number 6 printed in Part B of House report 106–186.

AMENDMENT NO. 6 OFFERED BY MR. DAVIS OF VIRGINIA

Mr. DAVIS of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 6 offered by Mr. DAVIS of Virginia:

At the end of the bill, insert the following:

TITLE ___—CHILD HANDGUN SAFETY

SEC. ___1. SHORT TITLE.

This title may be cited as the ''Safe Handgun Storage and Child Handgun Safety Act of 1999''.

SEC. ___2. PURPOSES.

The purposes of this title are as follows:

(1) To promote the safe storage and use of handguns by consumers.

(2) To prevent unauthorized persons from gaining access to or use of a handgun, including children who may not be in possession of a handgun, unless it is under one of the circumstances provided for in the Youth Handgun Safety Act.

(3) To avoid hindering industry from supplying law abiding citizens firearms for all lawful purposes, including hunting, self-defense, collecting and competitive or recreational shooting.

SEC. ___3. FIREARMS SAFETY.

(a) UNLAWFUL ACTS.—

(1) MANDATORY TRANSFER OF SECURE GUN STORAGE OR SAFETY DEVICE.—Section 922 of title 18, United States Code, is amended by inserting after subsection (y) the following:

''(z) SECURE GUN STORAGE OR SAFETY DEVICE.—

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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''(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for any licensed manufacturer, licensed importer, or licensed dealer to sell, deliver, or transfer any handgun to any person other than any person licensed under the provisions of this chapter, unless the transferee is provided with a secure gun storage or safety device, as described in section 921(a)(34), for that handgun.

''(2) EXCEPTIONS.—Paragraph (1) does not apply to the—

''(A)(i) manufacture for, transfer to, or possession by, the United States or a State or a department or agency of the United States, or a State or a department, agency, or political subdivision of a State, of a handgun; or

''(ii) transfer to, or possession by, a law enforcement officer employed by an entity referred to in clause (i) of a handgun for law enforcement purposes (whether on or off duty); or

''(B) transfer to, or possession by, a rail police officer employed by a rail carrier and certified or commissioned as a police officer under the laws of a State of a handgun for purposes of law enforcement (whether on or off duty);

''(C) transfer to any person of a handgun listed as a curio or relic by the Secretary pursuant to section 921(a)(13); or

''(D) transfer to any person of a handgun for which a secure gun storage or safety device is temporarily unavailable for the reasons described in the exceptions stated in section 923(e): *Provided*, That the licensed manufacturer, licensed importer, or licensed dealer delivers to the transferee within 10 calendar days from the date of the delivery of the handgun to the transferee a secure gun storage or safety device for the handgun.

''(3) LIABILITY FOR USE.—(A) Notwithstanding any other provision of law, a person who has lawful possession and control of a handgun, and who uses a secure gun storage or safety device with the handgun, shall be entitled to immunity from a civil liability action as described in this paragraph.

''(B) PROSPECTIVE ACTIONS.—A qualified civil liability action may not be brought in any Federal or State court. The term 'qualified civil liability action' means a civil action brought by any person against a person described in subparagraph (A) for damages resulting from the criminal or unlawful misuse of the handgun by a third party, where—

''(i) the handgun was accessed by another person who did not have the permission or authorization of the person having lawful possession and control of the handgun to have access to it; and

''(ii) at the time access was gained by the person not so authorized, the handgun had been made inoperable by use of a secure gun storage or safety device.

A 'qualified civil liability action' shall not include an action brought against the person having lawful possession and control of the handgun for negligent entrustment or negligence per se.''.

(b) CIVIL PENALTIES.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (a)(1), by striking ''or (f)'' and inserting ''(f), or (p)''; and

(2) by adding at the end the following:

''(p) PENALTIES RELATING TO SECURE GUN STORAGE OR SAFETY DEVICE.—

''(1) IN GENERAL.—

''(A) SUSPENSION OR REVOCATION OF LICENSE; CIVIL PENALTIES.—With respect to each violation of section 922(z)(1) by a licensed manufacturer, licensed importer, or licensed dealer, the Secretary may, after notice and opportunity for hearing—

''(i) suspend for up to six months, or revoke, the license issued to the licensee under this chapter that was used to conduct the firearms transfer; or

''(ii) subject the licensee to a civil penalty in an amount equal to not more than $2,500.

''(B) REVIEW.—An action of the Secretary under this paragraph may be reviewed only as provided in section 923(f).

''(2) ADMINISTRATIVE REMEDIES.—The suspension or revocation of a license or the imposition of a civil penalty under paragraph (1) does not preclude any administrative remedy that is otherwise available to the Secretary.''.

(c) MODIFICATION OF DEFINITION OF SECURE GUN STORAGE OR SAFETY DEVICE.—Section 921(a)(34) of title 18, United States Code, is amended—

(1) by striking ''or'' at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting ''; or''; and

(3) by adding at the end the following:

''(D) a device that is easily removable from a firearm and that, if removed from a firearm, is designed to prevent the discharge of the firearm by any person who does not have access to the device.''.

(d) LIABILITY; EVIDENCE.—

(1) LIABILITY.—Nothing in this title shall be construed to—

(A) create a cause of action against any Federal firearms licensee or any other person for any civil liability; or

(B) establish any standard of care.

(2) EVIDENCE.—Notwithstanding any other provision of law, evidence regarding compliance or noncompliance with the amendments made by this title shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity, except with respect to an action to enforce paragraphs (1) and (2) of section 922(z), or to give effect to paragraph (3) of section 922(z).

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to bar a governmental action to impose a penalty under section 924(p) of title 18, United States Code, for a failure to comply with section 922(z) of that title.

The CHAIRMAN. Pursuant to House Resolution 209, the gentleman from Virginia (Mr. DAVIS) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as we traverse this very controversial mine field of gun control legislation, I want to make sure we do not lose sight of who this bill is designed to protect. The simple and common-sense focus of my amendment is on preventing children from becoming the intentional or accidental victims of domestic handgun violence.

According to the National Center for Health Statistics, each year nearly 500 children are killed in gun-related accidents. I remember last year going to a joint Eagle Scout ceremony. One of the boys had died and was given posthumously his Eagle Scout award, and he had been killed by a handgun that had gone off while playing with a friend at a friend's house.

Approximately 1,500 children commit suicide with guns, 500 are killed in gun-related accidents and 5,000 are hospitalized with nonfatal gunshot wounds.

Additionally, some 7,000 juveniles use guns found in their homes to commit crimes each year. These crimes are unacceptably high and constitute a significant public health threat that has to be addressed.

The fact is that children are inquisitive and adept at finding those things in the house that are dangerous. These dangers can vary from household products to prescription medicines and even guns. Now, we have put child safety caps on medicine, we have encouraged parents to lock up household chemicals, but gun safety in the home has been lacking.

In a 1995 study, the Archives of Pediatric and Adolescent Medicine found that children as young as 3 are strong enough to fire most commercially available handguns. Having three children of my own, I can testify to the difficulty of telling a 3-year-old not to play with something.

This amendment addresses the issue of minimum handgun safety standards by requiring that every handgun sold has to include safe handgun storage or an individual safety device.

I have the enviable task today of offering an amendment that has received strong support from almost every group that has weighed in on this debate. In a few minutes, this House will be addressed by Republicans and Democrats, liberals and conservatives, and rural and urban Members who all will support this amendment. The mandatory transfer of safety devices has received equally strong support from groups outside the Congress as varied as Handgun Control and a coalition of 35 gun manufacturers. Even the National Rifle Association has said, ''We support and encourage the distribution, development and use of safety locks, gun safes or any voluntary means necessary and appropriate to keep firearms away from or inoperable by those who should not have them.''

This amendment does precisely that by mandating the transfer of a secure gun storage or safety device while not mandating their use.

It is estimated that today in the United States there are nearly 100 million privately owned firearms that are stored unlocked. Of those, approximately 22 million are handguns that are kept loaded and unlocked. Alarmingly, the Centers for Disease Control estimates that 24 percent of children ages 10 to 17 can find and gain access to a firearm in their home. And 1.2 million elementary age schoolchildren return to a home where no adult is present and there is at least one firearm.

I would like to address a concern that a number of gun owners have raised. Some have claimed that using one of these devices will defeat the purpose of keeping a handgun in the house for self-defense by hindering access to the firearm when it is most needed. It is important to keep in mind that this amendment does not mandate use; that is still the choice of the gun owner. Even if the safety device is used, most can be removed from the gun in a matter of seconds which, as Gun Test magazine explains, conveniently preserves access to guns for self-protection.

In addition, always keeping guns loaded for self-defense may be self-defeating. It is estimated that a gun in the home is 43 times more likely to kill a family member than to kill in self-defense.

And finally, Mr. Chairman, the amendment also establishes criteria for the liability of a gun owner should his or her handgun be used in an unlawful act. Over the past several days, my office has been deluged by calls from other Members' offices regarding this issue of liability. Immunity from liability is granted to any individual who lawfully owns a handgun and who uses a secured gun storage or safety device with the handgun. Additionally, the gun owner is not liable if the handgun was accessed by another person without the authorization of the lawful owner.

And finally immunity from liability is also extended if at the time that the gun was accessed it was rendered inoperable by the use of a secure gun storage or safety device.

My intent in this amendment is that the liability provisions are specifically targeted to gun owners who have a reasonable expectation of having a child in their home.

This amendment does not try to limit or address who can purchase a handgun. It does not try to dictate the type or use of a handgun, and it certainly does not try to limit the right of any legal adult from purchasing a handgun.

In 1968, the Federal Government mandated that every car sold in America had to be equipped with seat belts. Finally, in 1999, we can do the same for handguns. I urge every Member to support this very common-sense amendment.

Mr. Chairman, I reserve the balance of my time.

Mrs. MALONEY of New York. Mr. Chairman, I ask unanimous consent to claim the time in opposition for debate purposes, although I support the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

The CHAIRMAN. The gentlewoman from New York (Mrs. MALONEY) is recognized for 15 minutes.

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

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Virginia (Mr. DAVIS), my good friend and colleague. This amendment is a simple gun safety provision that will save the lives of numerous victims of gun violence each year.

Mr. Chairman, 13 children in this country die every day because of gun violence, far, far more than have died in Bosnia and Kosovo. We require childproof locks on aspirin bottles. It is absurd that we do not require child safety devices on handguns. I applaud my colleague for clarifying the definition of gun safety devices to ensure that it incorporates new devices such as the safety hammer, which is not a lock, but an integral part of a gun that can be removed to prevent unauthorized use.

Mr. Chairman, this amendment may not prevent every incident of gun violence, but it will save lives and it will make the children of America safer.

Child safety locks and other devices can reduce the unauthorized use of handguns by children at play or by teens looking to commit crimes. Many youth look no further than their own homes to get their hands on a gun. It is estimated that a third of all privately owned handguns are loaded and unlocked. Sixteen States have already passed child safety laws. Every year, many children are fatally injured when a child finds a loaded pistol, removes the ammunition magazine, and then mistakenly believing the gun to be empty, fires a bullet at his or her head or the head of a playmate. A magazine disconnect safety, a 50-cent device, could prevent such tragedies.

Just to give some examples: In Florida in 1999, an 11-year-old boy got angry with his 13-year-old sister. He went to a closet at home, took out a gun his parents kept there, and killed his sister. The gun was in an unlocked box and was next to the ammunition and had no trigger guard.

In Tennessee, in May of 1998, a 5-year-old boy found a loaded gun on his grandfather's dresser and carried it to school threatening to kill his teacher and classmates. In Cleveland in 1996, a 13-year-old boy took his father's unsecured handgun and killed himself while playing Russian roulette. The city prosecutor brought charges against the boy's father for violating the city ordinance that prohibits minors from having access to a gun.

The language that we have before us is similar to that that passed the Senate. It passed the Senate by an overwhelming vote of 78 to 20. This House should do the same thing. I urge a ''yes'' vote on this amendment.

Mr. Chairman, this amendment may not prevent every incident of gun violence, but it will save lives, and it will make our children safer.

Mr. Chairman, I reserve the balance of my time.

Mr. DAVIS of Virginia. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. MCCOLLUM).

Mr. MCCOLLUM. Mr. Chairman, I thank the gentleman from Virginia for yielding me this time. I want to strongly support this amendment. I think all of us understand the dangers of a handgun in the hands of a child; and a child safety lock, which is essentially what this is, a safety lock actually for anybody, being mandated to be produced and sold and given away actually in this case with any gun that is sold by a gun dealer is a really good idea and, in this case, one that I think is extremely beneficial.

This amendment allows firearms owners to decide when it is best to use these devices in light of their own personal circumstances. But the amendment makes it convenient for owners to use the devices by ensuring that every firearm purchased will come with one of them. I note today that 90 percent of dealers voluntarily provide a safety device when a firearm is purchased, and I applaud this sense of responsibility on their part. And the amendment will take care of the remaining 10 percent who do not provide such a device.

Now, I would like to note that there has been some disagreement, argument or whatever, and I have a little disappointment over a misunderstanding regarding safety lock provisions that were in the bill I introduced, H.R. 2037. The bill that I introduced at that time, which is not here on the floor today and has nothing to do directly with the amendment offered by the gentleman from Virginia (Mr. DAVIS), expanded the definition of a gun safety device to include a removable hammer or striker or device which, if removed, would prevent a firearm from working.

I took this language from two Democratic Members of Congress, H.R. 1342 introduced by the gentlewoman from New York (Ms. MCCARTHY) and S. 716, a bill introduced by Senator KOHL in the other body.

Mr. Chairman, I want to make it clear it was never my intention that this provision be interpreted so that the hammer or some other part of an ordinary firearm would qualify as a gun safety device just because it could be removed if somebody worked at it. But the reality is, we now have firearms with devices that have been invented where one can literally remove a pin, for example, from that, carry it around on a key chain and put it back in when one wants.

The way the law reads now, the base law, not anything that the gentleman from Virginia (Mr. DAVIS) is doing, a safety device has to be attached. It is something that is added, because that is the definition in the law, rather than something that can be removed from the gun.

It strikes me that it is going to be an advance for the future and a convenience for everyone and a very safe thing to have guns that have these removable devices. Now, we may need to refine our definition more than some think this language did, that the two Democratic Members of Congress had proposed, that I had suggested earlier. But we do not want in the future to inhibit in any way the creativity of devices that would, indeed, be more convenient to use and, in fact, would be more likely to be used so that children are protected and others are protected from unintentional, dangerous uses of guns and firearms, because that is what we are all about here today.

So, I applaud the gentleman from Virginia for this amendment. I strongly support it. It is the same language that is in the provisions in the other body that he is offering today. But I

would hope that in the future we could look to ways that we could amend the current law definition of a safety device for a handgun or gun so that we could be certain that we have the most advanced technology available to protect our children.

Ms. LOFGREN. Mr. Chairman, I ask unanimous consent to manage the time controlled by the gentlewoman from New York (Mrs. MALONEY).

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. LOFGREN. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Chairman, I rise today in strong support of the Davis amendment.

The second amendment of the Constitution guarantees American citizens the right to keep and bear arms, and I believe we in Congress have a duty to protect that right. But I also believe that we have a duty to keep firearms out of the hands of children and dangerous criminals.

This is not an issue of gun control, it is an issue of gun safety. This amendment simply requires that a secure gun storage or safety device be included with the sale of a handgun. It in no way infringes upon the rights of law-abiding citizens to keep and bear arms. In fact, it does not even require gun owners to use a safety device. If they want to, people can buy a handgun, take it home, stick the trigger lock that came with it in a drawer, and allow it to gather dust.

But if a person wants to have a gun in their home to protect themselves, their families and their property, this simple trigger locking device will allow them to have a gun without fear that a child will find that gun and either accidentally or intentionally hurt themselves or others. This approach will provide parents with another way to keep their children safe, if they choose to use it. And I believe all of us are in favor of greater parental involvement in their children's lives.

This is not an attempt to whittle away at the rights of gun owners. This is an effort to protect gun owners from being blamed for the actions of others who can gain access to their firearms without their knowledge. We have child safety locks on cigarette lighters in this country, yet people still smoke. We have safety caps on aspirin bottles yet people can still take aspirin responsibly. I submit that we can have trigger locks on guns, yet people will still have their constitutional right to keep and bear arms.

Again, this is not gun control, it is gun safety.

Mr. DAVIS of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Long Beach, California (Mr. HORN).

Mr. HORN. Mr. Chairman, I commend the Davis amendment. It is an excellent suggestion. The Senate adopted it; we should too.

This amendment mandates the transfer of a safe gun storage or safety device with every sale or transfer of a handgun by a licensed dealer. It does not mandate this on private sales.

Thirty-five gun manufacturers have pledged to start packing child safety devices with every firearm they sell. There is no mandate, as I say, to have these done between private purchasers. There are some just abhorrent statistics as to a need for this.

The National Center for Health Statistics reports that each year approximately 1,500 children commit suicide with a firearm. Think of it. On average two children under the age of 17 are killed unintentionally by a handgun every day.

This amendment is not about gun control. What it does is address a very serious public health and public safety issue. It is estimated that 11 percent of the juveniles who commit violent crimes with a firearm used a gun found in their own home. Think of what the parents will do when that accident happens. They will never forget it from that day to their death. And we need to have these locks because we need to protect the children of America. At least 55 percent of the handguns are stored unlocked; 34 percent are left unlocked and loaded. That is, of course, a very stupid parent, to say the least.

Now, as I mentioned, the other body has adopted this language. We should adopt the Davis amendment. It is long overdue.

Ms. LOFGREN. Mr. Chairman, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a member of the committee.

Mr. DAVIS of Virginia. Mr. Chairman, I yield 10 seconds to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman from California (Ms. LOFGREN) for yielding me this time. Mr. Chairman, it looks like we just saw each other a few hours ago. But this is an important debate, and I have a great deal of respect for my friend, the gentleman from Virginia (Mr. DAVIS).

I know that we always say when it helps us, we will acknowledge that we went to the same law school, and when it does not, we will not. I thank him for his leadership on this legislation.

Mr. Chairman, I would like to explain how we got to where we are. The early morning news reports, as I came to the floor this morning, announced that the National Rifle Association won. And for me, that was a sad day and a sad commentary, for I know how many of us worked long and hard to be able to announce this morning that the children of America won, the mothers of murdered children won, the fathers of murdered children won, the future children of America won.

But tragically this morning we cannot say that. And in the darkness of night, last night, amendment No. 144 mysteriously slipped away from the floor of the House that prohibits a person who is less than 21 from purchasing a handgun. The proponent of that walked off the floor of the House and would not allow it even to be debated.

Last night I heard that we are preserving the gun shows. I am so glad to be reeducated that a national treasure is America's gun shows, when I thought that life and saving life was what we were here to do. It is very interesting, as I look at the Davis amendment that I will ultimately support, but it saddens me because what happened last night was to implode, to implode on any reasonable support for gun safety and children's safety.

The National Rifle Association and the gun owners of America knew what they were doing. They knew that they would be allowing 17,000 criminals to get guns in their hands. They knew they were arguing against 400,000 people who were criminally inclined, who did not get guns because of the Brady bill. And they knew that they were trampling on the Constitution and the second amendment, because as I heard my colleague say this morning, this is gun safety, this Davis amendment. This is not violating the second amendment; this is not gun control.

Those same arguments could have been used for the McCarthy amendment.

I went to the Committee on Rules and I had the same amendment that the gentleman from Virginia had. Almost the same amendment, as did others, along with the gentlewoman from Indiana (Ms. CARSON) and the gentlewoman from California (Ms. MILLENDER-MCDONALD). I asked if Democrats and Republicans had similar legislation and initiatives, could we be joined together in a bipartisan manner. Sadly, that was not the response.

So, Mr. Chairman, I come to support the Davis amendment. But, frankly, we will not have gun safety today and we will not have child safety. We will not save lives. We are not concerned about the 13 children that die every day. And we will not have a full debate addressing the type of the tragedies that have happened of the urban centers where children have died from gun violence, where I worked on antigang measures some 10 years ago, where the State of Texas, known for its love of guns, passed a gun safety and responsibility law that was based on my ordinance that I wrote, that saw a 50 percent decrease in things like suicides and unintentional shootings by children. But what we have today is a farce.

Mr. Chairman, I said last night and I will say it again, we have the acknowledgment of the gun lobby as an altar at which we worship. I, for one, Mr. Chairman, will not be part of this frivolity, this farce. And I agree with the President, they may have won last night or in the dark of night, in the early morning hours, but, Mr. Chairman, but I will not stand for this frivolity or this farce and will ultimately vote against this bill.

I have never voted against a gun law in my life that had meaning and sense.

And I hope that the National Rifle Association in my community hears that because they have already begun calling.

So for those who say they are under the gun, we all are. They are in every one of our districts. But let me give an open letter to them right now:

Dear National Rifle Association and national gun owners lobby, I respect your right to the second amendment. As we all do, we will fight to the death for your right to the freedom of your views. But I have mine and I would much rather stand alongside of that child who needs protection, and support strong gun safety, a real safety lock measure that was presented by myself, the gentlewoman from California (Ms. MILLENDER-MCDONALD), as well the gentlewoman from Indiana (Ms. CARSON), that provided standards.

This is not the way to go. We need more responsible handling of this matter. This is a farce. This is sad. It is a sad day for America.

Mr. DAVIS of Virginia. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I am disappointed to hear that a bill that could come through could have juvenile possession of an assault weapon, have limitations on that, have a juvenile Brady law, clip bans, trigger locks, close some of the loopholes on gun bills, that it is not good enough, so a Member ends up defeating it and ends up voting with the National Rifle Association who would like to see the bill defeated. That is disappointing to me.

If putting the gentlewoman's name on this amendment would get her vote, I would be honored to have my former law school classmate. She has been a champion on gun measures. But I would hope the gentlewoman would not put this in the partisan realm of stopping Congress from moving ahead, when we could pass this legislation which is better than what is on the books today and send it to a conference committee where maybe it could be improved.

Mr. Chairman, I would ask the gentlewoman to think about that in terms of moving this legislation on, so we could go on, protecting our youth in this country.

Defeating this bill does nothing. We walk away.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Virginia. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, as the gentleman from Virginia knows, we have already established our admiration for his work, and I appreciate the offer. That amendment is one that I am going to support, the gentleman's amendment. And I thank him for the offer of my name on it. I know, in spirit, we will work together.

Mr. Chairman, there is so much in this bill that argues against serious response to gun safety legislation that I would rather start all over again and begin this process, so that we can truly pass gun safety for our children. But I thank the gentleman very much.

□ 0930

Mr. DAVIS of Virginia. Mr. Chairman, I yield myself 20 seconds.

Mr. Chairman, the problem is you do not start the process over again. It has taken up the better part of a week here, and we have appropriations bills here. For Members who walk away from this at this point means walking away, not moving it to conference with the Senate and defeating every aspect of this, including trigger locks. I hope that my colleagues on the other side will reconsider.

Mr. Chairman, I yield one minute to the gentlewoman from Maryland (Mrs. MORELLA), who has been outspoken in her support of trigger locks and other child safety measures.

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I have very high regard for the work that my colleague from across the river in Virginia has offered, so I rise in strong support of the Davis amendment. Again, it is just common sense. It will protect children from causing unintended harm should they find a gun in their home.

In 1995, 440 children died in unintentional shootings. Every day in this country at least one child is killed accidentally, and the numbers are increasing. Firearms are the fourth leading cause of accidental deaths among children 5 to 14 years of age.

This Davis amendment will require that new handguns sold must also include a secure gun storage or safety device. That is common sense. Similar laws exist in 16 States, including my State of Maryland. We can put an end to heartrending stories of young children dying when they find an unsecured gun in the house.

Incidentally, this amendment is supported by people on all sides of the issue, the Children's Defense Fund, Handgun Control, even the Senate. We have safety devices on cigarette lighters, medicine and other products. We should do the same for guns.

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN) has 5 minutes remaining, the gentleman from Virginia (Mr. DAVIS) has 2½ minutes remaining, and the gentleman from Virginia has the right to close.

Ms. LOFGREN. Mr. Chairman, do we not have the right to close as defending the committee's position?

The CHAIRMAN. The gentleman from Virginia would have the right to close. The time in opposition was first claimed by the gentlewoman from New York (Mrs. MALONEY), who was not a member of the committee.

Ms. LOFGREN. Did I not then ask unanimous consent to control the time and was that not agreed to?

The CHAIRMAN. The unanimous consent request that the gentlewoman from California control the time of the gentlewoman from New York did not include the right to close as a member of the committee. Therefore, the gentleman from Virginia currently has the right to close.

Ms. LOFGREN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the gentlewoman for yielding me time.

Mr. Chairman, I would like to just refer the gentleman from Virginia to a few comments, if I may, and also say to him that I will be supporting this amendment because it is a modification of the Kohl amendment in the Senate and has a provision that adds a removable hammer safety device to it; and, obviously, having dealt with these issues for a number of years, realizing the tragedies that occur with children who have found guns unsecured, 4-year-olds, 6-year-olds, 15-year-olds, I realize the importance of a safety device.

At the same time, we offered an amendment, part of legislation that the gentlewoman from Indiana (Ms. CARSON) filed and the gentlewoman from California (Ms. MILLENDER-MCDONALD), that would in fact determine the standards of the various safety devices and provide an educational proponent that would allow the Attorney General to educate people about the problems lacking in gun storage and gun safety or gun safety locks.

Might I make of the gentleman from Virginia (Mr. DAVIS) an inquiry: Does this amendment, as I am looking through it, I do not see it, does this amendment provide standards for the device that we are suggesting that they utilize? Are there standards? For example, where the Secretary of the Treasury, similar to the Consumer Products Safety Commission, would develop regulations in the amendment that I offered in rules of child safety for firearms, that such regulations at a minimum set forth a minimum safety standard that such product meet in order to be manufactured, sold, transferred or delivered, consistent with the amendment?

This is similar to child car seats. It is similar to aspirin bottles. It is similar to many products that we have, playground equipment. Do we have some standards in this amendment? As I review it, I do not see any standards at all.

Mr. DAVIS of Virginia. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Virginia.

Mr. DAVIS of Virginia. Mr. Chairman, we do have standards in the current law that make definition.

It was not exactly the standards that the gentlewoman and the gentlewoman from California (Ms. MILLENDER-MCDONALD) put together. We went with the current law standards.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I think the reason why the amendment, and if you can point me to the current law standard, they are obviously not sufficient inasmuch as we had an exhibition, if you will, of the various safety

locks that are now on the market, and the results of our exhibition was that a simple hammer that a child could access themselves to could easily split plastic safety locks.

This amendment, of course, is a minimal response to the safety lock issue, but it will not deal with the fact that the products on the market are, at best, unsatisfactory and can be easily broken by a child.

Mr. DAVIS of Virginia. Mr. Chairman, if the gentlewoman would yield further, title 18, section 921, section 34, defines the standards. Those are defined. This language parallels the Senate language. At this point we are trying to find some congruity with our colleagues in the Senate.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I will finish with this: That is the point, and that is the problem. Obviously, the Senate moved forward on a particular device. We offered that package here as a singular stand-alone amendment, but, at the same time, we recognize that the Senate went with the minimal provisions, that that provision does not, in fact, protect our children because those devices are without standards, and they are easily broken, accessed and rendered useless by any child who can get a hammer and break the plastic.

In essence, what we are presenting, we could have offered a more extensive amendment that would have given us standards similar to the Consumer Products Safety Commission and as well we could have provided language, if you will, to provide education to the American public about gun safety and responsibility.

I say that to the gentleman because he has questioned whether or not it would be more valuable to just stand and support gun safety that does not have any substance. I would argue and beg to differ with him.

Mr. DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I differ on this particular issue. I think a congruity between the Senate and House is very important, and I do not think we ought to let someone's definition of ''perfect'' be the enemy of the ''pretty good.'' This is a pretty good advancement from where we sit today.

Mr. Chairman, I yield 1½ minutes to the gentleman from Indiana (Mr. HOSTETTLER).

Mr. HOSTETTLER. Mr. Chairman, at this time I would like to engage in a colloquy on behalf of the gentleman from Arizona (Mr. SHADEGG) with the gentleman from Virginia (Mr. DAVIS).

Mr. Chairman, it is my understanding that the gentleman's amendment includes language to alter the current definition of safety device. Specifically, the amendment modifies the definition by adding a new subparagraph which states, ''A device that is easily removable from a firearm and that, if removed from a firearm, is designed to prevent the discharge of the firearm by any person who does not have access to the device.''

Saf-T-Hammer and other companies across the country are currently developing cutting-edge technology that provides gun owners added safety through a more easy-to-use device. This device renders the gun inoperable when the top of the hammer is removed.

Is it the gentleman's understanding that the changes to the definition of safety device included in this amendment will provide greater clarification to include devices such as Saf-T-Hammer as ''safety devices'' under Federal law?

Mr. DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. HOSTETTLER. I yield to the gentleman from Virginia.

Mr. DAVIS of Virginia. Mr. Chairman, I thank the gentleman for requesting this colloquy. I am happy to tell the gentleman that is exactly our intent, that safety devices such as the Saf-T-Hammer and other developing handgun safety technologies be included under the definition of a safety device in this amendment.

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

Mr. Chairman, the truth is this amendment is about public safety, not gun control. It is about protecting children, not about the second amendment. It is important to remember that nothing in this amendment changes the standards of who can own a gun or any type of gun they can own, it only limits the access that children have to their parents' guns.

Despite the divisiveness of this bill and H.R. 1501 yesterday, this amendment enjoys both strong bipartisan and leadership support on both sides. I urge all Members concerned about the safety and the well-being of America's youth to vote ''yes'' on this commonsense amendment.

Mr. MORAN of Virginia. Mr. Chairman, I rise today in strong support of the child safety lock amendment. This is truly a bipartisan amendment and as an original co-sponsor of child safety lock legislation in the 106th Congress, I would like to thank my friend and colleague from Virginia, TOM DAVIS, for introducing and supporting this amendment.

This amendment mirrors language already passed in the Senate.

The National Center for Health Statistics reports that each year more than 500 children under the age of 17 are killed unintentionally by a handgun.

This amendment would allow gun owners to choose whether they use safety locks; The amendment simply requires that they buy one. Many of these locks can be used on loaded guns and can be disengaged in a matter of seconds which as Gun Tests magazine explains ''conveniently preserv[es] access to guns used in self-protection.''

How can reasonable people be opposed to making these safety mechanisms available to gun owners when a gun in the home is 43 times more likely to kill a family member or friend than to kill in self-defense?

Many young violent criminals rely on guns found in their home to commit crimes. In fact, nearly 7,000 violent crimes each year are committed by juveniles with guns found in their home. The use of safety locks will restrict their access to these guns, and could also discourage the theft of guns that are locked up.

Nobody pretends that child safety locks are a cure-all to the violence that afflicts our kids. But this amendment is an excellent step in the right direction to increase safety significantly. Child safety locks could prevent more than one-third of the deaths from gun-related accidents, not to mention countless suicides and violent crimes.

Automobiles are required to have seat belts. Aspirin bottles are required to have child-resistant packaging. Lighters are required to have child safety devices. It is time for the guns in American children's homes to have child safety locks. I urge you to support this amendment that will literally save children's lives.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. DAVIS).

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

Mr. DAVIS of Virginia. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 209, further proceedings on the amendment offered by the gentleman from Virginia (Mr. DAVIS) will be postponed.

The point of no quorum is considered withdrawn.

It is now in order to consider Amendment No. 7 printed in part B of House Report 106–186.

AMENDMENT NO. 7 OFFERED BY MR. CUNNINGHAM

Mr. CUNNINGHAM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 7 offered by Mr. CUNNINGHAM:

At the end of the bill, insert the following:

TITLE ___—COMMUNITY PROTECTION ACT

SEC. ___1. SHORT TITLE.

This title may be cited as the ''Community Protection Act of 1999''.

SEC. ___2. EXEMPTION OF QUALIFIED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926A the following:

''§ 926B. Carrying of concealed firearms by qualified law enforcement officers

''(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

''(b) This section shall not be construed to supersede or limit the laws of any State that—

''(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

''(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

''(c) As used in this section, the term 'qualified law enforcement officer' means an employee of a governmental agency who—

''(1) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers of arrest;

''(2) is authorized by the agency to carry a firearm;

''(3) is not the subject of any disciplinary action by the agency; and

''(4) meets standards, if any, established by the agency which require the employee to regularly qualify in the use of a firearm.

''(d) The identification required by this subsection is the official badge and photographic identification issued by the governmental agency for which the individual is, or was, employed as a law enforcement officer.''.

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

''926B. Carrying of concealed firearms by qualified law enforcement officers.''.

SEC. ___3. EXEMPTION OF QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is further amended by inserting after section 926B the following:

''§ 926C. Carrying of concealed firearms by qualified retired law enforcement officers

''(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified retired law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

''(b) This section shall not be construed to supersede or limit the laws of any State that—

''(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

''(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

''(c) As used in this section, the term 'qualified retired law enforcement officer' means an individual who—

''(1) retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;

''(2) before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

''(3)(A) before such retirement, was regularly employed as a law enforcement officer for an aggregate of 5 years or more; or

''(B) retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

''(4) has a nonforfeitable right to benefits under the retirement plan of the agency;

''(5) during the most recent 12-month period or, if the agency requires active duty officers to do so with lesser frequency than every 12 months, during such most recent period as the agency requires with respect to active duty officers, has completed, at the expense of the individual, a program approved by the State for training or qualification in the use of firearms; and

''(6) is not prohibited by Federal law from receiving a firearm.

''(d) The identification required by this subsection is photographic identification issued by the State in which the agency for which the individual was employed as a law enforcement officer is located.''.

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

''926C. Carrying of concealed firearms by qualified retired law enforcement officers.''.

The CHAIRMAN. Pursuant to House Resolution 209, the gentleman from California (Mr. CUNNINGHAM) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I yield 2½ minutes to the gentleman from Ohio (Mr. TRAFICANT) and ask unanimous consent that he be allowed to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. Chairman, yesterday, I called the Fraternal Order of Police and the Capitol Hill Police, and they are excited about this amendment. This amendment is opposed by no police organization. As a matter of fact, it is strongly supported by most every police organization in the United States.

This amendment will allow thousands of equipped, trained and certified officers to continually serve and protect our communities, regardless of jurisdiction, at no cost to taxpayers.

This amendment is endorsed by more than 75 law enforcement organizations, including the Law Enforcement Alliance of America, Fraternal Order of Police, National Troopers Coalition, National Association of Police Organizations, Fraternal Brotherhood of Police Officers and our Capitol Hill Police.

This is an amendment where you can say, ''this is something I stand for.'' It allows policemen, once they retire, to protect themselves and their families. Too often our police have to arrest some of these people that we talk about that commit crimes with weapons. This amendment allows them to protect their family from those criminals.

Mr. Chairman, I reserve the balance of my time.

Mr. SCOTT. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Virginia (Mr. SCOTT) will control 10 minutes.

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

Mr. Chairman, we had a bill very similar to this that went through committee that had these provisions. It also had other provisions that, frankly, we focused on and objected to. This bill does not contain the more objectionable provisions that, frankly, would have allowed mandatory reciprocity of concealed weapons laws, so if you have a concealed weapon in one State, you can take it to any other State, notwithstanding their laws.

We focused on that provision because it really blew a hole in the ability of States to maintain their own concealed weapons laws and did not focus as much on this provision that had not been as controversial.

I would have preferred that this bill had gone through the regular legislative process. It is probably okay. You will probably find that the police officers that would take advantage of this are not the ones committing crimes, and there would be no problem. But we have a situation here where we are essentially overriding State laws. The State will have to accept concealed weapons from out-of-State, and I am not sure that is a good idea, and we have not had an opportunity this year to focus on it.

Mr. Chairman, I reserve the balance of my time.

Mr. TRAFICANT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I voted for the Brady Bill. I voted for the ban on semiautomatic weapons. Like many Members, I have tried, and we tried, to do the right thing.

Quite frankly, enough is enough. Guns are a two-edged sword. Dangerous, indeed. But let me say to the House today, the number one preventer of crime in America is that gun. Educated, qualified, knowledgeable safety procedures. The gun, a foe, yes, but the gun, a great friend.

At 2 o'clock in the morning, with an intruder with a weapon holding it on your family, you can call 911, you can call every police department in the world, and you are at their mercy.

So, be careful, Congress. This amendment makes sense. Police officers are trained, they are qualified, they are schooled, and it does not cost America one penny to increase the ranks of this safety force.

Mr. SCOTT. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Chairman, I will vote to support this amendment. I think, as my colleague from Virginia has pointed out, this would have been better had we had an opportunity to go through the legislative process, to hear from the States, and to really thoroughly hash this out. However, I do think that this is worthy of bipartisan support and plan to vote for it.

However, I must observe that, as my colleague from Ohio mentioned 2

o'clock in the morning, intruders and the need for protection, I think back to 2 o'clock this morning, when, in the dark of night, this House really failed the mothers and fathers of America, in my judgment, failed to enact commonsense gun safety measures that the country demands.

While I support this measure, I must note that it is not the answer that America seeks to the tragedy of children and gun violence.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. MCCOLLUM), the chairman of the Subcommittee on Crime.

Mr. MCCOLLUM. Mr. Chairman, I very strongly support this amendment. Law enforcement officers all over this country, active duty and retired, put their lives at risk every day defending us, corrections officers, police officers, sheriff's deputies everywhere. In doing so, they are obviously going to incur the wrath of a lot of folks. There are people who want to get them because they have done that, people who would harm them or their families, whether they are on active duty or have retired.

This measure allows a police officer on active duty, fully qualified, as long as he has no disciplinary action pending and meets the standards of qualification of his agency, to carry a concealed weapon into any other State, wherever he travels, to protect himself or his family.

It also allows the retired police officer, as long as that police officer is qualified, has served more than at least 5 years or more as an active police officer, and during the most recent 12-month period of time has gone through compliance with the firearms qualifications standard of the active officers of his agency of the government, it allows the retired officer under those circumstances in good standing to also carry concealed weapons across State lines to protect themselves and their family.

This is extremely important to the police. I can guarantee you every police organization I have talked to as chairman of this subcommittee for several years has advocated this, every corrections group, every Sheriff's group. The reason for it is very obvious, because of the need to protect themselves and their families after they have retired, as well as during active duty.

So I think we owe it to our Nation's law enforcement community to pass this provision. It is long overdue. We have struggled to get it out here on the floor.

The gentleman from California (Mr. CUNNINGHAM) is to be congratulated for all of his efforts, and so are the other Members who have sponsored this, as a number of us have worked for a long time to make this happen. Let us pass it today and do everything we can to make sure it goes to the President for his signature.

Mr. SCOTT. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the gentleman for yielding me time, and I thank the combined proponents of this legislation.

I would like to associate myself with the words of the gentleman from Virginia (Mr. SCOTT), that we had hearings on this and we would have, I think, preferred to have at least the responses from the 50 States on this issue.

But I do want to note that this does, in particular for those who may be concerned, serve to help public safety officers or security personnel, particularly those officers, of course, who do not have a history of criminal activity or suffer from a mental disability or are under a disciplinary action who will not qualify.

I think it is important to note that, although the example was used about what police officers may do in the dark of night, I think it is important that these officers are on call 24 hours a day, even though they are not at the time full-time duty or retired, and many times are called into service. So I think it is important that we allow this to occur.

I would also add tragically that we have compounded the lack of safety that they will be facing inasmuch as this House again passed a measure last evening that just opens the floodgates of guns into the streets of America by the Dingell amendment and by not voting for the McCarthy gun-show-closing loophole amendment.

So, hopefully, we will not have gun battles in the street, where people are having to draw at every moment because of the fact that officers would now be in more jeopardy because of the rampage of guns on the street.

Let me simply close with an example that evidences what I am speaking of.

First of all, the gun show loophole that we did not close will allow individuals in 24 hours to get guns, which will not allow law enforcement officers to be able to have a sufficient time to check their criminal records.

An ATF officer spent nearly 2 hours with me explaining about their undercover work. They indicated to me they were able to buy a gun on the street of a western State out of the back of a station wagon where the seller said, ''What are you going to do with this?'' The buyer said, ''I am going to the East Coast to an East Coast State and kill a law enforcement officer.'' The seller then said, ''Let me give you a silencer and, when you get caught, do not mention my name.''

That is the gun show that will not be protected by the Dingell amendment. So maybe we do need to pass this amendment without the fact of a full hearing and markup because our officers are going to be placed in more jeopardy wherever they go and will be called upon to provide security for their communities, whether they are full-time officers or retired.

It is a shame on America, it is a shame on us as we allow children to go into gun shows without supervision. It is a shame on us, it is a shame on this House. I would imagine that they are saying pox on all of us.

Mr. Chairman, I thank the gentlemen for their very good amendment.

Mr. CUNNINGHAM. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. GEKAS).

Mr. GEKAS. Mr. Chairman, our national security depends, as everyone knows, almost 100 percent on our Armed Forces. Our Armed Forces depend to a great measure on reserves. Everyone knows that in each conflict in which we were personally involved as Members of Congress, the reserve components of our armed services played a key role in the military action ordered by the President of the United States.

So it is with this piece of legislation. It creates a body of reserves in our domestic security apparatus with retired and off-duty policemen that augment the safety measures that the normal law enforcement agencies carry on every single day.

If we look upon it as that extra measure of citizenry involved in our public safety, then we should have no difficulty in receiving an overwhelming vote in favor of our reserve component in domestic security.

Mr. CUNNINGHAM. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. ROGAN).

Mr. ROGAN. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, this amendment will increase public safety by adding qualified law enforcement personnel to our street and to our neighborhoods. It will also enhance the safety of law enforcement officers and their families while increasing the number of officers we stand ready to protect the public.

This amendment has broad support from the law enforcement community, including the National Association of Police Organizations. NAPO represents 22,000 sworn law enforcement officers and has been a long-time advocate of pursuing the ability for police to carry their guns across State lines.

Mr. Chairman, as we seek innovative ways to make our community safer, this amendment offers an added measure of protection for all of us, without spending tax dollars. I thank the gentleman from California for his leadership on this.

Mr. SCOTT. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. CONYERS), the ranking member of the full committee.

Mr. CONYERS. Mr. Chairman, I am appalled this morning that we would be making more guns available in the wake of Columbine which brought us here to restrict gun availability.

I think that this is a not-well-thought-out provision. I can see all kind of shootouts between officers who are from another State being shot by officers who have no idea who these people are that have tried to use a weapon. So for us to think that this

provides any added security to a policeman or to the community is, I think, shear nonsense. I am totally disappointed that this conversation could be moving in this kind of direction.

The fact of the matter is that this would create more problems, far more problems, than it would ever resolve. We have not had hearings on it. It overrides all the State laws. Besides, any officer from another State need only contact the police jurisdiction to get permission to bring his weapon into the State. That is not too hard for him to do.

So much for all of these imaginative hypotheticals about what happens at 2 a.m. and how much more secure you will be from some unknown person carrying a gun. Carrying a gun into a community from out of State I think really begs the question. I hope we will think carefully about the dangers that are being introduced as we violate the gun laws of every single State in the union by trying to bring this poorly-thought-out amendment to the floor at this time.

Mr. SCOTT. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, I disagree with the ranking member, and I have great respect for him. I think to mischaracterize my remarks about 2 o'clock in the morning is not appropriate with this bill and this amendment.

I have been targeted by the NRA. I am not here carrying any banner for anybody. But I am a former sheriff, and all the policemen in the world will not help you if they are not there and someone is there with a gun pointing it at you.

Now it is time to talk about some reality. I voted for the Dingell amendment for the following reason, and I want it stated across the record: With a longer waiting period covering a weekend, there would not be a sale at a gun show, and it would be an encouragement for unscrupulous gun dealers to illegally sell their guns to make a sale, yes, maybe to Charles Manson.

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The Dingell amendment, 24 hours, will force this technology age to give us an answer. And the sale by unscrupulous dealers will be limited.

Now, let us talk some reality. When someone is holding a gun on you, you could call 911 and you could have every police on their way, you are in trouble. The bottom line is you would be lucky to be armed. Armed. These retired officers, able to carry a gun, trained to carry a gun, schooled to handle guns, understanding violence, understanding our communities, without one dime, are additional fighters to prevent crime. The only crime acceptable to me, a former sheriff, is the crime that is not committed.

Congress has done a few things this past week.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Ohio has 1½ minutes remaining on his own time.

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

Mr. Chairman, Congress has made some preventive measures in order this past week. Not all the guns in the world, not all the policemen in the world are going to stop crime. The mentality of crime is much bigger than a gun bill. But I would submit to Congress that guns are more a symptom of this society than the root cause problems of this society, and be careful, Congress.

Having said that, I believe without one dime we will increase crime fighters on the street, schooled and trained. They understand the issue. But more importantly, the word will be out in the streets of America that Congress passed a law authorizing retired police officers and others trained to also have weapons to join in that fight.

Here is what I am saying. They are not only equipped, they are not only schooled, they are not only trained, this is a word you may not want to hear, they are armed, and they are prepared to support and protect us. This is the right thing to do. The distinguished ranking member has a valid point but the subcommittee ranking member, I think, understands the issue quite well. Ladies and gentlemen, it does not cost us a penny. It is not going to be the entire answer, but it is a step in the right direction. I compliment the gentleman from California (Mr. CUNNINGHAM) and the gentleman from Pennsylvania (Mr. GEKAS) for involving me in this issue, and I urge an ''aye'' vote.

Mr. CUNNINGHAM. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Chairman, I rise in support of this amendment, and I do so because it is almost identical to my bill, H.R. 492, which would not only grant reciprocity for current retired law enforcement officers but also to law-abiding citizens who possess a valid right to carry a permit in their home State.

My home State of Florida recognized that fact and in fact in 1987 Florida reformed its gun laws to allow gun-abiding citizens familiar with firearms to carry a concealed weapon. The results as far as homicide rate dropped from 37 percent above the national average to 3 percent below. Florida is not alone. Other States with concealed carrying laws have also seen a dramatic decrease in crime.

I am a strong supporter of my colleague from California's and legislation, I am pleased to cosponsor this amendment. It has my full support. I hope my colleagues will pass this amendment.

Mr. Speaker, I rise in support of this amendment. I do so because it is almost identical to my bill H.R. 492 which would not only grant reciprocity for current and retired law enforcement officers, but also to law-abiding citizens who possess a valid ''right to carry'' permit in their home state.

The right of self defense should not be limited to state boundaries. America is blessed with a professional and committed law enforcement community, but the reality is that we are largely on our own in protecting ourselves and our families. I don't believe that Americans should forfeit their safety because they happen to be on vacation or on a business trip.

My home state of Florida recognized the fact that many citizens have no recourse but to deal immediately and directly with a criminal. In 1987, Florida reformed its gun laws to allow law-abiding citizens familiar with firearms to carry a concealed weapon. The results? Florida's homicide rate dropped from 37 percent above the national average to 3 percent below the national average. Florida is not alone; other states with concealed carry laws have also seen a dramatic decrease in crime.

The legislation before us today has the end goal of protecting American citizens, and this amendment contributes to that goal. I would have been pleased to cosponsor this amendment, but was unaware of its introduction until earlier today. Nonetheless, the gentleman from California has my full support and I urge adoption of this amendment.

Mr. SCOTT. Mr. Chairman, I reserve the balance of my time.

Mr. CUNNINGHAM. Mr. Chairman, I would ask the gentleman to proceed since I have the right to close since there was not time received in opposition. I am the last speaker.

PARLIAMENTARY INQUIRY

Mr. SCOTT. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SCOTT. Who has the right to close?

The CHAIRMAN. The gentleman from Virginia secured control of the time otherwise reserved for opposition by unanimous consent. Under those circumstances, the proponent is entitled to close.

Mr. SCOTT. Does the gentleman just have one speaker left?

Mr. CUNNINGHAM. I am going to close.

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

Mr. Chairman, we have had no deliberation on this. We have not had an opportunity to improve it or amend it. We have not had an opportunity to see what the States think about it. But that is how we have been legislating. We legislated on numerous issues where if we had had time to deliberate, we might have made different decisions, like last night.

We passed legislation that had been subject to 2 years of deliberation, the Individuals With Disabilities Act. We passed legislation which that deliberation would have led us to the conclusion that what we did yesterday would have increased crime, but because of good speeches and because it sounded like a good idea, we went along with it.

We ought to be more serious about legislation. This might be a good idea, it might not. We have not had an opportunity to seriously consider it. Here we have an amendment on the floor

and it is just not the way we ought to respond to the situation in Littleton, Colorado and Conyers, Georgia. We ought to be serious about reducing juvenile crime.

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

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

Mr. Chairman, we lost two police officers here on the Hill last year defending us. This amendment would not help those officers. This amendment will help other officers in the future. The same thing at Columbine. This amendment would not help those children.

We talk about law-abiding citizens' rights. The children at Columbine and other schools have rights. This amendment in the future will help those individuals. I did write this amendment with the help of the Law Enforcement Alliance of America, which represents millions of police officers. Governors support this. Mayors support this. For those that support the Brady bill, Sarah Brady and handgun control does not oppose this amendment. Why? Because it is good.

My colleague says, ''Well, it puts more guns.'' Who does this allow to have a weapon? It allows trained police officers. This does not mean some security guard or fly-by-night guy that sits there for 1 year in a position. These are trained individuals, who cannot have any disciplinary problems before.

The day that I submitted this bill, the original bill, H.R. 218, in San Diego an off-duty policeman had a carry permit. Guess what? A bank was being robbed. This young lady, this officer, who was off-duty saw the bank robber coming out and said, sorry, Charlie. Because she had a weapon, she stopped that bank robbery. This is the kind of legislation that I think all of us are looking for. I ask my colleagues in a bipartisan way to support this amendment. It is a good amendment.

Mr. MEEKS of New York. Mr. Chairman, I reluctantly voted against this amendment because of the current climate in this nation due to the police brutality issues in our districts. My rationale was that there have been too many police brutality incidences, as in the Anthony Baez and Amadou Diallo cases in New York City. This has led me to believe that there is a lack of proper training of police officers.

I have been a cosponsor of two police brutality bills in the 106th Congress: the Hyde/Serano bill and the Conyers bill. Both of these bills will implement provisions to carefully evaluate police training and police departments.

I find it difficult to give broad sweeping licenses to all police officers regardless of their jurisdiction—until a serious evaluation is done of the current situations throughout our country; and legislation is adopted to address the misuse of weapons by police departments.

Guns used properly by trained police officers is acceptable. In fact, New York State allows retired police officers to keep their guns. I support this measure. However, I can't support allowing a retired police officer from another part of the country carrying a concealed weapon—and not knowing the standards of his or her training or their record as a police officer in their jurisdiction. Until there are national standards for police training and police departments, I felt compelled to vote against this amendment.

Mr. SCOTT. The question is on the amendment offered by the gentleman from California (Mr. CUNNINGHAM).

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

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

The CHAIRMAN. Pursuant to House Resolution 209, further proceedings on the amendment offered by the gentleman from California (Mr. CUNNINGHAM) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 209, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 6 offered by the gentleman from Virginia (Mr. DAVIS); amendment No. 7 offered by the gentleman from California (Mr. CUNNINGHAM); and amendment No. 5 offered by the gentleman from Florida (Mr. MCCOLLUM).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 6 OFFERED BY MR. DAVIS OF VIRGINIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. DAVIS) 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 311, noes 115, not voting 8, as follows:

[Roll No. 236]

AYES—311

Abercrombie
Ackerman
Allen
Andrews
Archer
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Calvert
Camp
Campbell
Canady
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Conyers
Cook
Costello
Cox
Coyne
Crowley
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hefley
Hill (IN)
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hoyer
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Phelps
Pickett
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Simpson
Sisisky
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stearns
Strickland
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson (MS)
Thurman
Tierney
Toomey
Towns
Traficant
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—115

Aderholt
Armey
Bachus
Ballenger
Barr
Barton
Bentsen
Blunt
Boehner
Bonilla
Boucher
Bryant
Burr
Burton
Buyer
Callahan
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Condit
Cooksey
Cramer
Crane
Cubin
Danner
Deal
DeLay
DeMint
Doolittle
Duncan
Emerson
Everett
Ganske
Gibbons
Goode
Goodlatte
Green (TX)
Gutknecht
Hansen
Hastings (WA)

Hayes
Hayworth
Herger
Hill (MT)
Hilleary
Hilliard
Hostettler
Hulshof
Hunter
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kingston
Largent
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McIntyre
Metcalf
Mica
Moran (KS)
Nethercutt
Ney
Norwood
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Radanovich
Riley
Rogers
Ryun (KS)
Sandlin
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Skeen
Skelton
Smith (TX)
Souder
Stenholm
Stump
Taylor (NC)
Terry
Thompson (CA)
Thornberry
Thune
Tiahrt
Turner
Vitter
Wamp
Watkins
Watts (OK)
Whitfield
Wicker
Young (AK)

NOT VOTING—8

Brown (CA)
Frost
Houghton
Kaptur
Lewis (CA)
Minge
Salmon
Thomas

□ 1032

Messrs. STUMP, LUCAS of Oklahoma, PACKARD, YOUNG of Alaska, SHIMKUS, WICKER, and LUCAS of Kentucky changed their vote from ''aye'' to ''no.''

Mr. MOAKLEY, Mr. PETRI, Mrs. LOWEY, and Messrs. GARY MILLER of California, MOLLOHAN, and MCKEON changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. MINGE. Mr. Chairman, on rollcall No. 236, had I been present, I would have voted ''yes.''

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 209, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 7 OFFERED BY MR. CUNNINGHAM

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CUNNINGHAM) 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 372, noes 53, not voting 9, as follows:

[Roll No. 237]

AYES—372

Abercrombie
Ackerman
Aderholt
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Ewing
Farr
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kucinich
Kuykendall
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Packard
Pallone
Pascrell
Pastor
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vento
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOES—53

Allen
Brady (TX)
Campbell
Capuano
Chenoweth
Clay
Clayton
Conyers
Davis (IL)
Engel
Eshoo
Fattah
Jackson (IL)
Johnson, E. B.
Kilpatrick
Kolbe
LaFalce
Lee
Lewis (GA)
McCrery
McDermott
McKinney
Meek (FL)
Meeks (NY)
Miller (FL)
Miller, George
Mink
Napolitano
Owens
Oxley
Paul
Payne
Pelosi
Rohrabacher
Rothman
Rush
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Smith (MI)
Stark
Tauscher
Tierney
Towns
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Woolsey

NOT VOTING—9

Brown (CA)
Dunn
Frost
Houghton
Kaptur
Lewis (CA)
Minge
Salmon
Thomas

□ 1041

Mr. SERRANO and Mrs. CLAYTON changed their vote from ''aye'' to ''no''.

Mr. BLAGOJEVICH changed his vote from ''no'' to ''aye''.

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. MINGE. Mr. Chairman, on rollcall No. 237, had I been present, I would hav voted ''yes.''

AMENDMENT NO. 5 OFFERED BY MR. MCCOLLUM

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. MCCOLLUM) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 5 offered by Mr. MCCOLLUM:

At the end of the bill, insert the following:

SEC. ___. PROHIBITING JUVENILES FROM POSSESSING SEMIAUTOMATIC ASSAULT WEAPONS.

Section 922(x) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''or'' at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(C) by adding at the end the following:

''(C) a semiautomatic assault weapon; or

''(D) a large capacity ammunition feeding device.'';

(2) in paragraph (2)—

(A) by striking ''or'' at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(C) by inserting at the end the following:

''(C) a semiautomatic assault weapon; or

''(D) a large capacity ammunition feeding device.''; and

(3) by striking paragraph (3) and inserting the following:

''(3) This subsection shall not apply to—

''(A) a temporary transfer of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon to a juvenile or to the temporary possession or use of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon by a juvenile—

''(i) if the handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon are possessed and used by the juvenile—

''(I) in the course of employment,

''(II) in the course of ranching or farming related to activities at the residence of the juvenile (or on property used for ranching or farming at which the juvenile, with the permission of the property owner or lessee, is performing activities related to the operation of the farm or ranch),

''(III) for target practice,

''(IV) for hunting, or

''(V) for a course of instruction in the safe and lawful use of a firearm;

''(ii) clause (i) shall apply only if the juvenile's possession and use of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon under this subparagraph are in accordance with State and local law, and the following conditions are met—

''(I) except when a parent or guardian of the juvenile is in the immediate and supervisory presence of the juvenile, the juvenile shall have in the juvenile's possession at all times when a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon is in the possession of the juvenile, the prior written consent of the juvenile's parent or guardian who is not prohibited by Federal, State, or local law from possessing a firearm or ammunition; and

''(II)(aa) during transportation by the juvenile directly from the place of transfer to a place at which an activity described in clause (i) is to take place the firearm shall be unloaded and in a locked container or case, and during the transportation by the juvenile of that firearm, directly from the place at which such an activity took place to the transferor, the firearm shall also be unloaded and in a locked container or case; or

''(bb) with respect to employment, ranching or farming activities as described in clause (i), a juvenile may possess and use a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon with the prior written approval of the juvenile's parent or legal guardian, if such approval is on file with the adult who is not prohibited by Federal, State, or local law from possessing a firearm or ammunition and that person is directing the ranching or farming activities of the juvenile;

''(B) a juvenile who is a member of the Armed Forces of the United States or the National Guard who possesses or is armed with a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon in the line of duty;

''(C) a transfer by inheritance of title (but not possession) of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon to a juvenile; or

''(D) the possession of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon taken in lawful defense of the juvenile or other persons in the residence of the juvenile or a residence in which the juvenile is an invited guest.

''(4) A handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon, the possession of which is transferred to a juvenile in circumstances in which the transferor is not in violation of this subsection, shall not be subject to permanent confiscation by the Government if its possession by the juvenile subsequently becomes unlawful because of the conduct of the juvenile, but shall be returned to the lawful owner when such handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon is no longer required by the Government for the purposes of investigation or prosecution.

''(5) For purposes of this subsection, the term 'juvenile' means a person who is less than 18 years of age.

''(6)(A) In a prosecution of a violation of this subsection, the court shall require the presence of a juvenile defendant's parent or legal guardian at all proceedings.

''(B) The court may use the contempt power to enforce subparagraph (A).

''(C) The court may excuse attendance of a parent or legal guardian of a juvenile defendant at a proceeding in a prosecution of a violation of this subsection for good cause shown.

''(7) For purposes of this subsection only, the term 'large capacity ammunition feeding device' has the same meaning as in section 921(a)(31) of title 18 and includes similar devices manufactured before the effective date of the Violent Crime Control and Law Enforcement Act of 1994.''.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 354, noes 69, not voting 11, as follows:

[Roll No. 238]

AYES—354

Abercrombie
Ackerman
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Buyer
Calvert
Camp
Canady
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Collins
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hayes
Hefley
Hill (IN)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Petri
Phelps
Pickett
Pitts
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—69

Aderholt
Barcia
Barr
Barton
Bonilla
Burr
Burton
Callahan
Campbell
Cannon
Chenoweth
Clay
Coble
Coburn
Combest
Crane
Cubin
DeLay
Dingell
Doolittle
Emerson
Everett
Gibbons
Goode
Hansen
Hastings (WA)
Hayworth
Herger
Hill (MT)
Hostettler
Hunter
Istook
Johnson, Sam
Jones (NC)
Largent
Lewis (KY)

Lofgren	Peterson (PA)	Spence
Lucas (KY)	Pickering	Stump
Lucas (OK)	Pombo	Taylor (NC)
McCrery	Riley	Thornberry
Metcalf	Sandlin	Tiahrt
Mollohan	Sanford	Vitter
Nethercutt	Scarborough	Wamp
Ney	Schaffer	Watkins
Packard	Sessions	Watts (OK)
Paul	Shadegg	Wicker
Peterson (MN)	Skeen	Young (AK)

NOT VOTING—11

Blunt	Kaptur	Radanovich
Brown (CA)	Lewis (CA)	Salmon
Frost	Minge	Thomas
Houghton	Pomeroy	

□ 1050

Mr. HANSEN changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. MINGE. Mr. Chairman, on rollcall No. 238, had I been present, I would have voted "yes."

The CHAIRMAN. It is now in order to consider amendment No. 8 printed in Part B of House Report 106–186.

AMENDMENT NO. 8 OFFERED BY MR. SESSIONS

Mr. SESSIONS. Mr. Chairman, I offer an amendment made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 8 offered by Mr. SESSIONS:

At the end of the bill, insert the following:

SEC. ___. GUNS PAWNED FOR MORE THAN 1 YEAR REQUIRE BACKGROUND CHECK.

Section 922(t) of title 18, United States Code, is amended by adding at the end the following:

''(7) Paragraph (1) shall not apply in connection with the redemption from a licensee of a firearm that, during the preceding 365 days, was delivered to the licensee as collateral for a loan.''.

The CHAIRMAN. Pursuant to House Resolution 209, the gentleman from Texas (Mr. SESSIONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. SESSIONS).

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

Mr. Chairman, the amendment that I am speaking on today would require a background check on a person whose gun is returned to him by a pawnshop if that gun has been stored at the pawnshop for more than 1 year.

Pawnshops are small businesses contributing to communities all across America. They provide access to credit for people who may have difficulty obtaining a loan from a standard financial institution. These loans are secured by the physical delivery of collateral against the loan.

One of the preferred forms of collateral for these loans is a firearm. Guns, unlike electronic appliances or furniture, are easily stored, have value that is easy to establish, and do not depreciate or become outdated.

This amendment deals only with returning a gun to its owner. These guns have not transferred ownership. Rather, they have merely been stored in the pawnbroker's vault until the owner has repaid the money that was loaned against the firearm.

Currently, all pawnbrokers who pawn guns are already required to have Federal firearms licenses. Most of them buy and sell guns, as well as taking them as collateral in pawn loans. This amendment does not affect sales. Sales at pawnshops follow the same procedure as sales at any other gun store.

Over the course of a year, some 10 million guns are stored in pawnbrokers' vaults, almost as many guns as are sold in America. Guns stored in pawnshops are locked securely in vaults. They are safe from theft and unauthorized access.

States and and municipalities already require pawnbrokers to report the identity of anyone who pawns a gun. Additionally, pawnbrokers are also required to report the type and serial number of each pawned gun. This provides more information for law enforcement than the NICS system, allowing the police to check on the person, as well as checking that the firearm has not been reported as lost or stolen.

Most of these reporting systems are computerized, allowing this data to be transmitted instantly to local authorities. In most major metropolitan areas, the local reporting process to law enforcement has been in place for over 20 years. We want to encourage people to legally utilize licensed, regulated pawn stores if they choose to pawn their guns.

If we discourage people from utilizing licensed, regulated pawn stores, these guns will be out of the tracking ability of local law enforcement.

I urge my colleagues to support the Sessions-Frost amendment to provide commonsense background checks on guns pawned for more than 1 year.

Mr. Chairman, I reserve the balance of my time.

Ms. LOFGREN. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN) is recognized for 5 minutes.

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

Under current law, persons who sell their firearms from pawnshops and later seek to claim their firearms are subject to background checks. This amendment would create an exception to the Brady background check requirement for persons redeeming a firearm during the year after it's been pawned.

While the description for this amendment says it ensures that guns pawned for more than a year are not returned until the owner passes a background check, I think that this description may confuse Members, because this amendment does in fact instead create a new loophole in current law.

Under this amendment, people who leave their guns at a pawnbroker for less than a year will no longer be subject to a background check. Similar proposals were offered by Senators CRAIG and LOTT in the other body, the U.S. Senate, and were explicitly nullified in the Senate by Senator LAUTENBERG's amendment. The explanation is simple, this amendment is a dangerous one.

Felons try to redeem firearms at pawnshops four times more frequently than felons try to buy guns from gun dealers. In fact, according to the ATF, 1.4 percent of the purchasers seeking to purchase firearms from licensed dealers are felons or had some other reason why they were ineligible to purchase a gun. In sharp contrast, 5.4 percent of persons seeking to redeem their firearms from pawnbrokers were felons or had some other reason to be there. We require as much vigilance at pawnships, as we require when dealing with licensee dealers. This amendment does not meet that standard. That's why I rise in opposition.

□ 1100

My good friends from Texas are concerned that the amendment helps ameliorate discrimination against poor people, but we must point out that poor people, just like rich people, cannot be charged a user fee for background checks. Congress explicitly prohibited such fees in the Omnibus Appropriations Act for 1999, so this is not about money.

Crime, gun-tracing information shows that criminals are regular pawnshop customers. While 13 percent of federally licensed gun dealers had one or more crime guns traced back to them during 1996 and 1997, 35 percent of federally licensed pawnbrokers had one or more crime guns traced back to them.

This amendment would allow felons to raise cash with guns that they possess illegally. This amendment will make pawnshops safe harbors for criminals with guns, and I urge my colleagues to vote no.

Mr. Chairman, I reserve the balance of my time.

Mr. SESSIONS. Mr. Chairman, I yield 1 minute to the gentleman from New Mexico (Mr. SKEEN).

(Mr. SKEEN asked and was given permission to revise and extend his remarks.)

Mr. SKEEN. Mr. Chairman, America is facing an ever-increasing problem with violent juvenile crime. It seems like yesterday that our most pressing problems were kids skipping school and drag racing down Main Street on Saturday night. Today's youth, and I don't mean to imply all, are committing murder, rape, dealing drugs and countless other heinous crimes that were unfathomable 20 years ago. This callous altitude toward life and societal norms could well be our gravest national problem.

While I appreciate the President and some of my colleagues' belief that it is the Congress who must fix these problems, I must disagree. We presently

have hundreds of Federal, State and local laws addressing these issues, many of which are redundant and to absolutely no avail.

Did these laws serve any use at all in preventing the recent violence in Colorado, Arkansas or Oregon? For example, it was a violation of Federal law to have a loaded firearm within 1,000 feet of a school when these acts took place. This alone should have prevented these acts. The important question is why did these laws not prevent these senseless acts of violence?

When a person commits a violent crime, such as murder, they must be punished quickly and to the maximum extent of the law . . ., does it really make a difference what the tool was when the result was death?

When the President and Congress seek to expand laws and do away with individual liberty they are taking the easy way out and a dangerous approach to problems by addressing the result of society's failure . . ., not the cause.

Simply put . . ., we have strayed from the ideals which have made this country the greatest on earth. And now it is time to return to those basic principles.

As Thomas Jefferson so eloquently argued, ''laws that forbid the carrying of arms . . . disarm only those who are neither inclined nor determined to commit crimes . . . Such laws make things worse for the assaulted and better for the assailants; they serve rather to encourage than to prevent homicides, for an unarmed man may be attacked with greater confidence than an armed man.''

Mr. Chairman, parents have to take responsibility for their actions and the actions of their children.

Schools should teach history, reading, writing and arithmetic, and stop educating our children on how to best abdicate personal responsibility.

Communities must be accountable to themselves and hold their elected officials at all levels accountable in return.

It is not the schools', the Federal Government's, or the entertainment industry's responsibility to raise and discipline our children. The responsibility rests solely with the family.

The bottom line is that all the laws in the world are useless without effective enforcement and the prompt return to a system of swift justice.

Most importantly, we must return to individual and familial responsibility and accountability, for all laws are pointless without the proper moral foundation of the home.

Mr. Chairman, it was my responsibility to raise my kids and hold them accountable for their deeds and it is their responsibility to do the same with their children, not the government's.

Mr. Chairman, I must tell you that it doesn't take a village to raise our children, It takes a loving, caring and actively involved family.

Finally, it is far past the time for Uncle Sam to let mom and dad take care of the kids; the last thirty years have made it painfully obvious that Uncle Sam's expanded role as parent and educator has completely failed.

Mr. Chairman, I hope that my colleagues will yield the responsibility back to the parents.

Ms. LOFGREN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a member of the committee.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman for yielding me time, and I thank the chairman very much.

I had wanted to be able to support this amendment for my good friend from Texas, but I think it is important to make clear that what this does is for anyone who pawns their gun and comes back within a 2- to 3-month period, maybe in that interim may have become a felon, a convicted felon, may be out on probation for some gun possession or some issue that deals with a criminal activity, and that individual, although it may be their gun, would not be subject to an instant check.

It is well-known, as evidenced by the ATF, that 1.4 percent of the purchasers seeking to purchase firearms from federally licensed dealers were prohibited persons; 3.3 percent of the purchasers seeking to purchase firearms from federally licensed pawnbrokers were prohibited persons.

I would ask the gentleman if he would just give me a yes or no, whether he would be willing to accept a friendly amendment on his amendment, and to indicate that at any time that you seek to reclaim your gun in a pawnshop, you be subject to an instant check. Will the gentleman accept that as a friendly amendment?

Mr. SESSIONS. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, I will not.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I thank the gentleman very much.

Let me simply say as we sunsetted any sense of gun responsibility early this morning in the dark of night, let me cite the gun owners of America that sent brief talking points to everyone. Their final comment is, ''Vote no on final passage of H.R. 2122.''

They knew what they were doing. They knew that what they wanted to do was to make sure we had no gun laws whatsoever.

Just as last night I tried to bring up the handgun provision dealing with a private individual not transferring a gun to someone under 21, that walked off the floor of the House. The Gun Owners of America oppose banning juvenile possession of certain semiautomatic rifles; they oppose the multiple ammunition, suggesting that the Korean merchants were able to shoot it out in the streets because they had multiple ammunition; and as well they oppose mandatory safety locks.

This is another amendment that will not work. There is no gun safety on this floor. Vote it down.

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

The CHAIRMAN. The gentleman from Texas is recognized for 30 seconds.

Mr. SESSIONS. Mr. Chairman, unfortunately, what is occurring today is what typically occurs in Washington. My opponents are talking about studies, facts and figures which they claim they have. I wrote the Director of the ATF December 21, 1998, and February 2, 1999, asking for the results of the study. I was denied this. This is obviously an unfair argument, because the administration simply wants to have gun control and more guns to be available for people on the streets, rather than doing the right thing.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

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

Ms. LOFGREN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 209, further proceedings on the amendment offered by the gentleman from Texas (Mr. SESSIONS) will be postponed.

It is now in order to consider Amendment No. 9 printed in part B of House Report 106–186.

AMENDMENT NO. 9 OFFERED BY MR. GOODE

Mr. GOODE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 9 offered by Mr. GOODE:

At the end of the bill, insert the following:

SEC. . REPEAL OF LAW BANNING FIREARMS IN THE DISTRICT OF COLUMBIA.

D.C. Law 1–85, enacted September 24, 1976, is hereby repealed, and any provisions of law amended or repealed by such Act are restored and revived as if such Act had not been enacted.

The CHAIRMAN. Pursuant to House Resolution 209, the gentleman from Virginia (Mr. GOODE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODE).

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

Mr. Chairman, this is a modest amendment to lift the outright ban in the District of Columbia by repealing the 1976 gun ban law in the District. It does not affect the gun restrictions in place prior to 1976, where someone seeking to have a firearm for their self-protection or for the protection of their business would still have to go and get fingerprinted, would have to go down to the D.C. police office and have a background check, and would have to be registered and have the gun registered.

The focus of this amendment is the gun ban. If you believe in gun bans, then you should vote against this amendment, but if you believe that the second amendment gives you the right to protect yourself and to protect your business, then you should vote ''yes'' on this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. LOFGREN. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentlewoman from California is recognized for 5 minutes.

Ms. LOFGREN. Mr. Chairman, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, it is bad enough that the Goode amendment shows disrespect for the people I represent, for democratic self-government and for me. But hear me. The Goode amendment threatens the majestic Federal presence as well as our citizens.

Why? Because the Goode amendment makes it legal to sell bomb-making materials in the Nation's Capital by killing off the District's strict explosive regulation. The Goode amendment brings domestic terrorism purveyors here, increasing the risk to tourists and to the city's landmarks, including this very Capitol.

How? The Goode amendment shoots the entire explosives and firearms scheme in the back. The Goode amendment demeans the very idea of a dignified capital. The Goode amendment makes the Nation's Capital the most lenient gun jurisdiction in the country. The Goode amendment encourages tourists to bring weapons to D.C., only to have them confiscated in this capital.

I ask, after the killings of Officers Jacob Chestnut and John Gibson in this building last summer, which of us would want to send the message that D.C. is a city with no handgun laws?

Perhaps the strongest opponent of changes in the District's gun laws is D.C. Police Chief Charles Ramsey. Chief Ramsey reminds us that we lost three local police officers in 3 months' time in 1997. He says that his officers would be the first to face the consequences of increases in guns in homes when they make stops on the streets.

We are dramatically bringing down gun killings in the District. Do not drive murders of citizens and cops up by killing off local gun laws here.

Mr. GOODE. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. STEARNS).

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Chairman, I would ask the gentlewoman from Washington, D.C., what are you talking about? I do not understand. Let me read what the Goode amendment does. Repeals D.C. law I–185, which prohibits D.C. residents from possessing a firearm to allow D.C. residents the right to protect and defend themselves. Your speech does not reflect the substance of the amendment.

This is a fundamental constitutional right. I appeal to all my colleagues. Why should we ignore the rights of individuals to have the opportunity to defend themselves? In fact, if you go back in the evolutionary cycle, it is a natural drive for all human beings for self-preservation. It is the most fundamental right of our human species that we should be able to defend ourselves against unwarranted harm. So the simple amendment of the gentleman from Virginia (Mr. GOODE) is restoring the ability to say we can have a firearm in Washington, D.C., to defend ourselves.

A study by Gary Kleck of Florida State University showed that in approximately 2 million incidents each year, citizens use a firearm for self-defense, usually a handgun.

Mr. Chairman, it is a good idea, and the statistics are there. Please support the Goode amendment.

Mr. Chairman, under the Constitution of this Nation, we have the right to be armed. However, if you choose to ignore the rights recognized under the Constitution, I appeal to you at another level.

Any creature, from insect to human, has the natural drive for self-preservation. Self-defense is one of the most fundamental rights we have as human beings, and no individual should ever be denied the ability to defend his or herself against unwarranted harm.

According to a study by Gary Kleck of Florida State University, in approximately 2 million instances each year, citizens use a firearm for self-defense, usually a handgun.

Criminals need have no such fear in Washington, DC. The law-abiding, decent citizens of the Nation's Capital should have the right and the means to defend themselves, and that is what this amendment will do. Let's give the people of Washington the option to defend themselves and their families; support the Goode amendment.

Ms. LOFGREN. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Chairman, we have worked very long and hard in the District of Columbia to try to bring this Nation's Capital back. If you take a look at the crime rates over the last couple of years, they have gone down dramatically. We have done that by taking the police force away from politics. Putting in a new chief, a professional cadre of officers and trained officers, and controlling the flow of guns into our city is one way that we do that.

I have the highest respect for the author of this amendment and recognize the area that he comes from and the philosophy he represents, but, in this particular case, I have to reluctantly oppose him. The reason is because the Nation's Capital, they have to have the same rights of self-determination on these kinds of issues that States and other cities and counties do across this country.

The District of Columbia, the D.C. Council in 1976 approved this enactment, and it not only has been confirmed through the years by D.C. elected officials, but your police chief; and around the metropolitan area I think you will find representatives of police officers feel stopping the flow of guns into this city is very critical. This amendment would defeat that purpose, so I oppose the amendment.

Mr. Chairman, I regretfully return to the floor today to oppose the amendment offered by my friend and colleague, Representative GOODE. In doing so, I want to first convey the unalterable opposition of the Washington, D.C. Mayor Anthony Williams and Chief of Police Charles Ramsey. This amendment is an abrogation of the very core principles of home rule here in the Nation's Capital, and of the right of States and localities to determine the needs of their communities.

In 1976, the D.C. City Council approved one of its first enactment under home rule. Mr. GOODE's amendment would repeal Title 6, Chapter 23 of D.C. Code, Section 6–2301 thru 6–2379, which includes the entire subchapter on firearms and destructive devices. The enactment of these provisions were a very important step for the District during its fledgling steps towards self-government and was affirmed by a U.S. District Court in 1978.

My good friend from Virginia's amendment unfortunately strikes at the very heart of home rule, and does so without any prior consultation from the elected officials of the District or the House Subcommittee on the District of Columbia. It shows no respect for the principle of permitting local citizens and elected leaders to make local decisions.

In 1995, Ms. NORTON and I introduced and passed the D.C. Financial Control Board Act which took numerous financial decisions away from the Mayor and City Council. Unlike Mr. GOODE's amendment the Control Board Act underwent hearings and a mark-up through the Committee process before passage by Congress. The Act creating the Control Board also enjoyed the input and support of the D.C. Mayor and Chairman of the City Council.

I urge every Member to oppose Mr. GOODE's amendment, not on Constitutional grounds but on procedural ones. While the Congress certainly has the authority to take this action, I call on every Member to consider carefully what the reaction of their constituent would be should the House decide to target them and them alone, for a law they have not expressly supported.

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

Mr. Chairman, I would just point out one thing: The person that came in the Capitol and shot the two officers under my amendment would have violated the law when he crossed the line. He was illegal unless he had gone down to the police department, got fingerprinted, got a background check, got his gun registered and got himself registered.

Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. HOSTETTLER).

(Mr. HOSTETTLER asked and was given permission to revise and extend his remarks.)

Mr. HOSTETTLER. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, Article I Section 8 of the Constitution says the Congress has the power to exercise exclusive Legislation in all Cases whatsoever, over such District, as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States.

□ 1115

This section of the Constitution is not hard to understand. The words ''exclusive'' and ''all'' are hardly vague

and ambiguous. The fundamental right guaranteed in the Second Amendment is a right of all United States citizens, including those who find themselves in the district.

How can anyone rationally argue that the District of Columbia ban has rid this city of guns? The gentleman from Virginia (Mr. GOODE) correctly argues that, as the crime rate goes down nationally, Washington, D.C. continues to be a bastion of violence.

Criminals know where the largest population of helpless victims reside. Let us make sure that they do not think it is in Washington, D.C.

Ms. LOFGREN. Mr. Chairman, I ask unanimous consent that 4 additional minutes be provided for debate on this amendment due to requests of Members on both sides of the issue for debate.

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN) requests for 4 minutes be added to each side of the debate.

Ms. LOFGREN. Mr. Chairman, total; 2 on each side.

The CHAIRMAN. The gentleman from California asks unanimous consent that the gentleman from Virginia (Mr. GOODE) and the gentlewoman from California (Ms. LOFGREN) each have 2 additional minutes.

Mr. HUNTER. Reserving the right to object, Mr. Chairman, I am informed that we have a number of Members who are on very, very tight schedules. I myself have an amendment I would like to talk on longer, but I am not going to ask for extra time. Regretfully, I object.

The CHAIRMAN. Objection is heard.

The gentlewoman from California (Ms. LOFGREN) has 2 minutes remaining. The gentleman from Virginia (Mr. GOODE) has 1½ minutes remaining.

Ms. LOFGREN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Maryland (Mrs. MORELLA).

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

Mrs. MORELLA. Mr. Chairman, I rise in opposition to the Goode amendment. We have no right to micromanage what happens in the District of Columbia.

Mr. Chairman, I rise in strong opposition to the Goode amendment that would overturn the law which prohibits citizens of the District of Columbia from possessing a firearm.

This amendment attempts to micromanage the District of Columbia, without consultation with locally elected officials. We have no business doing that.

I believe that the Goode amendment shows a lack of respect for allowing the citizens of Washington, D.C. to make local decisions. I wonder how Mr. GOODE would react if Mayor Williams or Congresswoman NORTON would work to prohibit the citizens of Albemarle County in Virginia from possessing a firearm?

Congress passed the Home Rule Act in 1973 because citizens fought for the right to participate in government. The Goode amendment would repeal one of the first D.C. enactments under Home Rule. This law was passed in 1976 by the D.C. Council and even survived a 1978 court test.

As the Representative from the neighboring jurisdiction of Montgomery County, Maryland, and as the Vice-Chair of the Subcommittee on the District of Columbia, I am proud of the progress that has been made in the revitalization of D.C. Public safety has been one of the top concerns of people who live in the District and among people who live in the surrounding jurisdictions. Over the past three years, the crime rate has dropped; homicide and robbery rates have plummeted to a 25-year low. But they are still high compared with other cities, and this amendment would jeopardize the District's progress.

The Mayor, the D.C. City Council, and the D.C. Subcommittee all have worked hard to improve the prospects for home rule to succeed. It is essential that we take into consideration the views of the District's local officials. They are the advocates for a better quality of life for the 500,000 citizens who reside in the District of Columbia. They are the ones who must decide whether or not to allow the citizens of the District to own firearms, not the U.S. Congress.

I urge a ''no'' vote on the Goode amendment!

Ms. LOFGREN. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, this is a bad amendment. It is the wrong thing to do. The gentleman from Virginia (Mr. GOODE), I know that he appreciates democracy, and I hope that he realizes that the people of the District of Columbia have exercised that democracy in a legal manner.

They reacted to the fact that 84 percent of the homicides in this District come from firearms. Well, now, in the last 10 years the District's homicide rate has gone down to the lowest it has been. It has fallen 41 percent from 1994 to 1998.

Now, what this law would do is to allow gun shops to be set up again, to allow people to bring more handguns in. It is going to allow explosives.

This is the Nation's capital. With all the terrorism, threats that we have, to allow explosives to come back into the city. The people of the District of Columbia knew what they were doing when they passed that law. Now to say that we know best, coming from a rural area that has a very different economy and society and situation than the District, to impose the gentleman's opinion on the District is wrong.

This amendment should be defeated, defeated soundly.

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

Mr. Chairman, I would point this out, Virginia for years regulated gun shows, had an instant check. Today in the United States capital, every State is going by Federal rule. What is good for the goose is good for the gander.

They talked about bringing bomb material into the United States capital. The person would have to go down and be registered with the D.C. police chief to be able to do that, and I do not think the D.C. police chief is going to do that.

Mr. Chairman, I yield the balance of the time to the gentleman from California (Mr. DOOLITTLE).

(Mr. DOOLITTLE asked and was given permission to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Chairman, I commend the gentleman. I thank the gentleman from Virginia (Mr. GOODE) for doing what is right. No government has the right, for heaven's sakes, to take away one's God given right to defend himself and his family. Why should we think the District of Columbia Council have that right. It is wrong for them to do that. It is right for people to be able to protect themselves.

The District of Columbia is the only jurisdiction from the U.S. that prohibits keeping firearms in an operable condition at home for defense against criminal attack. The right for people to be secure in their homes is an ages old right, affirmed in law and court decisions, but rejected in D.C.

This jurisdiction is a disaster. It still has one of the highest crime rates in the country. Crime generally has dropped over the entire country due to demographic trends. We should vote for the gentleman's amendment and reaffirm even in the District of Columbia people's God given rights to defend themselves and their families with a firearm.

Ms. LOFGREN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Chairman, I rise in strong opposition to the amendment.

The Goode amendment repeals D.C. law 1–85, which prohibits D.C. residents from possessing a firearm.

The Goode Amendment is paternalistic and is a slap in the face to the District of Columbia's right to self-governance. It strips away the District's comprehensive firearms and explosives regulation, adopted in 1976, by permitting the registration of firearms that are now prohibited.

Violent crime in the District of Columbia is at a historic low, thanks to a combination of strong community policing, tough gun laws, and aggressive law enforcement and prosecution of those who violate the laws.

D.C.'s homicide rate is the lowest it has been in over 10 years.

Through aggressive gun prosecutions, assaults with a firearm in D.C. fell 41% from 1994–1998.

The Goode amendment will seriously threaten public safety and undermine effective law enforcement in the District.

The Goode amendment will make it legal to buy and sell all kinds of bomb-making materials in the District.

The Goode amendment will make it much easier to obtain handguns in the District by allowing gun shops to open their doors for business.

The only individuals who will benefit from this amendment are criminals in the District of Columbia.

This is especially troubling when the D.C. Police Department reports that 84% of all homicides this year resulted from guns.

There is no justification for this amendment. It will only put the lives of District residents—and especially children—at risk by tearing down the District's firearms and explosives laws and depriving District citizens of their ability to decide what kinds of firearms laws they want to have.

Ms. LOFGREN. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. FARR).

(Mr. FARR of California asked and was given permission to revise and extend his remarks.)

Mr. FARR of California. Mr. Chairman, I rise in strong opposition to this usurpation of local control. We have 183 local firearm laws in California.

Ms. LOFGREN. Mr. Chairman, I yield the balance of the time to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, there is nothing unique about the District's handgun ban law. Dozens of cities have the exact same law across this United States. What the gentleman proposes is dangerous. He cannot even describe what would remain in place if his amendment were passed.

For example, today one has to register annually under the existing regulations. Under pre 1976 rules, one can register once. Then if one became a criminal after registering once, so be it for the people in the District of Columbia.

As to the gentleman's views about constitutionality, this law has been found constitutional. To quote the courts, ''the Act is a valid exercise of the City Council's legislative authority, and it offends no constitutional protection of appellees.''

Do my colleagues want to know about the Second Amendment? From the (Supreme Court) Miller case: ''The obvious purpose of the Second Amendment is to assure continuation and to render possible the effectiveness of State militia. It must be interpreted and applied with that view in mind.''

This is not a gun vote. This is a vote to stay out of somebody else's business. This is a vote to respect me, to respect the people I represent, to respect the laws that have been made in our local jurisdiction.

This gentleman has some nerve. Most of the guns that are killing people in the District of Columbia come from the State of the gentleman from Virginia (Mr. GOODE). They come from his State. Get off of my back. Get out of my business.

The CHAIRMAN. All time for debate on the amendment has expired.

The question is on the amendment offered by the gentleman from Virginia (Mr. GOODE).

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

Ms. LOFGREN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 209, further proceedings on the amendment offered by the gentleman from Virginia (Mr. GOODE) will be postponed.

It is now in order to consider amendment No. 10 printed in Part B of House Report 106–186.

AMENDMENT NO. 10 OFFERED BY MR. HUNTER

Mr. HUNTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 10 offered by Mr. HUNTER:

Add at the end the following:

SEC. ___. RIGHT OF LAW-ABIDING RESIDENTS OF THE DICTRICT OF COLUMBIA TO KEEP A HANDGUN IN THE HOME.

(a) DEFENSE.—Notwithstanding any provision of law, a person may not be held criminally responsible for the possession of a handgun, or ammunition appropriate to the handgun, if each of the following elements are established:

(1) The person is a law-abiding individual not less than 18 years of age.

(2) The person is the sole owner of the handgun and is in compliance with all applicable Federal and State registration laws and regulations with respect to the handgun.

(3) The possession occurred in the District of Columbia—

(A) in a place of residence of the person; or

(B) if the handgun is unloaded, while the person was traveling to or from a place of residence of the person solely for the purpose of transporting the handgun in connection with an otherwise lawful transaction or activity relating to the handgun.

(b) DEFINITIONS.—For purposes of this section:

(1) The term ''handgun'' has the meaning given such term in section 921 of title 18, United States Code.

(2) The term ''law-abiding individual'' means an individual who has never been convicted of a criminal offense for which the person actually served time in jail or prison, and has never been convicted of battery, assault, or any other violent criminal offense.

The CHAIRMAN. Pursuant to House Resolution 209, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. HUNTER).

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

Mr. Chairman, in 1933, a young lady named Melba Loman was being robbed at gunpoint next to a high-rise building. During the robbery, a young man leaned out the window with a gun and shouted to the robber, drop that gun or I will shoot, at which point the robber ran off.

The young man's name was Ronald Reagan, and he knew something then intuitively that we have learned now; and that is that law-abiding citizens who are allowed to defend themselves will deter crime.

I want to talk in this amendment about something that we have not talked much about during this gun debate; and that is simply this, 2 million times each year, American citizens across this country successfully defend their lives and the lives of their family members and their property with guns.

In most cases, this does not involve a shoot-out, because FBI studies now show that when law-abiding citizens simply have guns in these confrontations, in 98 percent of the cases that alone deters crime. So American citizens throughout this country in almost every place, 2 million times a year, protect their families, protect their children, protect their wives, and protect their property with guns. There is one place where that does not happen, and that is here in Washington, D.C.

Mr. Chairman, I offer this amendment because I was talked to by residents of Washington, D.C. I just want to quote a couple times.

''If someone is breaking into your home, and you are being put on hold by 911, what should you do to protect your wife and children? Or how does my wife protect herself if caught in the same situation when I am out of town?'' D.C. resident.

''As a District resident for 10 years, I have been a victim of violent crime. It is a tragedy that the reality in the Nation's Capital is not if you will be a victim of crime, but when you will be preyed upon by the vicious criminal element that roams our streets and neighborhoods.'' D.C. resident.

''The memory of holding a sobbing hysterical woman after she, by the grace of God, warded off a rapist who managed to rip steel bars off her window and break into her home still sends chills in my mind.'' D.C. resident.

All these letters came in, Mr. Chairman, when it became known that I was going to offer this amendment. In my view, all law-abiding citizens should therefore have the option of being able to protect their homes with deadly force if they see fit. As it stands now, and we all know this, in D.C. only the crooks have guns.

Now, Mr. Chairman, that is the case. The D.C. government has successfully disarmed every law-abiding citizen in Washington, D.C. I have never seen the case made that there are crooks who want guns in Washington, D.C. who cannot get them.

So the only people that have guns in this community are the bad people, the people that want to rob, rape, and kill. The point was made in the FBI analysis that was done by the University of Chicago that guns in America are used five times as often to prevent crime, to keep somebody from robbing, raping, or killing than they are to commit crime.

We want to give to D.C. residents, whom we do have a constitutional responsibility to have oversight over, we do want to give those people the same rights that millions of other Americans have. So this amendment simply offers the right of law-abiding D.C. residents to have a registered handgun in their home for home protection. I think it is a very modest amendment. I think it is very basic.

Mr. Chairman, I reserve the balance of my time.

Ms. LOFGREN. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN) is recognized for 5 minutes.

Ms. LOFGREN. Mr. Chairman, I yield 2¾ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, the gentleman from California (Mr. HUNTER) may have been ''talked to,'' as he said, by residents from the District of Columbia. Ninety percent of them voted for me, and I think that I am entitled to speak for them on the floor this afternoon.

I respect the differences among us on gun issues. I ask only that my colleagues respect me and the people I represent by allowing us to tailor our gun laws to local demographic circumstances, just as my colleagues tailor their laws to their districts.

Here, the Hunter amendment would inflame an already violence-prone atmosphere. It invites citizens to arm themselves. But they will never keep up with the criminals, thugs, and thieves in this town, according to our local police chief. At least now we put thugs to considerable inconvenience by making them find guns illegally.

Although teen gun violence has brought us to our senses on the need for new gun laws, the Hunter amendment would allow teens, as young as 18, the troubled teens, the first to get ahold of guns in this city, to keep a gun in the Nation's capital. Violent youths could own guns at 18 legally because they were delinquent, not convicted as criminals.

The Hunter amendment is so poorly and loosely drafted that individuals carrying concealed guns might convince a jury that they believe they were transporting them for a purpose allowed by the Hunter amendment. Many other unintended consequences overwhelm any legitimate purpose for allowing residents to arm themselves in their homes here.

I do not know about my colleagues' towns, but in this town, guns in homes would lure criminals for break-ins and thefts, putting more guns on the streets. In this town, troubled teens, who most eagerly search out guns here, might find them at home instead of in the streets. In this town, kids would more likely find and use guns than adults thwarting criminals. In this town, with one of the highest domestic violence rates in the country, the last thing we need are guns to inject into family arguments.

The Hunter amendment adds to these catastrophic results a new D.C. immunity from Federal laws enforced everywhere else in the U.S. The Hunter amendment nullifies ''any other provisions of law.'' Therefore, the Hunter amendment also wipes out Federal provisions, including the only provisions that deny handguns to fugitives, drug addicts, people under indictment and some felons, among others.

A vote for the Hunter amendment is no vote for law-abiding citizens. The Hunter amendment is a vote to ease guns into the hands of troubled teens in this troubled city. The Hunter amendment is a vote the criminals in D.C. have been waiting for for 23 years.

□ 1130

Mr. HUNTER. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, I thank my friend for yielding me this time. This is actually an inquiry. I do not know how I intend to vote on this. I would just like to be informed.

If I am correct that this bill will restore or will recognize the right to private possession of a handgun, I think that is protected under the second amendment, what is our duty as a Federal Congress if we believe the District of Columbia has not adequately protected the Constitution, given that the Supreme Court has in 62 years not taken a second amendment case?

It is a question on which I would sincerely seek advice.

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, the answer to the gentleman's question is that this is an excellent vehicle to give law-abiding citizens the right to have a gun for home protection and to solve that problem.

Ms. LOFGREN. Mr. Chairman, may I inquire as to how much time remains?

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN) has 2¼ minutes remaining.

Ms. LOFGREN. Mr. Chairman, I ask unanimous consent for 1 additional minute for each side.

Mr. HUNTER. Reserving the right to object, Mr. Chairman, I regretfully am going to have to object, because I have been advised there are a lot of Members with planes going out. I have lots more materials and lots more speakers, but I am not going to ask for more time.

So I regretfully am going to object not only on this amendment, but on others.

The CHAIRMAN. Objection is heard.

The Chair recognizes the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Chairman, I yield 45 seconds to the gentlewoman from Maryland (Mrs. MORELLA).

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

Mrs. MORELLA. Mr. Chairman, I will talk quickly and say I am in very strong opposition to the Hunter amendment. It is going to implement a new law in the District of Columbia that would allow law-abiding citizens to possess a loaded handgun in their home in order to protect themselves and their families, and my understanding is that this amendment may include drug dealers who have not been convicted in the definition of law-abiding citizens who would be permitted to carry firearms.

I am opposed to this amendment just as I was to the Goode amendment. It attempts to micromanage the government of the District of Columbia without consulting the locally elected officials. We deserve to respect those people who are residents of the District of Columbia. Congress should not override local efforts to reduce gun violence in their community.

I hope this body will vote against the Hunter amendment.

Congress should not override local efforts to reduce gun violence in their community.

The crime rate is down in the District, and homicides have also declined. But while the crime rate in the District has declined, so too has the age of our criminals. Arrests of juveniles under 18 for violent offenses increased by more than 57 percent between 1983 and 1992. It is imperative that juveniles in the District should get one unified message from their local officials. We should not be interfering with local policies and confusing young people in the District with a different message.

it has been more than two decades since Congress granted residents of the District of Columbia the right to elect their own leaders. A generation later, Congress snatched back power from the mayor and the D.C. Council, putting it in the hands of an appointed financial control board. This year, with a new Mayor and a new D.C. City Council, many of the privileges of local self-rule have been returned to local officials. We should allow this process to continue without micromanaging the affairs of the District.

I urge a ''no'' on the Hunter amendment.

Mr. HUNTER. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman from California (Mr. HUNTER) has 30 seconds remaining, and the gentlewoman from California (Ms. LOFGREN) has 1½ minutes remaining.

Mr. HUNTER. Mr. Chairman, if I have the right to close, I will defer to the other side.

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN), as a member of the committee, has the right to close.

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

Let me just take the last 30 seconds simply to say this. This is the most basic and simple and, I think, moderate of amendments. And if drug dealers in this town are not given any time, then I think the D.C. Council should be taken to task by the gentlewoman who just talked. But this gives law-abiding citizens the right to have a registered handgun complying with all registration laws in their home for the protection of their loved ones.

All our statistics show that armed citizens do deter crimes. They do it 2 million times a year throughout this Nation. Let us give D.C. residents that right.

Ms. LOFGREN. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. CONYERS), the ranking member of the committee.

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Chairman, I rise in strong objection to this amendment, an intrusion into local decision-making.

Ms. LOFGREN. Mr. Chairman, I yield 45 seconds to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I rise to take strong exception to this amendment.

I represent the neighboring jurisdiction, the State of Maryland, and ironically enough, in concept, I agree with the gentleman. In our State we have those rights, and there is nothing wrong with it. But this amendment is wrong, because fundamentally it infringes on the rights of local government to make their own decisions.

If the District of Columbia were a State, any other State, the gentleman would never consider imposing the will of this body on a State. They would argue States rights. In this cases it should be local jurisdictions' rights.

The District of Columbia Council, in their wisdom, have made the decision that they want to ban handgun possession. I think we should respect that. We should not continue to treat the District of Columbia as a colony and treat it at our whim. We should honor and respect the local officials and local jurisdictions.

Ms. LOFGREN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Chairman, I rise in opposition to the Hunter amendment.

Mr. Chairman, as a member of the DC subcommittee, I join my colleagues in strong opposition to this amendment.

I cannot understand why, in the wake of the tragedies in Littleton, Colorado, and Conyers, Georgia, this Congress would even consider a measure that would roll back gun laws in our nation's capital.

But even more importantly, I cannot understand why some members of this body, who pride themselves on their commitment of honoring power to states and local governments, would deliberately thwart the will of the people of the District of Columbia.

My home city of New York has enacted its own tough gun-control laws, and I am proud to support them. But even if I didn't, I would defend the rights of New York to pass laws that are binding on its own citizens.

This Congress should accord the same respect to the residents of our nation's capital.

This amendment is about more than gun control. It is about local control, and the right of the people of the District of Columbia to enact their own laws.

I applaud my colleague from the District of Columbia, and my colleague from Virginia [Mr. DAVIS] for their leadership on this issue, and I urge my colleagues to vote against this amendment.

Ms. LOFGREN. Mr. Chairman, I yield the balance of my time to the gentlewoman from the District of Columbia (Ms. NORTON) for the purpose of closing the debate.

Ms. NORTON. Mr. Chairman, this loosely-worded law, for example, defines a law-abiding individual, who would carry a gun in the streets, as one who has not been convicted and served time. That leaves lots of felons who have not served time as an example of unintended consequences from the gentleman's bill. Domestic violence felons often do not serve time.

But one of the main reasons one would want to vote against this amendment is who would indeed profit? First, criminals; secondly, troubled teens; third, accidental shootings by kids; fourth, increased shootings of D.C. cops; gun violence during family arguments; break-ins and theft of guns. That is what happens in big cities when guns are freely available. That is what would happen.

I ask the Member to remember that the demographics of my district are as personal to me as his are to him.

The CHAIRMAN. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from California (Mr. HUNTER).

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

Ms. LOFGREN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 209, further proceedings on the amendment offered by the gentleman from California (Mr. HUNTER) will be postponed.

It is now in order to consider Amendment No. 11 printed in Part B of House Report 106–186.

AMENDMENT NO. 11 OFFERED BY MR. ROGAN

Mr. ROGAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 11 offered by Mr. ROGAN:

At the end of the bill, insert the following:

SEC. ___. PROHIBITION ON FIREARMS POSSESSION BY VIOLENT JUVENILE OFFENDERS.

(a) DEFINITION.—Section 921(a)(20) of title 18, United States Code, is amended—

(1) by inserting ''(A)'' after ''(20)'';

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(3) by inserting after subparagraph (A) the following:

''(B) For purposes of subsections (d) and (g) of section 922, the term 'adjudicated to have committed an act of violent juvenile delinquency' means an adjudication of delinquency in Federal or State court, based on a finding of the commission of an act by a person prior to his or her eighteenth birthday that, if committed by an adult, would be a serious or violent felony (as defined in section 3559(c)(2)(F)(i)) had Federal jurisdiction existed and been exercised.''; and

(4) in the undesignated paragraph following subparagraph (B) (as added by paragraph (3) of this subsection), by striking ''What constitutes'' and all that follows through ''this chapter,'' and inserting the following:

''(C) What constitutes a conviction of such a crime or an adjudication of an act of violent juvenile delinquency shall be determined in accordance with the law of the jurisdiction in which the proceedings were held. Any State conviction or adjudication of an act of violent juvenile delinquency that has been expunged or set aside, or for which a person has been pardoned or has had civil rights restored, by the jurisdiction in which the conviction or adjudication of an act of violent juvenile delinquency occurred shall not be considered to be a conviction or adjudication of an act of violent juvenile delinquency for purposes of this chapter,''.

(b) PROHIBITION.—Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (8), by striking ''or'' at the end;

(B) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(C) by inserting after paragraph (9) the following:

''(10) has been adjudicated to have committed an act of violent juvenile delinquency.''; and

(2) in subsection (g)—

(A) in paragraph (8), by striking ''or'' at the end;

(B) in paragraph (9), by striking the comma at the end and inserting ''; or''; and

(C) by inserting after paragraph (9) the following:

''(10) who has been adjudicated to have committed an act of violent juvenile delinquency,''.

(c) EFFECTIVE DATE.—The amendments made by this section shall only apply to an act of violent juvenile delinquency that occurs 180 days or more after the date of the enactment of this Act.

The CHAIRMAN. Pursuant to House Resolution 209, the gentleman from California (Mr. ROGAN) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. ROGAN).

Mr. ROGAN. Mr. Chairman, should the gentleman from Illinois (Mr. BLAGOJEVICH) arrive during the debate, I ask unanimous consent that I be able to divide my time with the distinguished gentleman from Illinois and that he be allowed to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

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

(Mr. ROGAN asked and was given permission to revise and extend his remarks.)

Mr. ROGAN. Mr. Chairman, in the hands of a felon, a firearm is a ticking time bomb. That is why it is illegal for a convicted felon to purchase one. Yet shockingly, in many States, violent criminals are legally allowed to purchase guns. Today, it is perfectly legal for a violent juvenile who has committed a felony to walk into a gun store on his 18th birthday and legally walk out armed to kill.

In many States, juveniles convicted of violent crime frequently get their criminal records erased when they turn 18. This is wrong. Today we have an opportunity to act. I am proud to join with my good friend, the distinguished gentleman from Illinois (Mr. BLAGOJEVICH) to introduce the violent

youth offender accountability amendment, which will ban the most violent and dangerous juvenile offenders from ever possessing a gun. We must put violent juvenile crime on par with violent adult crime.

The violent youth offender accountability amendment will keep firearms out of the hands of dangerous violent felons. Under Federal law, these felonies include murder, manslaughter, assault, rape, sexual abuse, kidnapping, carjacking, air piracy, robbery, extortion and arson. Simply put, juveniles who commit these adult crimes must face adult consequences.

Mr. Chairman, every year approximately 116,000 violent or serious juvenile arrests are processed by the juvenile courts. Very few are processed as adult crimes. Most are repeat criminals. This dangerous loophole in the Brady law rewards the most violent of these offenders with the right to possess a gun when they reach their 18th birthday. It is time to close this loophole and keep our schools and communities safe by keeping firearms out of the hands of these violent felons.

Mr. Chairman, I urge my colleagues to join the broad coalition who support this bill and keep guns out of the hands of violent juveniles.

Mr. Chairman, I reserve the balance of my time.

Ms. LOFGREN. Mr. Chairman, although I am not opposed to the amendment, I rise to claim the time in opposition.

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN) is recognized for 10 minutes.

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

This amendment is supported by the administration, and it would ban juveniles found delinquent of certain serious violent crimes from buying guns. That is to the good. The amendment extends the lifetime ban on firearms possessions to any juvenile who is found delinquent of a crime that would be a serious violent felony as defined by 18 U.S. Code 3559(c)(2)(F)(i). These offenses include murder, sexual abuse, carjacking, and extortion, among other offenses punishable by more than 10 years in prison.

However, I think it is worth pointing out that some serious violent felonies are excluded from the amendment. The amendment would not extend the lifetime ban to the State law offenses punishable by 10 years or more that have as an element the use, attempted use, or threatened use of physical force, including assault with a deadly weapon, vehicular manslaughter and mayhem.

Nevertheless, the amendment does represent progress. The administration believes all crimes committed by juveniles of serious violent felonies would be preferable. I believe as well that that is the case, but I intend to vote for the amendment.

I would note, however, that even though this amendment improves the situation on Brady checks for juveniles, it is ironic that because of what we did in the dark of night, the extension of the check to juveniles is merely appended to a weakening of our current gun laws. As we sort through what this body did last night, the retreat we made from sensible gun safety measures, it seems to me that licensed gun dealers will now go to the flea markets, the pawn shops, the parking lot, and they will sell unchecked, due to the Dingell loophole, guns to people who would not otherwise be eligible, and that will include the juveniles who would have been covered by this amendment that is before us.

So while I support the amendment, recognizing it is weaker than it should be, I would note that it is not going to be sufficient to save this very flawed effort that we are engaged in here. We have failed the mothers and fathers of America who look to us to stand up to the special interests and to stand up for the children of America.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from Illinois (Mr. BLAGOJEVICH) controls 5 minutes, and the gentleman is recognized.

Mr. BLAGOJEVICH. Mr. Chairman, I yield myself such time as I may consume, and I thank the gentleman from California (Mr. ROGAN) for providing me with this time.

Mr. Chairman, let me say I am honored to join my colleague, the gentleman from California (Mr. ROGAN). He and I are cosponsoring perhaps one of the few pieces of legislation under consideration today that can tout endorsements from both handgun control and the NRA. As a Member of Congress who has been rated an F minus from the NRA, I do not know if I should celebrate or cry by that combination. But the fact remains that the handgun control advocates and NRA support this because it is very sensible, and it really has to do with what many of us have been trying to do over the last several weeks here in the Congress, and that is pass legislation that prevents those with criminal backgrounds from getting guns.

This legislation is simple and straightforward. It bans the most violent juvenile offenders in our society from possessing firearms for life. As a matter of fact, it is a common-sense issue that is hard to believe was not law already. The fact remains a juvenile that has been convicted of murder, a juvenile that has been convicted of aggravated assault, aggravated criminal sexual assault, can still buy guns. Under our legislation, we will apply the same rules to juvenile offenders as we apply to adult offenders. If a juvenile is convicted of the more serious felonies, murder, rape, aggravated assault, armed robbery, that juvenile will be prevented from legally owning firearms as adults.

□ 1145

Young people convicted in juvenile courts of serious violent crimes such as murder, rape, assault with attempt to commit murder still can, under present law, possess the right to own firearms on their 18th birthday even though, as I said moments ago, adults are barred from doing so.

Since an average of 116,000 juvenile arrests for violent crimes are referred to the juvenile court system every year, this loophole leaves the door wide open for the most violent offenders to obtain firearms and gives them the opportunity only to use them to commit more crimes.

History has proven that criminals are ready, willing, and able to walk through that door time and time again. Case studies recently compiled by the Violence Prevention and Research Institute at the University of California have cited dramatic instances of violent juvenile offenders, who had no business purchasing firearms, legally obtaining them and using then to commit serious crimes.

In one particular case, a 17-year-old California youth who served time in juvenile detention in the juvenile detention center for assault with a deadly weapon wasted no time in exercising his legal right to purchase a handgun as soon as he turned 21. Over the next 10 years, he was arrested 14 times for crimes, including burglary, theft, and murder.

In a second case, an 18-year-old who was processed through the juvenile court system in California on two occasions for assault with a deadly weapon and assault with intent to kill was also able to legally purchase a handgun when he turned 18. In fact, he was 27 at the time. At that point, he was later arrested and convicted of felony robbery with a gun.

In short and in summation, our amendment would treat the most serious class of violent juveniles as adults for their adult crimes and stop them from getting weapons to hurt others in our society.

I urge my colleagues to join us in supporting what I think in this case really is truly a bipartisan effort.

Mr. Chairman, I reserve the balance of my time.

Ms. LOFGREN. Mr. Chairman, may I inquire as to how much time remains?

The CHAIRMAN. The gentleman from California (Mr. ROGAN) has 3 minutes remaining. The gentlewoman from California (Ms. LOFGREN) has 7 minutes remaining. The gentleman from Illinois (Mr. BLAGOJEVICH) has 1 minute remaining.

Ms. LOFGREN. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE) a member of the committee.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman from California (Ms. LOFGREN) for yielding me the time.

Mr. Chairman, I have in my hand seven pages listing the names of dead children. This amendment is an important one. It deals with a different perspective, the juvenile Brady bill, which

says that those juveniles who themselves committed violent crimes during their status as a juvenile cannot, in fact, secure a gun as an adult.

This is a good bill. In fact, as I wear this blue ribbon in commemoration and sadness for the tragedy in Columbine, if the two perpetrators had lived, obviously they may not have ever been out of jail, but they would then be under this particular bill. It is a tragedy that we even have to speak to the idea of juveniles perpetrating such violent crimes. It does, however, prevent or provide a sensitive aspect to the extent that if the juvenile has been pardoned or that their civil rights restored, it does not apply.

But what it does not do, Mr. Chairman, although this is a very excellent bill, and I congratulate my colleague from Illinois, I rise to support it, and my colleague from California, it does not answer the question of the seven pages of dead children, because what it does not answer is how do we stop those juveniles in the first instance from getting guns from flea markets and gun shows and the back of a station wagon of a seller who comes into their neighborhood or community or garage sale and opens up 25 Saturday night specials. It does not answer the question of whether or not we can even prevent the transfer of a handgun to someone under 21.

So I would simply say to my colleagues that we have at least a first step, but we still have seven pages of murdered children. Amanda Cindy Garza, 15, died from a gunshot wound to the head after unintentionally shooting herself with a .357 revolver. No one knows where the gun came from. The owner was unknown. Or Shawn Harvey, 16, was shot and killed mistakenly when they thought the boy was stealing a neighborhood car. He was shot in the head. The shooter had similar prior offenses and was using an unlicensed gun. Or when Jesse Duane Rogers, 10, and Amanda Rogers, 6, were playing Nintendo when their cousin unintentionally shot and killed them. The 17-year-old cousin, who had completed an NRA hunter's safety course, was baby-sitting them when he discovered the 9 millimeter semiautomatic pistol in the closet.

I hope this amendment passes, Mr. Chairman. But I simply say, we have not done enough. We need to do more.

Mr. ROGAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Florida (Mr. MCCOLLUM) the distinguished chairman of the Subcommittee on Crime of the House Committee on the Judiciary.

Mr. MCCOLLUM. Mr. Chairman, this is an excellent amendment. I certainly hope that we adopt it today and trust that most of my colleagues will vote for it.

It is closing a major loophole in the current law with regard to those who commit very bad, violent crimes. In this case, they happen to be under 18, they happen to be teenagers, juveniles, but they are not tried in an adult court, for whatever reason. And then, as opposed to somebody who commits a crime as an adult or tried as an adult, they are not disqualified from owning a gun later.

Anybody who commits the crimes that are under this particular amendment as an adult or being tried as an adult, even under 18, would never be able to own a gun in their life again. But that is not true unless this amendment is adopted with regard to those juveniles who are tried as delinquents or tried in juvenile courts as opposed to being tried as adults.

Let me make clear what these crimes are that need to have this prohibition: Murder, manslaughter, rape, assault with intent to commit murder, assault with intent to commit rape, sexual molestation, kidnapping, carjacking, robbery, and arson.

If they commit a crime of this gravity and they are convicted of that, adjudicated of that in a juvenile proceeding, they should never be allowed to own a gun again in the future. If they are an adult, they never would be. Why should there be a difference with these serious crimes if they are a juvenile and adjudicated in a juvenile court? They committed these crimes. They should be disqualified, as the Rogan amendment does, from ever being able to own a gun again.

This is a very important provision. It definitely deals with youth violence, and it is by far and away one of the hearts of this legislation. I again commend him.

The CHAIRMAN. The gentlewoman from California (Ms. LOFGREN) has 4 minutes remaining. The gentleman from Illinois (Mr. BLAGOJEVICH) has 1 minute remaining. The gentleman from California (Mr. ROGAN) has 1 minute remaining.

Ms. LOFGREN. Mr. Chairman, I reserve the balance of my time.

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

Mr. Chairman, all I want to say is, it is good to see that today, with the help of the gentleman from California (Mr. ROGAN) and former prosecutor, we are able to pass in a bipartisan fashion legislation that closes the loophole. And I regret to say that we failed to do that last night and passed legislation that did not really close the loophole that is gaping and wide, and that we need to readdress it at some point in the future, and I would hope that my friend the gentleman from California (Mr. ROGAN) and I and others on that side of the aisle can join us to do that down the road because I do not think that we have done what we really need to do on the gun show loophole.

Having said that again, I commend the sponsor of this legislation.

Mr. Chairman, I yield the balance of my time to the gentlewoman from California (Ms. LOFGREN).

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

Mr. Chairman, I simply want to thank my colleague and my good friend for his leadership on this issue. It has been a pleasure working with him. I want to thank him again and his dedicated staff for all the hard work that they have put into this.

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

Ms. LOFGREN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Chairman, it takes me back to California days, and I am very, very happy to stand here in support of this amendment with my colleague from California.

Understand that, in California, we have taken very, very many steps to try to control the proliferation of guns amongst our children, and we have not been able to successfully deal with the young people who are able to acquire these guns and be able to use them indiscriminately, whether they are on drugs or whether they are doing the drive-bys in the areas where we have the least control.

Now, under this law, any person who is an adjudicated juvenile delinquent may possess firearms when they become adults. This will prevent those juveniles from being able to legally obtain and be licensed to carry a gun. This is a very necessary item to the Brady bill, and we may want to call it the juvenile Brady. And I believe that all of us should support this bill to be able to allow our law enforcement officers to have one more tool to keep guns away from violent individuals, whether they be juveniles or adults.

Ms. LOFGREN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentlewoman for yielding me the time and for her leadership on this issue.

I, too, support this amendment, but I rise to really express my disgust and disappointment that this body reversed gun safety in this country last night. Only in a Republican-controlled Congress, in the wake of tragedies like Littleton, Colorado, would they come to the floor and pass an amendment which makes it easier, makes it easier, for criminals to get their hands on guns.

Under current law, licensed dealers must wait 3 business days for a Brady background check before giving a gun to a purchaser. But last night, last night, the majority voted to reduce this time to 24 hours.

Well, guess who would have gotten a gun last year if this had been the law? I have a list here from the Department of Justice, and it talks about people who were stopped because of the Brady bill because of the background check. But if they had just the 24 hours, they would have gotten a gun.

On February 6, 1999, a twice-convicted domestic violence batterer; on

April 24, 1999, a person convicted of domestic assault and battery. It goes down. A person convicted of second degree murder, rape, crack cocaine.

This is outrageous that when this country is experiencing youth violence in our schools, in our neighborhoods, children killing children, this body voted to turn back the clock and make it easier for people to get their hands on guns, felons.

I urge my colleagues to vote for the Conyers substitute and to vote for this bill that turns back the clock and makes it easier for felons to get their hands on guns. It is outrageous and it is wrong.

Ms. LOFGREN. Mr. Chairman, may I ask how much time remains?

The CHAIRMAN. The gentlewoman has 30 seconds remaining.

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

Mr. Chairman, I would close by saying that it is fine to vote for the Rogan amendment, but let us not fool ourselves. We are voting to extend the Brady background check to juveniles. That is fine. But, in the dead of night, when they thought no one was watching, we weakened the Brady law so that criminals, and I would add juvenile criminals, are going to be able to buy these guns in the parking lots, in the flea markets, in the gun shows.

I do not think the American people have been fooled one bit. This is not what the mothers and fathers of America expected us to do in the wake of the massacre at Columbine High.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from California (Mr. ROGAN).

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

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

A recorded vote was ordered.

The CHAIRMAN. Pursuant to House Resolution 209, further proceedings on the amendment offered by the gentleman from California (Mr. ROGAN) will be postponed.

□ 1200

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 209, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 8 offered by the gentleman from Texas (Mr. SESSIONS); amendment No. 9 offered by the gentleman from Virginia (Mr. GOODE); amendment No. 10 offered by the gentleman from California (Mr. HUNTER); and amendment No. 11 offered by the gentleman from California (Mr. ROGAN).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 8 OFFERED BY MR. SESSIONS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 247, noes 181, not voting 6, as follows:

[Roll No. 239]

AYES—247

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berry
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boswell
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Carson
Chabot
Chambliss
Chenoweth
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Ford
Fowler
Frost
Gallegly
Gekas
Gibbons
Gillmor
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jackson (IL)
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kind (WI)
Kingston
Klink
Knollenberg
Kuykendall
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Lewis (KY)
Linder
Lucas (KY)
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Menendez
Miller (FL)
Miller, Gary
Mollohan
Moore
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Reyes
Reynolds
Riley
Rodriguez
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Sanford
Schaffer
Sensenbrenner
Sessions
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thornberry
Thune
Toomey
Traficant
Turner
Udall (NM)
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (AK)
Young (FL)

NOES—181

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Berkley
Berman
Biggert
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Campbell
Capuano
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Coburn
Conyers
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Dooley
Dunn
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Ganske
Gejdenson
Gephardt
Gilchrest
Gilman
Greenwood
Hastings (FL)
Hinchey
Hoeffel
Holt
Hooley
Horn
Hoyer
Inslee
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
King (NY)
Kleczka
Kolbe
Kucinich
LaFalce
Lantos
Larson
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Metcalf
Mica
Millender-McDonald
Miller, George
Mink
Moakley
Moran (KS)
Moran (VA)
Morella
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Pomeroy
Porter
Price (NC)
Ramstad
Rangel
Rivers
Roemer
Rogan
Rothman
Roukema
Roybal-Allard
Sabo
Sanders
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Shadegg
Shays
Sherman
Slaughter
Smith (WA)
Snyder
Stabenow
Stark
Tauscher
Thompson (MS)
Thurman
Tiahrt
Tierney
Towns
Udall (CO)
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weller
Wexler
Weygand
Woolsey
Wynn

NOT VOTING—6

Brown (CA)
Lewis (CA)
Minge
Pascrell
Salmon
Thomas

□ 1226

Mr. INSLEE, Mr. ANDREWS, Ms. VELÁZQUEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. DEGETTE, Mr. HINCHEY, Mrs. ROUKEMA, Messrs. DELAHUNT, RAMSTAD, LOBIONDO, Mrs. MINK of Hawaii, Messrs. DOOLEY of California, CASTLE, FOSSELLA, WALSH, SCARBOROUGH, CARDIN, GILMAN, GILCHREST, WELLER, MORAN of Kansas, ROEMER and LIPINSKI changed their vote from ''aye'' to ''no.''

Messrs. HINOJOSA, DINGELL, SKEEN, Ms. CARSON, Messrs. MOORE, KLINK, HEFLEY, KIND, Mrs. CUBIN, and Messrs. JONES of North Carolina, STRICKLAND and MOLLOHAN changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 209, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each additional amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 9 OFFERED BY MR. GOODE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. GOODE) 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 250, answered ''present'' 2, not voting 7, as follows:

[Roll No. 240]

AYES—175

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bateman
Berry
Bilbray
Bishop
Bliley
Blunt
Boucher
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dingell
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Everett
Fletcher
Gekas
Gibbons
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hinchey
Hostettler
Hulshof
Hunter
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kingston
Knollenberg
Lampson
Largent
Lazio
Lewis (KY)
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller, Gary
Myrick
Nethercutt
Ney
Norwood
Ortiz
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pombo
Radanovich
Rahall
Ramstad
Reyes
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryun (KS)
Sandlin
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Toomey
Turner
Upton
Vitter
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Wilson
Young (AK)

NOES—250

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (NE)
Barrett (WI)
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Blagojevich
Blumenauer
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Costello
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hutchinson
Hyde
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Northup
Nussle
Oberstar
Olver
Ose
Owens
Oxley
Pallone
Pastor
Payne
Pelosi
Petri
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rangel
Regula
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Sisisky
Slaughter
Smith (MI)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Walden
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

ANSWERED ''PRESENT''—2

Obey
Strickland

NOT VOTING—7

Bonilla
Brown (CA)
Lewis (CA)
Minge
Pascrell
Salmon
Thomas

□ 1236

Mr. KASICH and Mr. FOSSELLA changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. MINGE. Mr. Chairman, on rollcall No. 240, had I been present, I would have voted ''no.''

AMENDMENT NO. 10 OFFERED BY MR. HUNTER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. HUNTER) 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 213, noes 208, answered ''present'' 3, not voting 10, as follows:

[Roll No. 241]

AYES—213

Aderholt
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bono
Boswell
Boucher
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Condit
Cook
Cramer
Crane
Cubin
Cunningham
Danner
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dingell
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Everett
Fletcher
Fossella
Franks (NJ)
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hinchey
Hobson
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kasich
Kingston
Knollenberg
Kuykendall
Lampson
Largent
Latham
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller, Gary
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Radanovich
Rahall
Ramstad
Regula
Reyes
Reynolds

Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

NOES—208

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Biggert
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Conyers
Cooksey
Costello
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Ehlers
Engel
Eshoo
Etheridge
Evans
Ewing
Fattah
Filner
Foley
Forbes
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gilman
Gonzalez
Goodling
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinojosa
Hoeffel
Hoekstra
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kolbe
Kucinich
LaFalce
LaHood
Lantos
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Olver
Owens
Oxley
Pallone
Pastor
Payne
Pelosi
Petri
Porter
Price (NC)
Quinn
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sisisky
Slaughter
Smith (MI)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Tauscher
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn

ANSWERED ''PRESENT''—3

Green (WI)
Obey
Strickland

NOT VOTING—10

Archer
Bonilla
Brown (CA)
Cox
Farr
Lewis (CA)
Minge
Pascrell
Salmon
Thomas

□ 1244

Mr. HOLDEN changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. MINGE. Mr. Chairman, on rollcall No. 241, had I been present, I would have voted ''no.''

AMENDMENT NO. 11 OFFERED BY MR. ROGAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROGAN), 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 395, noes 27, not voting 12, as follows:

[Roll No. 242]

AYES—395

Abercrombie
Ackerman
Allen
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chenoweth
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—27

Aderholt
Archer
Barton
Blunt
Burton
Chambliss
Coble
Cubin
DeLay
Dickey
Doolittle
Hansen
Hill (MT)
Hinchey
Hostettler
Kingston
Linder
Obey
Paul
Riley
Scarborough
Sessions
Shadegg
Stump
Taylor (NC)
Tiahrt
Wamp

NOT VOTING—12

Bonilla
Brown (CA)
Cooksey
Everett
Forbes
Graham
Lewis (CA)
Minge
Pascrell
Rogan
Salmon
Thomas

□ 1252

Mr. KLINK and Mr. INSLEE changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded

Stated for:

Mr. MINGE. Mr. Chairman, on rollcall No. 242, had I been present, I would have voted ''yes.''

PREFERENTIAL MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The Clerk will report the motion.

The Clerk read as follows:

Mr. OBEY moves that the Committee of the Whole now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I voted in the end against passage of the so-called juvenile justice bill yesterday, and I will oppose this bill on final passage today. I do not disagree with much of the content. I voted for the Dingell amendment last night.

I will vote against this bill today because the process by which Congress considered both of these bills is a national disgrace. It has resulted in Congress making crucial decisions on matters ranging from legal liabilities of families, local school governance, judicial sentencing, and religious liberty and other issues without any clear understanding of the legal impact and the real-world effect of our actions.

That happened because neither of these bills was produced through the normal committee hearing and deliberation process, which is the main tool Congress has to protect liberty and protect justice for the people we represent.

There is a reason why Congress normally has a hearing process to allow the general public and experts alike to think aloud about what it is that Congress is planning to do, to make sure that they and Congress have a full understanding of the results of the contemplated actions.

But these bills were brought to the floor in a process that short-circuits what Congress is able to do best as an institution: Namely, to carefully sort out in committee the nuances of critical issues, aided by the expertise that committee members develop in their specialty areas of jurisdiction.

The process by which these bills were considered has contributed to a continuing erosion of this body as a respected legislative institution. More and more, the Congress is not passing real legislation, it is passing institutional press releases aimed far more at sending political messages than they are at solving problems.

This chaos must stop or this institution will lose the confidence of the public, which has the right to believe that we will consider each and every matter in a manner that is designed to protect their real-life interests, rather than our partisan interests.

I deeply believe in the need to take strong, meaningful action and thoughtful action to deal with the problems of juvenile violence, public safety, and the protection of basic American values. But this process virtually guarantees that this Congress will produce nothing of the kind. So my vote will be a protest against the way Congress has politicized a critical national problem.

I also want to note that I voted present on two of the previous four issues that we just voted on, the two relating to the District of Columbia, because in my view I was not elected to be a city councilman for the District of Columbia. I believe the city's issues should be left to themselves, so I voted present as an effort to protest the way that this House routinely interposes its judgment on matters that are strictly local affairs.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

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

The CHAIRMAN. Those in favor of a recorded vote will rise and remain standing. The Chair will count all Members standing.

Mr. OBEY. Mr. Chairman, I ask unanimous consent to withdraw my request for a recorded vote.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

So the motion was rejected.

It is now in order to consider the amendment deemed as the last amendment printed in Part B of House Report 106–186.

AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 12 OFFERED BY MR. CONYERS

Mr. CONYERS. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

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

Part B amendment in the nature of a substitute No. 12 deemed printed in House Report 106–186 offered by Mr. CONYERS:

Strike all after the enacting clause and insert the following:

TITLE I—GENERAL FIREARM PROVISIONS

SECTION. 101. EXTENSION OF BRADY BACKGROUND CHECKS TO GUN SHOWS.

(a) FINDINGS.—Congress finds that—

(1) more than 4,400 traditional gun shows are held annually across the United States, attracting thousands of attendees per show and hundreds of Federal firearms licensees and nonlicensed firearms sellers;

(2) traditional gun shows, as well as flea markets and other organized events, at which a large number of firearms are offered for sale by Federal firearms licensees and nonlicensed firearms sellers, form a significant part of the national firearms market;

(3) firearms and ammunition that are exhibited or offered for sale or exchange at gun shows, flea markets, and other organized events move easily in and substantially affect interstate commerce;

(4) in fact, even before a firearm is exhibited or offered for sale or exchange at a gun show, flea market, or other organized event, the gun, its component parts, ammunition, and the raw materials from which it is manufactured have moved in interstate commerce;

(5) gun shows, flea markets, and other organized events at which firearms are exhibited or offered for sale or exchange, provide a convenient and centralized commercial location at which firearms may be bought and sold anonymously, often without background checks and without records that enable gun tracing;

(6) at gun shows, flea markets, and other organized events at which guns are exhibited or offered for sale or exchange, criminals and other prohibited persons obtain guns without background checks and frequently use guns that cannot be traced to later commit crimes;

(7) many persons who buy and sell firearms at gun shows, flea markets, and other organized events cross State lines to attend these events and engage in the interstate transportation of firearms obtained at these events;

(8) gun violence is a pervasive, national problem that is exacerbated by the availability of guns at gun shows, flea markets, and other organized events;

(9) firearms associated with gun shows have been transferred illegally to residents of another State by Federal firearms licensees and nonlicensed firearms sellers, and have been involved in subsequent crimes including drug offenses, crimes of violence, property crimes, and illegal possession of firearms by felons and other prohibited persons; and

(10) Congress has the power, under the interstate commerce clause and other provisions of the Constitution of the United States, to ensure, by enactment of this Act, that criminals and other prohibited persons do not obtain firearms at gun shows, flea markets, and other organized events.

(b) DEFINITIONS.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

''(35) GUN SHOW.—The term 'gun show' means any event—

''(A) at which 50 or more firearms are offered or exhibited for sale, transfer, or exchange, if 1 or more of the firearms has been shipped or transported in, or otherwise affects, interstate or foreign commerce; and

''(B) at which—

''(i) not less than 20 percent of the exhibitors are firearm exhibitors;

''(ii) there are not less than 10 firearm exhibitors; or

''(iii) 50 or more firearms are offered for sale, transfer, or exchange.

''(36) GUN SHOW PROMOTER.—The term 'gun show promoter' means any person who organizes, plans, promotes, or operates a gun show.

''(37) GUN SHOW VENDOR.—The term 'gun show vendor' means any person who exhibits, sells, offers for sale, transfers, or exchanges 1 or more firearms at a gun show, regardless of whether or not the person arranges with the gun show promoter for a fixed location from which to exhibit, sell, offer for sale, transfer, or exchange 1 or more firearms.''

(c) REGULATION OF FIREARMS TRANSFERS AT GUN SHOWS.—

(1) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by adding at the end the following:

"§ 931. Regulation of firearms transfers at gun shows

''(a) REGISTRATION OF GUN SHOW PROMOTERS.—It shall be unlawful for any person to organize, plan, promote, or operate a gun show unless that person—

''(1) registers with the Secretary in accordance with regulations promulgated by the Secretary; and

''(2) pays a registration fee, in an amount determined by the Secretary.

''(b) RESPONSIBILITIES OF GUN SHOW PROMOTERS.—It shall be unlawful for any person to organize, plan, promote, or operate a gun show unless that person—

''(1) before commencement of the gun show, verifies the identity of each gun show vendor participating in the gun show by examining a valid identification document (as defined in section 1028(d)(1)) of the vendor containing a photograph of the vendor;

''(2) before commencement of the gun show, requires each gun show vendor to sign—

''(A) a ledger with identifying information concerning the vendor; and

''(B) a notice advising the vendor of the obligations of the vendor under this chapter; and

''(3) notifies each person who attends the gun show of the requirements of this chapter, in accordance with such regulations as the Secretary shall prescribe; and

''(4) maintains a copy of the records described in paragraphs (1) and (2) at the permanent place of business of the gun show promoter for such period of time and in such form as the Secretary shall require by regulation.

''(c) RESPONSIBILITIES OF TRANSFERORS OTHER THAN LICENSEES.—

''(1) IN GENERAL.—If any part of a firearm transaction takes place at a gun show, it shall be unlawful for any person who is not licensed under this chapter to transfer a firearm to another person who is not licensed under this chapter, unless the firearm is transferred through a licensed importer, licensed manufacturer, or licensed dealer in accordance with subsection (e).

''(2) CRIMINAL BACKGROUND CHECKS.—A person who is subject to the requirement of paragraph (1)—

''(A) shall not transfer the firearm to the transferee until the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(A); and

''(B) notwithstanding subparagraph (A), shall not transfer the firearm to the transferee if the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(B).

''(3) ABSENCE OF RECORDKEEPING REQUIREMENTS.—Nothing in this section shall permit or authorize the Secretary to impose recordkeeping requirements on any nonlicensed vendor.

''(d) RESPONSIBILITIES OF TRANSFEREES OTHER THAN LICENSEES.—

''(1) IN GENERAL.—If any part of a firearm transaction takes place at a gun show, it shall be unlawful for any person who is not licensed under this chapter to receive a firearm from another person who is not licensed under this chapter, unless the firearm is transferred through a licensed importer, licensed manufacturer, or licensed dealer in accordance with subsection (e).

''(2) CRIMINAL BACKGROUND CHECKS.—A person who is subject to the requirement of paragraph (1)—

''(A) shall not receive the firearm from the transferor until the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(A); and

''(B) notwithstanding subparagraph (A), shall not receive the firearm from the transferor if the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(B).

''(e) RESPONSIBILITIES OF LICENSEES.—A licensed importer, licensed manufacturer, or licensed dealer who agrees to assist a person who is not licensed under this chapter in carrying out the responsibilities of that person under subsection (c) or (d) with respect to the transfer of a firearm shall—

''(1) enter such information about the firearm as the Secretary may require by regulation into a separate bound record;

''(2) record the transfer on a form specified by the Secretary;

''(3) comply with section 922(t) as if transferring the firearm from the inventory of the licensed importer, licensed manufacturer, or licensed dealer to the designated transferee (although a licensed importer, licensed manufacturer, or licensed dealer complying with this subsection shall not be required to comply again with the requirements of section 922(t) in delivering the firearm to the nonlicensed transferor), and notify the nonlicensed transferor and the nonlicensed transferee—

''(A) of such compliance; and

''(B) if the transfer is subject to the requirements of section 922(t)(1), of any receipt by the licensed importer, licensed manufacturer, or licensed dealer of a notification from the national instant criminal background check system that the transfer would violate section 922 or would violate State law;

''(4) not later than 10 days after the date on which the transfer occurs, submit to the Secretary a report of the transfer, which report—

''(A) shall be on a form specified by the Secretary by regulation; and

''(B) shall not include the name of or other identifying information relating to any person involved in the transfer who is not licensed under this chapter;

''(5) if the licensed importer, licensed manufacturer, or licensed dealer assists a person other than a licensee in transferring, at 1 time or during any 5 consecutive business days, 2 or more pistols or revolvers, or any combination of pistols and revolvers totaling 2 or more, to the same nonlicensed person, in addition to the reports required under paragraph (4), prepare a report of the multiple transfers, which report shall be—

''(A) prepared on a form specified by the Secretary; and

''(B) not later than the close of business on the date on which the transfer occurs, forwarded to—

''(i) the office specified on the form described in subparagraph (A); and

''(ii) the appropriate State law enforcement agency of the jurisdiction in which the transfer occurs; and

''(6) retain a record of the transfer as part of the permanent business records of the licensed importer, licensed manufacturer, or licensed dealer.

''(f) RECORDS OF LICENSEE TRANSFERS.—If any part of a firearm transaction takes place at a gun show, each licensed importer, licensed manufacturer, and licensed dealer who transfers 1 or more firearms to a person who is not licensed under this chapter shall, not later than 10 days after the date on which the transfer occurs, submit to the Secretary a report of the transfer, which report—

''(1) shall be in a form specified by the Secretary by regulation;

''(2) shall not include the name of or other identifying information relating to the transferee; and

''(3) shall not duplicate information provided in any report required under subsection (e)(4).

''(g) FIREARM TRANSACTION DEFINED.—In this section, the term 'firearm transaction'—

''(1) includes the offer for sale, sale, transfer, or exchange of a firearm; and

''(2) does not include the mere exhibition of a firearm.''.

(2) PENALTIES.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following:

''(7)(A) Whoever knowingly violates section 931(a) shall be fined under this title, imprisoned not more than 5 years, or both.

''(B) Whoever knowingly violates subsection (b) or (c) of section 931, shall be—

''(i) fined under this title, imprisoned not more than 2 years, or both; and

''(ii) in the case of a second or subsequent conviction, such person shall be fined under this title, imprisoned not more than 5 years, or both.

''(C) Whoever willfully violates section 931(d), shall be—

''(i) fined under this title, imprisoned not more than 2 years, or both; and

''(ii) in the case of a second or subsequent conviction, such person shall be fined under this title, imprisoned not more than 5 years, or both.

''(D) Whoever knowingly violates subsection (e) or (f) of section 931 shall be fined under this title, imprisoned not more than 5 years, or both.

''(E) In addition to any other penalties imposed under this paragraph, the Secretary may, with respect to any person who knowingly violates any provision of section 931—

''(i) if the person is registered pursuant to section 931(a), after notice and opportunity for a hearing, suspend for not more than 6 months or revoke the registration of that person under section 931(a); and

''(ii) impose a civil fine in an amount equal to not more than $10,000.''.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—Chapter 44 of title 18, United States Code, is amended—

(A) in the chapter analysis, by adding at the end the following:

''931. Regulation of firearms transfers at gun shows.'';

and

(B) in the first sentence of section 923(j), by striking ''a gun show or event'' and inserting ''an event''; and

(d) INSPECTION AUTHORITY.—Section 923(g)(1) is amended by adding at the end the following:

''(E) Notwithstanding subparagraph (B), the Secretary may enter during business hours the place of business of any gun show promoter and any place where a gun show is held for the purposes of examining the records required by sections 923 and 931 and the inventory of licensees conducting business at the gun show. Such entry and examination shall be conducted for the purposes of determining compliance with this chapter by gun show promoters and licensees conducting business at the gun show and shall not require a showing of reasonable cause or a warrant.''.

(e) INCREASED PENALTIES FOR SERIOUS RECORDKEEPING VIOLATIONS BY LICENSEES.—Section 924(a)(3) of title 18, United States Code, is amended to read as follows:

''(3)(A) Except as provided in subparagraph (B), any licensed dealer, licensed importer, licensed manufacturer, or licensed collector who knowingly makes any false statement

or representation with respect to the information required by this chapter to be kept in the records of a person licensed under this chapter, or violates section 922(m) shall be fined under this title, imprisoned not more than 1 year, or both.

''(B) If the violation described in subparagraph (A) is in relation to an offense—

''(i) under paragraph (1) or (3) of section 922(b), such person shall be fined under this title, imprisoned not more than 5 years, or both; or

''(ii) under subsection (a)(6) or (d) of section 922, such person shall be fined under this title, imprisoned not more than 10 years, or both.''.

(f) INCREASED PENALTIES FOR VIOLATIONS OF CRIMINAL BACKGROUND CHECK REQUIREMENTS.—

(1) PENALTIES.—Section 924 of title 18, United States Code, is amended—

(A) in paragraph (5), by striking ''subsection (s) or (t) of section 922'' and inserting ''section 922(s)''; and

(B) by adding at the end the following:

''(8) Whoever knowingly violates section 922(t) shall be fined under this title, imprisoned not more than 5 years, or both.''.

(2) ELIMINATION OF CERTAIN ELEMENTS OF OFFENSE.—Section 922(t)(5) of title 18, United States Code, is amended by striking ''and, at the time'' and all that follows through ''State law''.

(g) GUN OWNER PRIVACY AND PREVENTION OF FRAUD AND ABUSE OF SYSTEM INFORMATION.—Section 922(t)(2)(C) of title 18, United States Code, is amended by inserting before the period at the end the following: '', as soon as possible, consistent with the responsibility of the Attorney General under section 103(h) of the Brady Handgun Violence Prevention Act to ensure the privacy and security of the system and to prevent system fraud and abuse, but in no event later than 90 days after the date on which the licensee first contacts the system with respect to the transfer''.

(h) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

TITLE II—RESTRICTING JUVENILE ACCESS TO CERTAIN FIREARMS

SEC. 201. PROHIBITION ON FIREARMS POSSESSION BY VIOLENT JUVENILE OFFENDERS.

(a) DEFINITION.—Section 921(a)(20) of title 18, United States Code, is amended—

(1) by inserting ''(A)'' after ''(20)'';

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(3) by inserting after subparagraph (A) the following:

''(B) For purposes of subsections (d) and (g) of section 922, the term 'act of violent juvenile delinquency' means an adjudication of delinquency in Federal or State court, based on a finding of the commission of an act by a person prior to his or her eighteenth birthday that, if committed by an adult, would be a serious or violent felony, as defined in section 3559(c)(2)(F)(i) had Federal jurisdiction existed and been exercised (except that section 3559(c)(3)(A) shall not apply to this subparagraph).''; and

(4) in the undesignated paragraph following subparagraph (B) (as added by paragraph (3) of this subsection), by striking ''What constitutes'' and all that follows through ''this chapter,'' and inserting the following:

''(C) What constitutes a conviction of such a crime or an adjudication of an act of violent juvenile delinquency shall be determined in accordance with the law of the jurisdiction in which the proceedings were held. Any State conviction or adjudication of an act of violent juvenile delinquency that has been expunged or set aside, or for which a person has been pardoned or has had civil rights restored, by the jurisdiction in which the conviction or adjudication of an act of violent juvenile delinquency occurred shall not be considered to be a conviction or adjudication of an act of violent juvenile delinquency for purposes of this chapter,''.

(b) PROHIBITION.—Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (8), by striking ''or'' at the end;

(B) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(C) by inserting after paragraph (9) the following:

''(10) has committed an act of violent juvenile delinquency.''; and

(2) in subsection (g)—

(A) in paragraph (8), by striking ''or'' at the end;

(B) in paragraph (9), by striking the comma at the end and inserting ''; or''; and

(C) by inserting after paragraph (9) the following:

''(10) who has committed an act of violent juvenile delinquency,''.

(c) EFFECTIVE DATE OF ADJUDICATION PROVISIONS.—The amendments made by this section shall only apply to an adjudication of an act of violent juvenile delinquency that occurs after the date that is 30 days after the date on which the Attorney General certifies to Congress and separately notifies Federal firearms licensees, through publication in the Federal Register by the Secretary of the Treasury, that the records of such adjudications are routinely available in the national instant criminal background check system established under section 103(b) of the Brady Handgun Violence Prevention Act.

SEC. 202. PENALTIES FOR UNLAWFUL ACTS BY JUVENILES.

(a) JUVENILE WEAPONS PENALTIES.—Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (4) by striking ''Whoever'' at the beginning of the first sentence, and inserting in lieu thereof, ''Except as provided in paragraph (6) of this subsection, whoever''; and

(2) in paragraph (6), by amending it to read as follows:

''(6)(A) A juvenile who violates section 922(x) shall be fined under this title, imprisoned not more than 1 year, or both, except—

''(i) a juvenile shall be sentenced to probation on appropriate conditions and shall not be incarcerated unless the juvenile fails to comply with a condition of probation, if—

''(I) the offense of which the juvenile is charged is possession of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon in violation of section 922(x)(2); and

''(II) the juvenile has not been convicted in any court of an offense (including an offense under section 922(x) or a similar State law, but not including any other offense consisting of conduct that if engaged in by an adult would not constitute an offense) or adjudicated as a juvenile delinquent for conduct that if engaged in by an adult would constitute an offense; or

''(ii) a juvenile shall be fined under this title, imprisoned not more than 20 years, or both, if—

''(I) the offense of which the juvenile is charged is possession of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon in violation of section 922(x)(2); and

''(II) during the same course of conduct in violating section 922(x)(2), the juvenile violated section 922(q), with the intent to carry or otherwise possess or discharge or otherwise use the handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon in the commission of a violent felony.

''(B) A person other than a juvenile who knowingly violates section 922(x)—

''(i) shall be fined under this title, imprisoned not more than 1 year, or both; and

''(ii) if the person sold, delivered, or otherwise transferred a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon to a juvenile knowing or having reasonable cause to know that the juvenile intended to carry or otherwise possess or discharge or otherwise use the handgun, ammunition, large capacity ammunition feeding device or semiautomatic assault weapon in the commission of a violent felony, shall be fined under this title, imprisoned not more than 20 years, or both.

''(C) For purposes of this paragraph a 'violent felony' means conduct as described in section 924(e)(2)(B) of this title.

''(D) Except as otherwise provided in this chapter, in any case in which a juvenile is prosecuted in a district court of the United States, and the juvenile is subject to the penalties under clause (ii) of paragraph (A), the juvenile shall be subject to the same laws, rules, and proceedings regarding sentencing (including the availability of probation, restitution, fines, forfeiture, imprisonment, and supervised release) that would be applicable in the case of an adult. No juvenile sentenced to a term of imprisonment shall be released from custody simply because the juvenile reaches the age of 18 years.''.

(b) UNLAWFUL WEAPONS TRANSFERS TO JUVENILES.—Section 922(x) of title 18, United States Code, is amended to read as follows:

''(x)(1) It shall be unlawful for a person to sell, deliver, or otherwise transfer to a person who the transferor knows or has reasonable cause to believe is a juvenile—

''(A) a handgun;

''(B) ammunition that is suitable for use only in a handgun;

''(C) a semiautomatic assault weapon; or

''(D) a large capacity ammunition feeding device.

''(2) It shall be unlawful for any person who is a juvenile to knowingly possess—

''(A) a handgun;

''(B) ammunition that is suitable for use only in a handgun;

''(C) a semiautomatic assault weapon; or

''(D) a large capacity ammunition feeding device.

''(3) This subsection does not apply to—

''(A) a temporary transfer of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon to a juvenile or to the possession or use of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon by a juvenile—

''(i) if the handgun, ammunition, large capacity ammunition feeding device or semiautomatic assault weapon are possessed and used by the juvenile—

''(I) in the course of employment,

''(II) in the course of ranching or farming related to activities at the residence of the juvenile (or on property used for ranching or farming at which the juvenile, with the permission of the property owner or lessee, is performing activities related to the operation of the farm or ranch),

''(III) for target practice,

''(IV) for hunting, or

''(V) for a course of instruction in the safe and lawful use of a firearm;

''(ii) clause (i) shall apply only if the juvenile's possession and use of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon under this subparagraph are in accordance with State and local law, and the following conditions are met—

''(I) except when a parent or guardian of the juvenile is in the immediate and supervisory presence of the juvenile, the juvenile shall have in the juvenile's possession at all times when a handgun, ammunition, large capacity ammunition feeding device or semiautomatic assault weapon is in the possession of the juvenile, the prior written consent of the juvenile's parent or guardian who is not prohibited by Federal, State, or local law from possessing a firearm or ammunition; and

''(II) during transportation by the juvenile directly from the place of transfer to a place at which an activity described in clause (i) is to take place the firearm shall be unloaded and in a locked container or case, and during the transportation by the juvenile of that firearm, directly from the place at which such an activity took place to the transferor, the firearm shall also be unloaded and in a locked container or case; or

''(III) with respect to employment, ranching or farming activities as described in clause (i), a juvenile may possess and use a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault rifle with the prior written approval of the juvenile's parent or legal guardian, if such approval is on file with the adult who is not prohibited by Federal, State, or local law from possessing a firearm or ammunition and that person is directing the ranching or farming activities of the juvenile;

''(B) a juvenile who is a member of the Armed Forces of the United States or the National Guard who possesses or is armed with a handgun, ammunition, large capacity ammunition feeding device or semiautomatic assault weapon in the line of duty;

''(C) a transfer by inheritance of title (but not possession) of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon to a juvenile; or

''(D) the possession of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon taken in lawful defense of the juvenile or other persons in the residence of the juvenile or a residence in which the juvenile is an invited guest.

''(4) A handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon, the possession of which is transferred to a juvenile in circumstances in which the transferor is not in violation of this subsection, shall not be subject to permanent confiscation by the Government if its possession by the juvenile subsequently becomes unlawful because of the conduct of the juvenile, but shall be returned to the lawful owner when such handgun, ammunition, large capacity ammunition feeding device or semiautomatic assault weapon is no longer required by the Government for the purposes of investigation or prosecution.

''(5) For purposes of this subsection, the term 'juvenile' means a person who is less than 18 years of age.

''(6)(A) In a prosecution of a violation of this subsection, the court shall require the presence of a juvenile defendant's parent or legal guardian at all proceedings.

''(B) The court may use the contempt power to enforce subparagraph (A).

''(C) The court may excuse attendance of a parent or legal guardian of a juvenile defendant at a proceeding in a prosecution of a violation of this subsection for good cause shown.

''(7) For purposes of this subsection only, the term 'large capacity ammunition feeding device' has the same meaning as in section 921(a)(31) of title 18 and includes similar devices manufactured before the effective date of the Violent Crime Control and Law Enforcement Act of 1994.''.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

TITLE III—ASSAULT WEAPONS

SEC. 301. SHORT TITLE.

This title may be cited as the ''Juvenile Assault Weapon Loophole Closure Act of 1999''.

SEC. 302. BAN ON IMPORTING LARGE CAPACITY AMMUNITION FEEDING DEVICES.

Section 922(w) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking ''(1) Except as provided in paragraph (2)'' and inserting ''(1)(A) Except as provided in subparagraph (B)'';

(2) in paragraph (2), by striking ''(2) Paragraph (1)'' and inserting ''(B) Subparagraph (A)'';

(3) by inserting before paragraph (3) the following new paragraph (2):

''(2) It shall be unlawful for any person to import a large capacity ammunition feeding device.''; and

(4) in paragraph (4)—

(A) by striking ''(1)'' each place it appears and inserting ''(1)(A)''; and

(B) by striking ''(2)'' and inserting ''(1)(B)''.

SEC. 303. DEFINITION OF LARGE CAPACITY AMMUNITION FEEDING DEVICE.

Section 921(a)(31) of title 18, United States Code, is amended by striking ''manufactured after the date of enactment of the Violent Crime Control and Law Enforcement Act of 1994''.

TITLE IV—CHILD HANDGUN SAFETY

SEC. 401. SHORT TITLE.

This title may be cited as the ''Safe Handgun Storage and Child Handgun Safety Act of 1999''.

SEC. 402. PURPOSES.

The purposes of this title are as follows:

(1) To promote the safe storage and use of handguns by consumers.

(2) To prevent unauthorized persons from gaining access to or use of a handgun, including children who may not be in possession of a handgun, unless it is under one of the circumstances provided for in the Safe Handgun Storage and Child Handgun Safety Act of 1999.

(3) To avoid hindering industry from supplying law abiding citizens firearms for all lawful purposes, including hunting, self-defense, collecting and competitive or recreational shooting.

SEC. 403. FIREARMS SAFETY.

(a) UNLAWFUL ACTS.—

(1) MANDATORY TRANSFER OF SECURE GUN STORAGE OR SAFETY DEVICE.—Section 922 of title 18, United States Code, is amended by inserting after subsection (y) the following:

''(z) SECURE GUN STORAGE OR SAFETY DEVICE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for any licensed manufacturer, licensed importer, or licensed dealer to sell, deliver, or transfer any handgun to any person who is not licensed under section 923, unless the licensee provides the transferee with a secure gun storage or safety device for the handgun.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the—

''(A)(i) manufacture for, transfer to, or possession by, the United States or a department or agency of the United States, or a State or a department, agency, or political subdivision of a State, of a handgun; or

''(ii) transfer to, or possession by, a law enforcement officer employed by an entity referred to in clause (i) of a handgun for law enforcement purposes (whether on or off duty); or

''(B) transfer to, or possession by, a rail police officer employed by a rail carrier and certified or commissioned as a police officer under the laws of a State of a handgun for purposes of law enforcement (whether on or off duty);

''(C) transfer to any person of a handgun listed as a curio or relic by the Secretary pursuant to section 921(a)(13); or

''(D) transfer to any person of a handgun for which a secure gun storage or safety device is temporarily unavailable for the reasons described in the exceptions stated in section 923(e): *Provided*, That the licensed manufacturer, licensed importer, or licensed dealer delivers to the transferee within 10 calendar days from the date of the delivery of the handgun to the transferee a secure gun storage or safety device for the handgun.

''(3) LIABILITY FOR USE.—(A) Notwithstanding any other provision of law, a person who has lawful possession and control of a handgun, and who uses a secure gun storage or safety device with the handgun, shall be entitled to immunity from a civil liability action as described in this paragraph.

''(B) PROSPECTIVE ACTIONS.—A qualified civil liability action may not be brought in any Federal or State court. The term 'qualified civil liability action' means a civil action brought by any person against a person described in subparagraph (A) for damages resulting from the unlawful misuse of the handgun by a third party, if—

''(i) the handgun was accessed by another person without authorization of the person so described; and

''(ii) when the handgun was so accessed, the handgun had been made inoperable by use of a secure gun storage or safety device.

A 'qualified civil liability action' shall not include an action brought against the person having lawful possession and control of the handgun for negligent entrustment or negligence per se.''.

(b) CIVIL PENALTIES.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (a)(1), by inserting '', or (p)'' before ''this section''; and

(2) by adding at the end the following:

''(p) PENALTIES RELATING TO SECURE GUN STORAGE OR SAFETY DEVICE.—

''(1) IN GENERAL.—

''(A) SUSPENSION OR REVOCATION OF LICENSE; CIVIL PENALTIES.—With respect to each violation of section 922(z)(1) by a licensed manufacturer, licensed importer, or licensed dealer, the Secretary may, after notice and opportunity for hearing—

''(i) suspend for up to six months, or revoke, the license issued to the licensee under this chapter that was used to conduct the firearms transfer; or

''(ii) subject the licensee to a civil penalty in an amount equal to not more than $2,500.

''(B) REVIEW.—An action of the Secretary under this paragraph may be reviewed only as provided in section 923(f).

''(2) ADMINISTRATIVE REMEDIES.—The suspension or revocation of a license or the imposition of a civil penalty under paragraph (1) does not preclude any administrative remedy that is otherwise available to the Secretary.''.

(c) LIABILITY; EVIDENCE.—

(1) LIABILITY.—Nothing in this chapter shall be construed to—

(A) create a cause of action against any Federal firearms licensee or any other person for any civil liability; or

(B) establish any standard of care.

(2) EVIDENCE.—Notwithstanding any other provision of law, evidence regarding compliance or noncompliance with the amendments made by this chapter shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity, except with respect to an action to enforce paragraphs (1) and (2) of section 922(z), or to give effect to paragraph (3) of section 922(z).

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to bar a governmental action to impose a penalty under section 924(p) of title 18, United States Code, for a failure to comply with section 922(z) of that title.

SEC. 404. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect 180 days after the date of enactment of this Act.

The CHAIRMAN. Pursuant to House Resolution 209, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 15 minutes.

Mr. CONYERS. Mr. Chairman, I ask unanimous consent to yield 5 minutes to the distinguished gentleman from California (Mr. CAMPBELL) so that he may yield blocks of time at his own discretion.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The gentleman from California (Mr. CAMPBELL) will control 5 minutes and the gentleman from Michigan (Mr. CONYERS) will control 10 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CONYERS).

MODIFICATION TO AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 12 OFFERED BY MR. CONYERS

Mr. CONYERS. Mr. Chairman, I ask unanimous consent that the amendment in the nature of a substitute approved by the Committee on Rules be modified in the manner which I have caused to be placed at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification offered by Mr. CONYERS to amendment in the nature of a substitute No. 12:

At page 22, line 8, insert after ''person'' the following: '', in or affecting interstate commerce,''.

At page 22, line 17, insert after ''person'' the following: '', in or affecting interstate commerce where the proof of such is an element of the offense,''.

Mr. CONYERS (during the reading). Mr. Chairman, I ask unanimous consent that the modification to the amendment in the nature of a substitute be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Is there objection to the modification of the amendment?

There was no objection.

The amendment in the nature of a substitute is modified.

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Mr. CAMPBELL. Mr. Chairman, I ask unanimous consent to allocate an additional 5 minutes per each side for this debate.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. MCCOLLUM. Mr. Chairman, reserving the right to object, I reluctantly am going to object because we have Members who plan to catch their planes. It is very late now. It is 1:00 in the afternoon. I would say to the gentleman from California that we, unfortunately, need to get on with it. I hate to do that. I will cancel my reservation and make an objection, Mr. Chairman.

The CHAIRMAN. Objection is heard.

The gentleman from Michigan (Mr. CONYERS) is recognized for 10 minutes on his amendment.

Mr. CONYERS. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, this has been a trying event with this legislation, but this substitute may be able to provide some solace for those of us who want something to take to the American people.

This substitute is the Senate-passed gun safety provisions word for word, which many of us were led to believe at one time that the Speaker and the Chair of the House Committee on the Judiciary supported.

I had hoped that in the wake of Littleton that this body could pass modest gun safety measures, but leave it to the Republicans to tarnish the memory of those children by putting forth a bill that creates scores of new loopholes.

If the bill that is before this body is passed, not only will we have gutted the bill, the gun show provision, and given criminals a virtual license to buy a gun, but we will have actually weakened current law in several important respects, and here is how: Right now, it is illegal to ship weapons across State lines into someone's home. This has been the law ever since Lee Harvey Oswald assassinated President Kennedy. The bill before us repeals that law.

Right now the District of Columbia restricts possession of firearms. This bill allows residents to not only own guns, but carry concealed weapons.

Mr. Chairman, we have one last chance to turn this sorry situation around and restore some sanity to the process. A yes vote on the bill offered by myself and my dear friend, the gentleman from California (Mr. CAMPBELL), on this substitute will eliminate all of the loopholes and return us word for word to the Senate-passed gun safety provisions.

The Conyers/Campbell amendment will shut down the gun show loopholes once and for all.

Mr. Chairman, if this amendment fails, I will be forced to vote against final passage of this legislation. The gentlewoman from New York (Mrs. MCCARTHY) deserves more than this sorry bill, and the parents of 13 school children killed by guns every day deserve far more from this House.

I urge a yes on the substitute, a no on final passage.

Mr. Chairman, I reserve the balance of my time.

Mr. MCCOLLUM. Mr. Chairman, I rise in opposition to this substitute.

The CHAIRMAN. The gentleman from Florida (Mr. MCCOLLUM) will control 15 minutes.

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

Mr. Chairman, the substitute that the gentleman from Michigan (Mr. CONYERS) offers is flawed for two principal reasons. Number one, it is a revote of the McCarthy amendment from last night that we defeated on the floor, and for anyone who voted against that, I do not wish to completely redebate that, but it is indeed a good reason, and, in fact, a necessary reason, in my judgment, to vote against this substitute.

In case somebody needs to be reminded, this substitute, as would the McCarthy amendment last night, would essentially not specify what type of events fall within the definition of a gun show, so at a community yard sale if one person is selling his firearms collection, which could easily be more than 50 guns, and another neighbor puts one of his firearms on the table, it is a gun show.

Private yard sales, private home sales would be covered. There are all kinds of illustrations that we went over last night where they are talking about two or more persons simply exhibiting firearms. A gun show is designed by nature to be exactly that, where there are a number of vendors, we have in the bill right now 10 or more, who get together to sell firearms at some organization's show or event, not a private sale among two or three individuals. That is really the biggest flaw in the McCarthy and now in the Conyers substitute.

So I want Members to fully understand that we are revoting, by this substitute, the McCarthy proposal.

Secondly, another reason why the Conyers substitute should be voted down, in my judgment, is that the gentleman from Michigan (Mr. CONYERS), in his proposal, would amend several sections of the criminal code that would put it in direct conflict with what we passed yesterday in H.R. 1501, the juvenile justice bill.

We all want child safety out here. We also all want to deter violent juvenile behavior and crimes, not just with guns, but in a number of other respects, but because these provisions that the gentleman from Michigan (Mr. CONYERS) is altering would directly conflict with yesterday's amendments that were adopted in the bill on 1501, I think that this should be defeated.

For example, the Conyers substitute does not contain these punishments passed yesterday: Increased penalties on juveniles who illegally possess a gun with intent to take it to a school or to give it to somebody who will take it to a school; the increased penalty on

adults who illegally give a gun to a juvenile; the mandatory minimum sentence imposed on adults who give illegal firearms to juveniles intending that they take them to a school; and the mandatory minimum penalty imposed on adults who illegally give a gun to a juvenile, knowing that a juvenile will use it to commit a serious felony.

The House, again, has already decided these issues, and the best case scenario, the adoption of this substitute is going to confuse the issue because the provisions would be directly in conflict, albeit in two separate bills.

Lastly, I would like to comment on where we are as we move to final passage. We are about to do that after this substitute, and I would certainly encourage the vote for the final passage of this legislation. It is a piece of legislation which will close loopholes. It is a piece of legislation that without any dispute does four of the five provisions from the Senate legislation, the other body's legislation, that a lot of people have been discussing out here.

The question of banning juvenile possession of assault weapons was adopted and is part of this bill, as it is a part of the other body's. The juvenile Brady provisions with respect to now saying that if someone commits certain violent crimes as a juvenile and are adjudicated in a juvenile court, they are no longer able to own a gun later as an adult, or purchase one, that is part of this bill as it is part of the other body's.

The ban on large magazine clips that were manufactured, or for guns manufactured, before 1994 is a part of this bill, as it is the other body's. The safety lock language that all of us, at least most of us, feel is important with respect to safety of children is also a part of this.

The only debate, again, comes back to the question of the gun shows, and that comes back to the debate last night, again, that is in this substitute over the McCarthy, or in the other body, the Lautenberg proposal.

I would say shame on anybody who does not vote for this, because as we said last night, everybody wants to close the gun show loophole. The legislation we have before us does that, and it does all four of the other things that I mentioned.

This is a major advance in the right direction. Maybe some people did not get all they wanted. That we can revisit on a future date. But this is a vast improvement over the conditions we presently have in current law, and anybody, I would suggest, who votes against this, who really does so because they do not believe it goes far enough in the way of providing more safety in these areas, is doing so and playing politics where they should not be playing politics.

It is a constructive proposal. It may not be, again, what everybody wants, but it is a constructive proposal that does advance the purposes intended, and that is to protect our Nation from violent felons getting access to guns when they should not and protecting children on our streets and the playgrounds in our schools and at home. That is what this legislation is all about.

Mr. Chairman, I will reserve the balance of my time.

Mr. CAMPBELL. Mr. Chairman, I yield myself 1 minute and 15 seconds.

Mr. Chairman, there are Republicans who believe in gun control. We are going to hear from them right now. We are hearing from one right now, and we will hear from others. There were 47 of us who voted against the Dingell watering down. I am proud to say that there were eight from California in that group, and today we Republicans who recognize the importance of reasonable gun control and the second amendment both strongly support the Conyers/Campbell substitute.

I am proud to put my name right next to that of my good friend and mentor and colleague, the gentleman from Michigan (Mr. CONYERS), for whom I have the highest regard. That is point one.

Point two, there is a huge advantage in this version versus the underlying bill. If my colleagues are against semiautomatic assault weapons and large-capacity ammunition feeding devices for minors, there is a flaw in the underlying bill; they did not rectify it under U.S. v. Lopez.

What does that mean? In 1995, the Supreme Court said that we could not, as a Federal Government, ban the ownership, the bringing onto school grounds of a handgun, because there was no finding of an effect on commerce. By contrast, the gentleman from Michigan (Mr. CONYERS), in his kindness and willingness to accept an accommodation, put that exact finding into this bill. So I repeat, if Members want to take semiautomatic assault-style weapons away from people under 18, only Conyers/Campbell does that. The underlying bill, in my view, is and will be held unconstitutional.

Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. WEXLER), a distinguished member of the committee.

Mr. WEXLER. Mr. Chairman, 200 million guns flood the streets of America. Two hundred million guns arm us like a Nation at war with itself, and this Congress does virtually nothing.

We are accomplices when 13 of our children are gunned down every day. We are accomplices when a child finds the family gun and ends the life of a neighbor. We are accomplices when the leading cause of death among young African American men is homicide by guns.

A teen without a gun cannot massacre his classmates. A toddler without a gun cannot shoot his playmate. The NRA and Charlton Heston are writing our gun laws. Where is the outrage? Congress is playing Russian roulette with the lives of our children. America, where is the outrage? Support the Democratic substitute.

Mr. MCCOLLUM. Mr. Chairman, may I inquire how much time each side has remaining?

The CHAIRMAN. The gentleman from Florida (Mr. MCCOLLUM) has 9½ minutes remaining. The gentleman from Michigan (Mr. CONYERS) has 6¾ minutes remaining. The gentleman from California has 3¾ minutes remaining.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield for a question?

Mr. MCCOLLUM. Mr. Chairman, I will yield myself such time as I may consume, and I yield for a question to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, we are trying to work in a bipartisan way. I would say to the gentleman from Florida (Mr. MCCOLLUM), I just simply ask the question, how many guns would nine gun show vendors have to sell under this bill?

Mr. MCCOLLUM. Reclaiming my time, I am not going to get into a debate over the McCarthy issue again today. I have a limited amount of time.

Ms. JACKSON-LEE of Texas. I am trying to clarify the bill of the gentleman.

Mr. MCCOLLUM. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I never thought I would be standing in front of this or any other legislative body asking for a vote in favor of a bill that has any type of gun control legislation attached to it, but then I never thought I would be representing a district in which two teenagers would walk into a school and callously, mercilessly, take the lives of 12 of their classmates and 1 of their teachers and wound over 20 other children.

Of course, there are things that happen in individual lives that delineate one section from another. That is what has happened to every one of us who live in Littleton, Colorado. No one will be the same after April 20, 1999. Everybody's life has changed and will be dated from that point on by that event.

I do not mean to suggest that what we are doing here in this bill will have the effect of guaranteeing that we will never have a recurrence of Columbine High School. I know that we cannot make such a guarantee, because there is nothing in this bill actually that can cure the sickness of the soul that afflicts so many, such an unfortunately large segment of the population of this great land.

I do hope that we have addressed that issue to the extent that we are able to address that issue, the underlying issue, the real cause of the problem. I hope we did that yesterday and late last night.

To the extent that we can address the other side of the problem, the more superficial side, and I admit fully well

that I believe that this is relatively superficial, that when we deal with the gun side of this thing it is the superficial side. It is the attention to a sore that appears on one's body and that they apply a Band-Aid to, but that they ignore whatever it is that is causing that sore to appear.

□ 1315

But, nonetheless, we must oftentimes apply that Band-Aid. We have to have it. Even though it is relatively superficial, it needs to be done. We are bleeding. There is no two ways about that. We are bleeding in my district. We are bleeding across this land both literally and figuratively.

So I recognize that there are people on both sides of the aisle who are concerned about the ability for this particular piece of legislation to get the job done, but I will tell my colleagues that I believe that we are far closer to getting it done if we pass this than if we do not.

I fear that, if this fails, first of all, that there will be nothing that comes out of this Congress, nothing that can come out even in a conference committee if the Conyers amendment passes and eventually this bill fails, which I think is exactly what would happen.

We have done a number of things that I think we can be proud of. We have extended Brady. It does now include everyone that walks into the door that wants to purchase a gun in a gun show. If the Dingell bill passes, that is what we have accomplished.

There are things that we have done right, Mr. Chairman, and I would ask for a yes vote on the bill and no vote on the Conyers amendment.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 30 seconds to the gentlewoman from Colorado (Ms. DEGETTE), who has worked so hard on this whole subject matter.

Ms. DEGETTE. Mr. Chairman, well, I guess my constituents and the parents across this country will sleep a lot better this weekend knowing that Congress is solving youth violence by posting the Ten Commandments in the schools and passing child gun safety laws written by the NRA which substantially weaken current laws.

Do my colleagues know something, if there is anything we should have learned in the last year it is that the American people are a lot smarter than this, and they will not accept the watered-down bill like this.

It is not right to remember the kids at Columbine, to remember the kids across the country this way. Vote yes on Conyers. Vote no on final passage if Conyers fails.

Mr. CAMPBELL. Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I am very pleased to yield 30 seconds to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I rise in strong support of the substitute. Mr. Chairman, more than 8 weeks ago, 12 students and a teacher were killed at Columbine High School. That terrible event shocked this Nation to its core; and all across the country, the American people cried out for action. That cry was heard in Washington. CAROL MCCARTHY heard it. We all heard it, the cry of so many victims, the cry of the children.

A terrible tremor arose from Columbine 8 weeks ago. It spread across the entire Nation. Today we stand on the floor after 2 days of debate and discussion. Let us vote for this bill, the substitute bill. It is a good bill. Let us take action.

Mr. MCCOLLUM. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Chairman, I thank the gentleman from Florida (Mr. MCCOLLUM), the chairman of the Subcommittee on Crime, and the gentleman from Illinois (Mr. HYDE), the chairman of the Committee on the Judiciary, and all of our colleagues that have paid very close attention to these debates, these monumental, momentous debates over these last 3 days.

Of course, the headlines today, depending on which paper we read, which tabloid we picked up, places the consequence for what happened last night, the various votes, on one group or another group or one person or another person.

The fact of the matter is, Mr. Chairman, that the action that this House took last night, the action that this House took the day before yesterday, the action that this House took this morning, and the action that this House will take in a few moments to pass the McCollum bill, H.R. 2122, is the American people speaking.

Every one of us in this Chamber, and all of our colleagues not here at this moment, represent 600,000 or more American citizens, families, men, women, children, grandparents, aunts, and uncles and friends. They have been in touch with us. They are listening.

Now, Mr. Chairman, because we may disagree on something, my colleagues may say, oh, it is another group that is doing this. Huh-uh. We listen to our constituents the same way they do. Our constituents are telling us they want a comprehensive piece of legislation that protects the Constitution, protects the Second Amendment, strengthens family, strengthens schools, strengthens the right of all Americans, and moves us in the direction of a positive piece of legislation that we can go back to the American people and say, yes, Congress has listened.

Yes, we listen to both the Constitution, the American people, our American educators, our families, and support this piece of legislation. Is it perfect? No. Is it good? Absolutely yes. I urge all of my colleagues to vote for this bill, H.R. 2122.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 30 seconds to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I thank the gentleman from Michigan for yielding me this time.

Mr. Chairman, the modest provisions that we have before us today have sent the gun lobby into a frenzy because it explodes the myth that we are powerless to act only to pass foolish symbolic legislation. We can explode that myth. We can stand up to the gun lobby.

Every day in America we have another Littleton. It is just that the dead children are scattered across America rather than concentrated in one place for the media. I pray that our hearts are not so hardened that all the carnage has to be in one place before we have the courage to act.

Please vote for the Conyers amendment.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentlewoman from California (Ms. PELOSI), who has worked indefatigably, and I thank her.

Ms. PELOSI. Mr. Chairman, I rise in strong support of the Conyers-Campbell substitute and to commend the gentleman from Michigan (Mr. CONYERS) for his leadership and that of the gentlewoman from New York (Mrs. MCCARTHY).

This legislation is necessary because it will reduce gun violence, save the lives of our children, and protect the safety of our families and communities. We have all heard the statistics, Mr. Chairman, about every day 13 children's lives are lost to gunfire. But did my colleagues also know that, in 1996, gunfire killed 4,643 infants, little children, and teens.

We must take action to protect our children. Support the Conyers-Campbell bill.

Mr. CAMPBELL. Mr. Chairman, I am pleased to yield 2 minutes on behalf of reasonable gun control to the gentleman from Iowa (Mr. GANSKE), a reasonable Republican.

Mr. GANSKE. Mr. Chairman, I rise in support of the Conyers substitute and also urge my colleagues to vote no on final passage.

Mr. Chairman, I remember vividly many years ago cradling a 16-year-old Spanish-American, Mexican-American boy in my arms with a gunshot wound to his head and trying to save his life. Mr. Chairman, I remember speaking to his family afterward, his brothers, his sisters, his parents, his grandparents, his cousins, and explaining to them how their son had been killed and died of a gunshot wound to the head.

What was passed last night was not an improvement on current law. Under current law, a retailer has to get a background check and has 3 business days to do it. What was passed last night was a weakening of that law. So that if a retailer goes to a gun show, they only have a 24-hour period. If the agencies are not open, then that person who has not been adequately background checked gets his gun.

Mr. Chairman, do we want to pass a law in light of Littleton and all the other gun shootings around this country that weakens current law? That is what we would do, Mr. Chairman, if we vote for this bill.

I urge my colleagues to vote for the substitute. There are many of my Republican colleagues who, once they realize that what the Dingell amendment did was weaken current law for retailers, I think would do wise to reconsider their vote. I urge a yes vote on the substitute and a no vote on final passage.

Mr. MCCOLLUM. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I respect the last speaker a great deal, but with all due respect I disagree. Whatever my colleagues may think of any of the proposals that were here before us last night, and we are now revoting one of them today, the McCarthy one, every one of them closed the loophole with respect to gun shows because every one of them addressed the people who sell guns at gun shows who currently are not required in any way to get an instant check. Those are the individuals who go there.

If my colleagues vote for this bill today, there will be not a person who buys a gun at a gun show who does not have to have their background checked to see it they were a felon, a convicted felon. I think that is extremely important.

Most of the checks do not provide a positive result. When they do, they are arrests only records, and they can quickly be resolved and find out whether the person is convicted.

Last, but not least, I would like to again reiterate that the Conyers proposal does more than simply revote McCarthy. It also undoes some of the work we did in H.R. 1501 yesterday, the juvenile justice bill. My colleagues should vote no on Conyers. If my colleagues believe in closing the gun show loophole and improving our laws, vote yes on final passage. It is not perfect, but it is an improvement of significant.

Mr. CONYERS. Mr. Chairman, it is my pleasure to yield 30 seconds to the distinguished gentleman from Maryland (Mr. CARDIN).

(Mr. CARDIN asked and was given permission to revise and extend his remarks.)

Mr. CARDIN. Mr. Chairman, I support the Conyers-Campbell substitute. Let me just respond to the gentleman from Florida (Mr. MCCOLLUM), the subcommittee chairman.

Under current law, and under the underlying bill, individuals will still be able to buy guns at gun shows without the background check because of the time differences and the definition of what is a gun show.

So if we really want to do something, this is our last chance. Let us go along with the other body. We ask for that, many of us, on both sides of the aisle. We can do something for child safety. We can do something for gun safety.

The subcommittee chairman says we will have other opportunities. It does not come along in this Chamber very often. This is our last chance. Let us support the substitute.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I thank the gentleman from Michigan (Mr. CONYERS) for yielding me this time.

I rise in strong support of the Conyers-Campbell substitute. We very often have to make difficult decisions around here balancing different interests. This is not a very difficult decision at all, because we are balancing the inconvenience of a relative handful of people versus the protection of human life.

I would say we have heard a lot of statistics around here the last few hours about percentages that would be involved and numbers of people that would be involved. In my judgment, the real number is one. If one life is preserved, if one shooting is prevented because of this measure, it is worth it. Support the Conyers-Campbell substitute.

Mr. CAMPBELL. Mr. Chairman, I yield 1 minute to the gentleman from Delaware (Mr. CASTLE), the distinguished former Governor of Delaware, a reasonable Republican for reasonable gun control.

Mr. CASTLE. Mr. Chairman, I thank the gentleman from California for yielding me this time.

Obviously, I rise in support of the Conyers-Campbell amendment. Let us understand exactly where we are now. The Dingell bill is passed. There is a 24-hour check. Ninety percent of all the people that get the instant background check can buy their guns right away.

We are dealing with the 10 percent of people who have been arrested at some time in their lives. We are trying to find out if they have been convicted. Are they felons, or are they not felons? We need time to do that.

This basic legislation with the Dingell amendment in it now would apply to weekend gun shows. That is when gun shows take place, and they cannot check it in 24 hours because the courthouses simply are not open. It is not a loophole. It is just a wide open highway that a felon can take advantage of to go and buy guns. We are going to be arming felons if we leave this law the way it is.

□ 1330

Why do we not pass the Conyers-Campbell substitute now? It does exactly what the Senate did. It does it correctly. It has been signed off on by virtually every group out there that has looked at the issue of guns, and, in my judgment, in this country it is the way to go.

We do not want to arm felons, we want to prevent them from being armed. Let us pass the substitute.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentlewoman from Texas (Ms. JACKSON-LEE), a member over the Committee on the Judiciary.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for yielding me this time, and I want to also thank the gentleman from California (Mr. CAMPBELL) very much.

We can still do something today. We can pass real straightforward gun safety legislation. We can take the millions of guns away from criminals. We can keep the guns out the hands of violent juveniles. We can provide child safety locks, and we can bar large-capacity ammunition.

Here is a letter to the NRA: ''Dear NRA. We are going to turn the lights out on you today and the gun lobby of America, but we are going to shine the light on America's children for safety and saving their lives. We are going to support the Conyers-Campbell substitute.''

Yes, we can beat the gun lobby. We are going to stand up for America.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentleman from Illinois (Mr. DAVIS), who is an old friend of mine from Chicago.

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Chairman, I have been to the funerals of too many young people who were gunned down by others with semiautomatic weapons. I have been through Schwab Rehabilitation Hospital and Chicago Rehabilitation Hospital. I have seen too many young people paralyzed before they get an opportunity to realize what life is all about. I have seen the agony, the frustration, the pain of people in neighborhoods and communities afraid to come out of their houses at night.

We must do the only sane, sensible thing on this day. We did not do it last night. Do it today, vote for the Conyers substitute.

Mr. Chairman, I rise in support of the Conyers' Democratic substitute amendment to H.R. 2122, the Mandatory Gun Show Background Check Act.

Today, in this sacred chamber, we have an opportunity to address this Nation's most pressing problem, gun violence, in a meaningful and effective fashion. We have a mandate from the people to take action that stems the tide of violence that is sweeping across our Nation from Washington, DC to Chicago and LA.

The biggest victim of this tide of violence is our children. From Chicago's west side to Colorado and over to Georgia, we have felt the pain of lost precious lives. Now, before we lose another precious life, we must take meaningful action.

Today, we have the opportunity to put in place meaningful gun control legislation, a task that we failed to complete last nite. Let's close the gun show loophole, let's ban the importation of large ammunition clips, let's raise the age to possess a handgun and semi-automatic weapon, lets make sure that every gun is sold with a safety device, lets adopt the Conyers' substitute. Why do we need these

protections. Well I'll tell you why, in Chicago we have a gun problem, our children are shooting children. In 1997 firearms were used in over ¾ of the murders committed in Chicago. What makes this statistic so disturbing is that over half of the persons committing murder were under the age of 21. In 1997 Chicago had 246 murders of people under the age of 21 and there were 290 people under the age of 21 charged with committing murder. Chicago contributes more than its fair share of children to a terrible statistical category: children killed too soon by hand guns, and it must stop. How can we in good conscience let this situation go on. Did you know that since 1969 that firearms are the leading cause of death among African-American youths? For 30 years handguns have been killing African-American youth and we still debate whether or not we need this common sense gun legislation. When will we take this necessary action?

Now is not the time for loopholes in the bill that's trying to close loopholes.

No one here is saying that someone can't own a gun, all they are saying is you have to wait, that your background must be checked out, and that children should not have guns. These are simple, straight forward, common sense proposals. Let's do it and make America safer and better. Let's not fail America's children again, let's take this opportunity to the right thing and pass meaningful gun reform.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I thank the gentleman from Michigan for all his hard work and for allowing me this time.

Over 70 percent of Democrats are in favor of what the Senate passed, yet 70 percent of the Republicans are opposed to what the Senate passed.

Everyone knows the Republicans have played games with this process, playing a shell game with the Committee on Rules. This has really been a sham. This bill is going down unless we pass the Conyers-Campbell substitute to save our children from dying from gun violence.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, without the Conyers substitute, nine licensed vendors could sell thousands of guns to felons at a gun show without doing one criminal background check.

Let me repeat. Without the Conyers substitute, nine licensed vendors could sell thousands of guns to felons without doing one criminal background check.

In the wake of the Columbine High tragedies, only the NRA and those who support them could call this progress.

Vote ''yes'' on the Conyers substitute.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentlewoman from Ohio (Mrs. JONES), a former member of the judiciary.

Mrs. JONES of Ohio. Mr. Chairman, I raised it yesterday, I raise it again today. No one has responded to the fact that local communities are not prepared to provide answers to instant check within 24 hours. No one has responded. And the reality of it is they cannot respond because local communities cannot help law enforcement comply with instant check in 24 hours.

I rise in support of the Conyers substitute bill and ask all of my colleagues to get real. Protect children in this country. Vote against this sham of a legislation.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentleman from Minnesota (Mr. VENTO).

Mr. VENTO. Mr. Chairman, gun violence is out of control. This House is in a state of denial. It is time to stop dancing to the music composed by the gun lobby. It is time to face up to the fact of providing for a real instant check and to take guns out of the hands of criminals, out of the hands of the unstable, to stop the gun violence.

Vote for the Conyers substitute, a bill that will go to the Senate, and we will have a bill that will be law. That is why the gun lobby has postponed the consideration of this measure, because they want to kill it. That is why they needed the month to do it.

We should not be the handmaidens of the gun lobby. We should stick up for our constituents. We should stick up for the 600,000 people that sent us here, not the special interests.

Mr. Chairman, I rise in support of sensible gun safety measures that will prevent criminals from possessing guns.

Last night's votes were not about saving lives or about preventing tragic events like the shooting in Colorado from happening again, but were about inconvenience-waiting three business days to complete a transaction. Ask a parent whose child is dead because of senseless gun violence if they have been inconvenienced by the loss of their child. Or ask the brothers, sisters and friends of these victims if they have been inconvenienced by the death of a loved one. It is so unfortunate the arguments of the 24-hour National Instant Check System (N.I.C.S.) equates the value of a precious life as only a matter of convenience. It's a shame when waiting a couple of days is just too much to put up with. If we can prevent firearms from being placed into the hands of persons that have records of violence or are unstable and stop the gun violence at their hands, only then will we have done our job. At least 27 percent of N.I.C.S. applicants are not processed within 24 hours and approximately 80 percent of those denied the purchase, the individuals we want to screen out, take longer than 24 hours.

Although we may not hear about all the other tragedies that occur on a daily basis we do know that more and more criminals are finding it easier to obtain guns and we must act now to prevent this from occurring and making a mockery of the background check procedure. Our goal has never been to punish a law-abiding citizen who wishes to own guns, but to prevent those individuals who have demonstrated that they will break the law, who do have criminal conduct as part of their history and those who are incompetent from bypassing the screening system and finding other ways to obtain firearms. The fact is that the limitations on such problem actors is a positive reinforcement for gun ownership by the general population. This provides assurance that there are opportunities to responsibly possess firearms for lawful citizens.

I supported the McCarthy amendment because it just made sense. Without creating new, burdensome regulations on firearms collectors and hobbyists it would have brought parity, fairness and accountability to gun show sales by requiring gun show participants to abide by the same laws as the transactions within gun stores. This in fact codifes requirements that currently exist for firearms sales that take place at conventional retail outlets. This difference is an invitation for those who want to avoid a sound background check. Why the law should have two standards defies logic.

We do not have the answers to solve all of the challenging problems that face our nation, but we are able to take preventive steps to ensure that certain tragedies like the ones we've seen all over the country do not continue. The Brady law background check, since enacted, has prevented 400,000 gun purchases by screening out those that are a risk, a violent risk to society. Congress should act to enhance this screening process and close the loophole. Keep the guns, the weapon of choice out of the hands of the violent person, especially youth that are unstable and lack maturity.

Today we have another opportunity to restore workability and integrity to the screening process by adopting the Conyers substitute. Essentially the language and proposals which the Senate passed will close the loopholes in current law. Congress ought to do more, but the reality is that today we are fighting not to backtrack on existing laws, much less voting for new additional common sense measures that are needed. These include limiting the number of guns purchased in a month, prevention of remanufacturing kits for machine gun performance, legal liability and responsibility for the sales stream and for adults, including parents.

All too often this debate on firearm safety and protecting our society from gun violence engenders the same canned arguments, no matter the substance and different proposals. The gun lobby and their supporters have the same script; that assumes the hidden agenda is to take all guns and ban them, supposedly violating the Constitution—plain and simple scare tactics. Well, I own hunting shotguns and I want to keep them and I want others in our society who are responsible to have the same opportunity. In fact, I've heard no proponent of closing the gun show loophole or placing other limits on handguns or assault firearms advocate banning or taking all guns away. But the gun lobby has stampeded the House, ironically the people's House, into a blind canyon. Their arguments reflect an inability to deal with the facts and the gun lobby dictates only cosmetic changes.

Sound regulation of firearms is the best assurance Congress can provide for citizen ownership. As for the second amendment to the Constitution, I am not aware of any decisions that come close to undercutting the laws and proposals on the table. These assertions are

simply bogus rationalizations. The real friend of the sportsman is a policy path that asserts responsibility and sets a standard of common sense and not a Congress that dances to the music composed and conducted by the gun lobby special interests.

Vote for the Conyers substitute. Vote to stop the violence. Vote for responsible firearm safety and ownership. Vote for your constituents, not the special interest. Vote for the Conyers substitute.

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I rise today in strong support of the Conyers substitute and to protest the majority's restriction on the number of Democratic amendments considered to the Mandatory Gun Show Background Check Act.

Clearly, this decision favors the opponents of gun control and weakens our efforts to combat the proliferation of gun crimes in our Nation. Instead of being a House of the people, we become the water carriers for the NRA.

Mr. Chairman, we are out of step with our colleagues in the Senate, and we are certainly out of step with the majority of the people in the United States.

By restricting our ability to offer meaningful anti-gun violence amendmentsto this legislation, the Republican leadership has clearly let down the children and families of America by putting the interests of the gun lobby above the safety and well-being of all our children.

Therefore I strongly urge my colleagues to support the Conyers substitute which will assure that Congress promptly responds to what the vast majority of Americans want—commonsense laws which are designed to keep firearms out of the hands of criminals and children.

Mr. CAMPBELL. Mr. Chairman, I yield 45 seconds to the gentleman from Connecticut (Mr. SHAYS), a reasonable Republican for reasonable gun control.

Mr. SHAYS. Mr. Chairman, I rise in support of the Conyers-Campbell substitute, the Senate bill, and I urge Members to vote against final passage if the Conyers-Campbell substitute does not pass.

The bottom line is a 24-hour waiting period is a joke. It is an absolute joke. It makes a mockery of the law. We have a gun show on a Saturday, on a Sunday, the check means nothing. It is a joke.

I hope in my lifetime the marriage between the NRA and my party ends in divorce. It is a bad marriage.

Mr. CONYERS. Mr. Chairman, I yield myself the balance of my time, and I want to thank all of the Members of this body on both sides of the aisle that have joined in for the substitute, particularly, of course, the gentleman from California (Mr. CAMPBELL).

What is the question? If we want more criminals to get guns from gun shows, vote against Conyers-Campbell. If we do not want criminals to get guns from gun shows then we will vote for Conyers-Campbell. It is as simple as that.

Mr. MCCOLLUM. Mr. Chairman, may I inquire if all time has expired for the others?

The CHAIRMAN. All other time has expired.

Mr. MCCOLLUM. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the House Committee on the Judiciary.

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. My colleagues, we have reached the bottom line, and there is only one question that remains. Do we go forward, or do we go backwards?

Nobody gets everything they want in a bill, especially one as contentious as this bill. But if we can pass a bill, we can get it to conference, where the real bill will be written, and we will have a chance to get those things that are near and dear to all our hearts. But if we stop right now, we will not solve anything.

So the question is, are we really serious about doing something about juvenile crime, or would we rather posture; would we rather demonize our opponents and question their motives? Is that too much fun? Or can we keep this process alive and get it into conference where we will all have a voice, and we will try to shape a bill that suits the needs of America?

This is only the first step. It is not the end game. So I ask my colleagues to please not cut the lifeline to this process that we are embarked in, this contentious process.

Everybody here has been voting their district, their community, not voting party line, and we should not vote party line. There is no party line, although the Republican leadership supports this bill.

The substitute of the gentleman from Michigan (Mr. CONYERS) would undo all of the things we did yesterday. Some we may think are bad, but some are good. One of the things the gentleman does is denies the increased penalty on adults who illegally give a gun to a juvenile. That is a step backwards.

I suggest we support this bill, we keep the process alive, because we want to do something about juvenile violence. And maybe someday we can elevate our thoughts from things like guns and get into the realm of ideas that have horrible consequences and are filling our children's souls with hate and death and violence. That is the real enemy, not the things.

But there are too many guns, too many guns available to kids, and those people who responsibly use guns are entitled to their constitutional right. Balance is what we are looking for, protecting constitutional rights, protecting kids.

The gentlewoman from New York last night, and she is a gentlewoman, made a very compelling and moving speech about why she came here. We all came here for the same thing. And I suggest we stop playing politics and we start playing children and start playing juvenile violence and start thinking more deeply about these things and trying to come to grips with solutions.

One thing we can do is pass a bill today. Then it goes to conference, and then we will see if we cannot, through some inspiration, come out with a bill that advances the cause of tranquility and safety and families and kids in this country.

Vote for the bill; vote against the Conyers substitute, which undoes everything we did in the last 2 days, and let us move into conference and see if we cannot continue this process.

Ms. DEGETTE. Mr. Chairman, my esteemed colleagues, we have an opportunity before us today to pass bi-partisan, moderate gun safety legislation. We have a chance to make this country a safer place and we cannot afford to let this opportunity slip away.

If this body passes weak and watered down gun safety legislation then we have wasted our time. If we do not pass the moderate gun safety measures, equivalent to those that passed in the Senate, we might as well pass nothing. We have a chance to do something meaningful and we cannot afford to fail!

When it comes to gun safety, the people of this country are not going to settle for lip service. They want safe schools for their children. They want safe streets. They want to live in a country where thousands of people do not die of gun shot wounds every year. They want to live in a country where there are not seven school shootings within a period of two years.

There have been charges from Members on the other side of this issue that those of us who support these gun safety measures are somehow taking political advantage of recent tragedies. Make no mistake. There is only one outside agenda here and that is the agenda of the NRA which has categorically rejected one reasonable proposal after another. The rest of us are attempting to enact smart, sensible gun safety legislation which many of us have been working on throughout our legislative careers. And every school massacre, drive-by shooting and accidental death of a child playing with guns further proves that this is the right thing to do.

Sensible gun control is not about chipping away at the Second Amendment. It is not about taking away the right of ordinary citizens to own a gun. Those who tell you otherwise are not being straight with you because this is not about infringing upon the rights of ordinary citizens. This is about keeping guns out of the hands of those who should not have them.

Tightening restrictions on the ability of criminals to purchase weapons of mass destruction does not impede on the Bill of Rights. Making guns safer and keeping them out of the hands of kids does not undermine our constitution.

We live in an era of automatic weapons and an increasingly violent culture. Tackling the problems with guns should not preclude the need to address our cultural problems. But to deny that easy access to certain guns is a part of the problem is, quite literally, a deadly mistake. A disturbed person is dangerous. A disturbed person with a gun is deadly.

We have before us an opportunity to do right by our constituents. If this House can't pass a meaningful gun safety bill we should be ashamed to go home and face the men, women and children we represent.

Vote for the Conyers substitute.

Ms. MCCARTHY of Missouri. Mr. Chairman, I rise today to support the democratic alternative to the Child Safety Act, offered by Mr. CONYERS of Michigan. In particular, I urge my colleagues to support the funding for crisis prevention counselors and anti-violence initiatives in our local schools.

Early intervention has been shown to greatly reduce incidences of violence in schools. Children who need help should be able to get help right away. There should be caring adults in the schools who can identify children who might be struggling with a problem or with anger before it is too late. We cannot cut corners when it comes to our children.

The other body had the opportunity to adopt a true ban on juvenile possession of semi-automatic assault weapons, but instead they adopted a weak amendment that allows juveniles to possess semi-automatic assault weapons with parental consent. There is no legitimate reason for a teenager to possess a Street Sweeper or an Uzi. Juvenile possession of these weapons should be banned. This provision is an invitation for dangerous juveniles to manipulate or pressure a permissive or irresponsible parent into allow the teenager to have a deadly weapon. We have an opportunity to adopt a strong bill that will prioritize youth safety. Then we can advocate for this strong language when the bill is in conference.

I hope that this Congress will prioritize school safety. I hope that we will make a commitment to our children to make their schools safer and more conducive to learning. I also hope that we will make a commitment to examine what our children are learning and to ask if they are receiving a quality education that prepares them to be responsible citizens in a democracy—to make good, informed choices; to live in peace with their neighbors and coworkers; and to enjoy life to the fullest extent possible.

Mr. FARR of California. Mr. Chairman, a bright and shining moment to better protect our children from gun violence was within our reach and we failed to grasp the brass ring.

We failed to enact modest gun safety measures that many of our states have already enacted.

In my own state of California we have a 10 day waiting period to purchase any firearm.

19 states have enacted their own waiting periods to purchase a handgun or a permit to purchase a firearm.

Why are we afraid to be as bold as our own state legislators.

Two months ago, following the Columbine High School shooting in Colorado, the California General Assembly passed a one-gun-month law for California, and the California Senate is expected to approve it.

If California approves the measure, it will become the fourth and largest state to curb gun trafficking through this common sense measure.

I urge my colleagues to support the Democratic substitute—a common sense measure—to protect our children from gun violence.

Mr. BENTSEN. Mr. Chairman, I rise in support of the Conyers-Campbell substitute. Last night, I believe this House failed to address a gaping loophole in the law as it relates to the transfer of guns to criminals.

I fully appreciate the emotion felt by all members with regard to gun control and gun safety laws. I grew up around guns and have enjoyed shooting and hunting since I was a young child. I defy anyone to call me anti-gun or to imply that I favor banning guns or prohibiting gun ownership. I do not agree with those who seek to ban ownership of guns by law abiding citizens. I support the second amendment, but we must remember we are a nation of laws, not a nation of men. In our 212 years of experience with the Constitution, our nation and our freedom has survived with order. I do not believe the Brady Bill and the instant background check have denied any law abiding citizen the right to purchase and possess a gun. And it is an undeniable fact that the Brady Bill has stopped hundreds of thousands of people whom all of us believe should not have guns from getting guns. But the fact remains that sellers at gun shows who are not federally licensed gun dealers are able to sell guns outside the confines of the background check. Not only does this open a loophole for the transfer of guns to people whom we all believe should not have access to them, namely criminals, or people with criminal backgrounds, but this is also creates an unfair advantage for non-licensed dealers. Why should Congress treat one class of gun sellers differently than others? Unfortunately, current law allows this unequal treatment as does the Dingell amendment, which I believe is unfair.

I opposed the amendment by my good friend Mr. DINGELL, with whom I have enjoyed many hours freezing in a duck blind, because I do not believe it closes the loophole that is allowing criminals access to guns. I supported the McCarthy amendment because it would have closed this gun show loophole without placing any new restrictions on law abiding citizens right to own and purchase a gun. No where in the bill did it restrict that right. And, it eliminated the commercial inequity that currently exists between licensed gun dealers and non-licensed gun dealers.

I am not comfortable with everything in Conyers-Campbell amendment, but I do believe we must close the gun show loophole to prevent criminals from having such easy access to guns, just as has been done at gun stores, and we should restore commercial equity between federally licensed and non-licensed gun sellers to the public. We can do so without restricting the right to gun ownership by the law abiding public. To say otherwise is simply not correct and fearmongering. As a gun owner, hunter and former NRA marksman, I believe the gun show loophole for criminals is one which we law abiding gun-owning citizens can live without while protecting our Second Amendment right to own guns.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as modified, offered by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 184, noes 242, not voting 8, as follows:

[Roll No. 243]

AYES—184

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gilchrest
Gonzalez
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kaptur
Kennedy
Kildee
Kilpatrick
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
Lantos
Larson
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Olver
Ose
Owens
Pallone
Pastor
Payne
Pelosi
Pomeroy
Porter
Price (NC)
Quinn
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rogan
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Slaughter
Snyder
Spratt
Stabenow
Stark
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey
Wu
Wynn

NOES—242

Aderholt
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bono
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Deal
DeLay
DeMint
Dickey
Dingell
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Gallegly
Gekas
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John

Johnson, Sam	Oberstar	Smith (MI)
Jones (NC)	Obey	Smith (NJ)
Kanjorski	Ortiz	Smith (TX)
Kasich	Oxley	Smith (WA)
Kelly	Packard	Souder
Kind (WI)	Paul	Spence
King (NY)	Pease	Stearns
Kingston	Peterson (MN)	Stenholm
Knollenberg	Peterson (PA)	Strickland
Kolbe	Petri	Stump
LaHood	Phelps	Sununu
Lampson	Pickering	Sweeney
Largent	Pickett	Talent
Latham	Pitts	Tancredo
LaTourette	Pombo	Tanner
Lazio	Portman	Tauzin
Lewis (KY)	Pryce (OH)	Taylor (MS)
Linder	Radanovich	Taylor (NC)
LoBiondo	Rahall	Terry
Lucas (KY)	Regula	Thornberry
Lucas (OK)	Reynolds	Thune
Maloney (CT)	Riley	Thurman
Manzullo	Rogers	Tiahrt
Mascara	Rohrabacher	Toomey
McCollum	Royce	Traficant
McCrery	Ryan (WI)	Turner
McHugh	Ryun (KS)	Upton
McInnis	Sandlin	Vitter
McIntosh	Sanford	Walden
McIntyre	Saxton	Walsh
McKeon	Scarborough	Wamp
Metcalf	Schaffer	Watkins
Mica	Sensenbrenner	Watts (OK)
Miller (FL)	Sessions	Weldon (FL)
Miller, Gary	Shadegg	Weldon (PA)
Mollohan	Shaw	Weller
Moran (KS)	Sherwood	Whitfield
Murtha	Shimkus	Wicker
Myrick	Shows	Wilson
Nethercutt	Shuster	Wise
Ney	Simpson	Wolf
Northup	Sisisky	Young (AK)
Norwood	Skeen	Young (FL)
Nussle	Skelton	

NOT VOTING—8

Bonilla	Lewis (CA)	Salmon
Brown (CA)	Minge	Thomas
Hilliard	Pascrell	

□ 1402

Messrs. WALSH, LUCAS of Oklahoma and PEASE changed their vote from ''aye'' to ''no.''

So the amendment in the nature of a substitute, as modified, was rejected.

The result of the vote was announced as above recorded.

Mr. HALL of Texas. Mr. Chairman, I would like to thank my good friend for giving me the time to express my strong opposition to H.R. 2122. In lieu of recent events—more specifically, the tragedy in Littleton, Colorado—I share the concern and fear for the future of our great nation—especially for our children. Such tragic occurrences demand serious reflection by all of us—parents, children, educators and legislators alike. I pray that such reflection will create serious dialogue between parents and their children, for I believe that the true solution to such tragedies lies within the family unit.

We are united in our compassion for those involved in these recent tragedies, but we must be careful not to confuse the issues surrounding these terrible events. It seems that every time there is a drive-by shooting—or every time some mal-contented, misguided, or incorrigible youth decides to obtain guns in order to kill innocent people—there is a rush to jump on the bandwagon to take away our Second Amendment rights. These tragedies ought, instead, to spawn a resurgence of the effort to put God back in our schools and in the hearts of every student. Such tragedies should also spawn a resurgence in parents' commitment to raise their children to respect the sanctity of life and to be responsible, law-abiding citizens. We need to focus our efforts where we know the problem lies—on the number of broken families in our country, on our over-sized classrooms, on the amount of sex and violence in our children's music, movies and games, and on the drugs and drug dealers that are infiltrating our inner cities. The root of the problem is the absence of God in our homes and in our schools—not the presence of guns in our society.

Despite the hundreds of gun laws that exist today, none prevented such horrifying events. And none ever will. In Washington, D.C., it is a felony to possess a handgun in your home—yet this has had little effect on the crime rate in our nation's capital. We must not punish the majority of our law-abiding citizens by making it harder on them to—legally—pursue a constitutional right. Instead, we must empower our law enforcement agencies and judicial system to track down and convict those who choose to use guns illegally—regardless of their age.

In short, Mr. Chairman, we need to focus our efforts on strengthening our juvenile justice system. We need to instill values and build character in our children at home, in our schools and in our churches. We need to advocate more parental control—not more gun control. I urge colleagues to vote against H.R. 2122.

Mr. POMEROY. Mr. Chairman, I rise in support of the Conyers amendment to H.R. 2122, the Mandatory Gun Show Background Check Act. This amendment takes reasonable steps to reduce gun violence, while preserving personal freedoms.

I believe strongly that law-abiding citizens have a constitutionally protected right to purchase and responsibly use firearms. The federal government does not and should not have the power to prevent its citizens from enjoying recreational activities that involve firearms, such as hunting and target shooting. Neither does the federal government have the power to restrict our ability to defend ourselves by banning the possession of hand guns. My constituents in North Dakota, and all American citizens, have the right to use firearms in recreation, just as they have the right to use firearms to defend themselves and their families. The full strength of the Second Amendment to the Constitution is behind that right.

However, I also believe that the moderate gun safety measures included in the Conyers amendment uphold constitutional rights while helping to prevent the gun violence that threatens public safety and shatters families. The gun safety measures in this amendment are identical to those passed last month by the Senate, and offer a common-sense approach to gun safety. Specifically, the expansion of the National Instant Check System to include background checks at gun shows will help keep firearms out of the hands of violent criminals. The National Instant Check System (NICS) set up by the Brady bill has proven to be highly successful at preventing convicted criminals from accessing firearms. In the last six months, the NICS has prevented over 90,000 illegal gun transactions, many of which would have armed violent criminals.

I do recognize that concerns exist regarding the impact of gun show background checks on citizens' rights to purchase firearms. However, the NICS system has proven effective at deterring criminals without placing an undue burden on law-abiding gun buyers. Nearly ninety-five percent of all background checks are resolved within two hours; a full seventy-three percent are completed instantly. The handful of background checks that take longer than two hours are usually due to an arrest record that needs to be investigated further. Law-abiding gun owners in this country will not be burdened by this provision, but instituting background checks at gun shows will help keep guns out of the wrong hands.

I also support the Senate-passed provision included in this amendment that would require safety locks or secure storage devices on every newly purchased handgun. This provision would help parents safeguard their children from the epidemic of accidental shootings that has infected this country. This amendment does not mandate that the gun owner take advantage of the safety device; the gun owner may remove the device immediately upon purchase of the weapon. This proposal would only aid efforts to avoid preventable deaths.

Mr. Chairman, the Conyers amendment to H.R. 2122 does not tamper with our nation's strong tradition of the protection of the right to bear arms. This amendment provides a common-sense approach to gun safety, and I would urge my colleagues to support it.

Mrs. ROUKEMA. Mr. Chairman, I have to commend our leader in this battle, Mrs. MCCARTHY. I have worked very closely with her, followed her outstanding leadership and been so truly inspired by her commitment and bravery.

None of us can understand the trauma Mrs. MCCARTHY has endured since December 7, 1993, the day Colin Ferguson, armed with an illegal gun, opened fire inside a crowded Long Island Railroad passenger car, killing six and injuring 19. Her husband, Dennis, who was innocently returning home from a hard day at the office, was among those killed. Her son, Kevin, was wounded and severely disabled.

This horrible tragedy instantly shattered Mrs. MCCARTHY's quiet life as a licensed practical nurse, wife and mother. She could have stayed at home, absorbed with her grief. Instead, she has gathered strength from trauma and grief, and chosen to make a contribution and bring something positive out of this tragedy. She is now a leader in the efforts to end this terrible cycle of gun violence that is plaguing our nation. Speaking at events across the country, crusading to spread the message of gun violence and working to pass gun safety legislation here in Congress, she is striving to make our streets safe for our children, families and neighbors.

Mrs. MCCARTHY has shown incredible courage and strength throughout this legislative process. She is an inspiration for all of us who have lost a loved one to an untimely death and is proof that life can go on.

Mr. FILNER. Mr. Chairman, as the juvenile crime bill has worked its way to the House floor, we have lost sight of something crucial. Following the tragic armed assault by two troubled students on classmates at Columbine High School, the citizens of this nation cried out for policy to stop the killing, a policy that will protect our children from gun violence.

There are many concerns that need to be addressed. We need to take action on media violence, to develop programs that build children's confidence and self-esteem, to help parents develop the tools they need to better raise their children. But before our work in any of these areas can be effective, we must face

one irrefutable fact: our young people are able to act on their anger and frustration and rage because it is so easy for them to get their hands on a gun. As a result of this—and the ease with which criminals can buy guns—we are losing on average 13 children and teenagers every single day.

The vast majority of Americans understand this. In a CNN-Gallup poll taken just this week, 87 percent of Americans said they support legislation to close the loopholes in the law that put guns in the hands of children and criminals.

Americans favor laws that: Close the loophole that allows people to buy guns at gun shows and flea markets without background checks; close the loophole that fails to hold gun owners responsible for keeping loaded firearms out of the reach of children; close the loophole that allows children of any age to purchase or possess assault weapons; close the loophole that allows the import of ammunition clips holding more than 10 rounds; and close the loophole that allows juveniles under 21 to purchase handguns.

This is the bare bones legislation that Americans are demanding. The bill passed last month by the Senate would close most of these loopholes. Now it is up to us to approve the Senate gun package as written or to strengthen it. We must seize the opportunity to close loopholes in the law and save children and their families from the horror and pain of gun violence.

But what are we doing instead? We are ignoring the American public and playing games with the lives of our children. The bills we have before us this week not only water down the Senate's proposal, but they actually create new loopholes, like a new definition for gun shows and changing the time allotted for background checks. These bills were not designed to quell the understandable fears of American parents. They were designed to satisfy a small, vocal minority in this country—the gun lobby.

Mr. Chairman, I call on my colleagues today to stop playing politics with the lives of our children. You'll never satisfy the gun lobby. They care more about their guns and winning the argument than they do about protecting the lives of our precious children.

I am not suggesting that closing these loopholes will stop all gun violence. What I am saying is that this is a small, but significant, first step to reigning in the violence that is killing our children and destroying our families. I ask that you join me in a vote for the future of America. Please reject the weak measures before you and vote for meaningful laws that will restrict access to guns and keep our children safe.

Mr. RILEY. Mr. Chairman, I rise today in support of the Hunter amendment. As a homeowner in the District of Columbia, I find it offensive that DC gun laws prevent me from protecting my family and home.

We all know that the criminals in this city have guns, yet innocent, law-abiding citizens are routinely denied a basic constitutional right of protection.

Mr. Chairman, this defies all common sense. Let's punish criminals, not law-abiding citizens. Pass the Hunter amendment.

Mr. PACKARD. Mr. Chairman, like every American, I am deeply disturbed by the growing epidemic of violent juvenile crime. The recent tragedy at Columbine High School has dramatically heightened concerns about the safety of our children, and left parents across the nation searching for answers.

The sad fact is, our society is now permeated with violence. Graphic depictions of violent acts can be found all over television, in films and music, and on the Internet. By the age of 18, the average American child has witnessed over 200,000 acts of violence on television alone, including some 16,000 murders. Sadly, the average child under the age of eleven watches more than twenty hours of television a week—yet spends less than one hour in meaningful conversation with parents. America is now in a cultural state of emergency. As parents and leaders in our communities, we must reclaim control over our children's lives and education.

Mr. Chairman, I wish we could forever end violent crimes in our schools by a simple act of Congress. Unfortunately, no success can ever compensate for failure in the home. No new law will repair the damage done by the repeated glorification of violence in our society—and no new regulation will ever do the job of a caring and attentive parent. If we hope to reduce violence in our schools and instill a healthy appreciation of life in our children, we must begin by strengthening our efforts in the home. If we fail at home as parents, our children will have little chance of ever succeeding—or feeling safe—at our nation's schools.

As a strong supporter of the Constitution, I will not support unreasonable restrictions on the ability of citizens to exercise their Second Amendment right. While I agree that we must do everything possible to prevent more violent school tragedies, simply blaming guns ignores the root causes of violence among our youth. Strictly enforcing the 20,000 existing gun laws already on the books should be our first immediate step. The restoration of discipline and accountability in our homes, our schools, and in society will help reduce violent juvenile crimes—compromising the rights of every free, law-abiding American will not.

Mr. Chairman, there are plenty of people here in Washington who believe that we can ''legislate'' a solution to the problem of school violence. I wish it were that easy. But the truth is, this is a job for parents, not politicians—and the most important thing we can do for our children won't happen on the floor of Congress, but within the walls of our own homes.

Ms. HOOLEY of Oregon. Mr. Chairman, I am supporting the McCarthy amendment because I believe this amendment will close a loophole left open in the Brady Law passed in 1994. Closing this loophole does not create new laws, and I believe, creates very little additional burdens for law abiding citizens. However, it will present criminals from getting guns and it will save lives.

I also support this amendment at the request of the law enforcement community in my district who have signaled to me that closing the gun show loophole is one of their top priorities. They have told me that the McCarthy amendment will best help them keep guns out of the hands of criminals and prevent violent crime throughout the fifth district and the State of Oregon.

This amendment is a common sense approach to keeping guns out of the hands of criminals and is supported by law enforcement and members of both parties. I look forward to seeing this amendment passed this evening.

Mr. DELAHUNT. Mr. Chairman, I rise in opposition to this dangerous and irresponsible bill. A bill that would weaken the Brady Law and put lethal weapons into the hands of criminals.

During the past five years, the Brady Instant Check System has prevented illegal gun purchases by more than 400,000 fugitives, convicted felons, drug addicts, and others who cannot lawfully possess a firearm.

But if we pass this bill, we will be handing them a loaded weapon and inviting them to pull the trigger.

That's because the bill denies the FBI the three days it needs to complete its background check on the very people most likely to have a criminal history.

Like the convicted rapist who traveled from Virginia to North Carolina last month—for the purpose of buying a gun.

Or the man convicted of armed robbery and burglary in Georgia who drove to Missouri last March—for the purpose of buying a gun.

Or the murderer in Texas.

Or the arsonist in New Jersey, who went all the way to Mississippi last April—for the purpose of buying a gun.

These are just a few of the thousands of criminals who tried to purchase handguns in the last six months and were stopped—because a three-day background check revealed their criminal history before the sale could go through.

But if this bill had been the law of the land six months ago, the FBI estimates that 9,000 of these people would have been walking the streets with a license to kill. If this bill passes in its present form, those 9,000 will try again. And this time, they'll get away with it.

I ask my colleagues to think about that before they vote. Think about the lives that will be destroyed because one of those 9,000 criminals got hold of a weapon and pulled the trigger. Think about what we will say to the families of the victims who are killed if we vote tonight to weaken the Brady Law.

Or we can step back from the precipice, Mr. Speaker, as the Senate did a few short weeks ago. Tonight the provisions passed by the Senate will be offered as an amendment by Congresswoman MCCARTHY—who knows more about what handguns have cost the families of America than anyone in this chamber.

The McCarthy amendment would preserve the Brady Instant Check System and extend it to the gun shows where criminals go to buy their weapons.

It is time for us to stand with her. It is time for us to stand up to the NRA.

Mr. BARCIA. Mr. Chairman, in the aftermath of the tragedy in Littleton, Colorado, there has been a need to find something concrete to be culpable for this horrible event. While many have blamed the parents, society, movies or video games, most of the condemnation has pointed to firearms. As a result, a call for more gun control legislation swept across this country to Washington.

I share many of my colleagues' concerns about the violence that has plagued our society and I, too, am particularly concerned about the children who have used violence to address a situation rather than using other means. However, I do not believe that putting more restrictions on guns is the solution to this blame game.

As many of my colleagues have expressed, there are thousands of guns laws on the

books today and none of them prevented the tragedy in Colorado. Furthermore, the proposals here today would not prevent this kind of tragedy from happening again.

The right to keep and bear arms as guaranteed in our Constitution should not be restricted, but be restored to our law-abiding citizens. The way to fight crime is to punish the criminals, not victims, for the crimes they commit by imposing harsh punishments and longer sentences. It is also important to give the police the resources and authority they need to catch and punish criminals without penalizing or restricting the rights of law-abiding citizens.

If we want to find someone to blame for the crime in our society, we should blame ourselves for not spending the time with our children and helping them to grow into productive and well-adjusted adults. I urge everyone who is a parent or grandparent to try to put more time aside and really listen to our children and grandchildren. If there are problems, we should be able to address them in a nonviolent fashion. Our children, the future leaders of this great country, are calling out to us. Listen to them and react to their needs.

Mr. NORWOOD. Mr. Chairman, today we debate more than guns, we debate how to get a handle on violence. Everyone in this House admits, and the majority of Americans recognize, that there are a multitude of factors that led to the tragic school shootings this spring in Littleton, Colorado, and Conyers, Georgia.

If we are serious about ending this kind of violence, we have to address all the factors that led to it. We must deal with the denigration of religion in society, for religion is the foundation of personal morality, the greatest of all protections against violence. As George Washington stated in his farewell address in 1796:

''Let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.''

We must also deal with ensuring a zero-tolerance for any weapons in our schools. We must deal with the smut on the Internet and throughout our society. We must deal with juvenile crime, and the fact that we too often coddle teenagers who engage in murder, rape, and robbery.

These are the real solutions to Littleton and Conyers, not more gun control laws. Let's be honest and quit dealing with just the edges of the problems. Let's quit giving the easy political-out answers.

Let's take a hard, cold look at what kind of nation we've become, what we've allowed to develop in this nation, and not shy away from the tough actions needed to change our course.

If anyone commits a violent crime with a gun, they should never again be allowed to own one. If an adult illegally provides a weapon to a child, they should be prosecuted to the fullest extent of the law, and we should increase the penalties to the harshest possible. Children should not have access to guns.

Children should also not be allowed to have access to the filth and graphic violence that permeates the Internet, airwaves, cable television, electronic games, and record shops.

Most of our young people manage to maintain morality in spite of this smut. A very few, those on the edge, cannot. It only took three of those young people to created the havoc that brings us to this debate. Unless we deal with these societal problems, we will be doomed to repeat the tragedies of Littleton and Conyers.

Let's rebuild the guardrails of our society that will keep the less fortunate or the emotionally-disturbed from going off the side of the mountain—and taking the innocents with them.

The CHAIRMAN. There being no further amendments in order under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2122) to require background checks at gun shows, and for other purposes, pursuant to House Resolution 209, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were 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.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 147, noes 280, not voting 8, as follows:

[Roll No. 244]

AYES—147

Archer
Armey
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehner
Bono
Bryant
Burton
Calvert
Camp
Canady
Cannon
Clement
Coble
Cook
Cox
Crane
Cunningham
Davis (VA)
DeLay
DeMint
Diaz-Balart
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Gallegly
Gekas
Gilchrest
Gillmor
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hobson
Hoekstra
Horn
Houghton
Hunter
Hutchinson
Hyde
Isakson
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Linder
Lipinski
LoBiondo
Manzullo
McCollum
McCrery
McHugh
McKeon
Miller (FL)
Miller, Gary
Myrick
Northup
Norwood
Nussle
Oxley
Packard
Petri
Phelps
Pickering
Pitts
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Reynolds
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Saxton
Sensenbrenner
Sessions
Shaw
Shuster
Simpson
Sisisky
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Spence
Stearns
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Toomey
Traficant
Walden
Walsh
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wilson
Wise
Wolf
Young (FL)

NOES—280

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Barton
Becerra
Bentsen
Berkley
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Burr
Buyer
Callahan
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clyburn
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cubin
Cummings
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Edwards
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gibbons
Gilman
Gonzalez
Goode
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McInnis
McIntosh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickett
Pombo
Pomeroy
Porter
Price (NC)
Ramstad
Rangel
Reyes
Riley
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin

Sanford	Spratt	Udall (NM)
Sawyer	Stabenow	Upton
Scarborough	Stark	Velazquez
Schaffer	Stenholm	Vento
Schakowsky	Strickland	Visclosky
Scott	Stump	Vitter
Serrano	Stupak	Wamp
Shadegg	Tauscher	Waters
Shays	Thompson (CA)	Watt (NC)
Sherman	Thompson (MS)	Waxman
Sherwood	Thornberry	Weiner
Shimkus	Thune	Wexler
Shows	Thurman	Weygand
Skelton	Tiahrt	Whitfield
Slaughter	Tierney	Woolsey
Smith (NJ)	Towns	Wu
Snyder	Turner	Wynn
Souder	Udall (CO)	Young (AK)

NOT VOTING—8

Berman	Lewis (CA)	Salmon
Bonilla	Minge	Thomas
Brown (CA)	Pascrell	

☐ 1421

Ms. SANCHEZ and Messrs. COSTELLO, HAYES, MOLLOHAN and SHADEGG changed their vote from ''aye'' to ''no.''

So the bill was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. MINGE. Mr. Speaker, on rollcall No. 244, had I been present, I would have voted "no."

Mr. BERMAN. Mr. Speaker, I was unable to cast a vote on final passage of H.R. 2122 because I had to catch the last available plane to Los Angeles to attend my daughter's graduation ceremony at 6:00 p.m. Pacific time. However, had I been present I would have voted "no."

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1501, CONSEQUENCES FOR JUVENILE OFFENDERS ACT OF 1999

Mr. BRYANT. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 1501, the Clerk be authorized to make changes in the placement of the table of contents, combine duplicative sections, correct section numbers, punctuation and cross references and to make other such technical and conforming changes as may be necessary to reflect the actions of the House.

The SPEAKER pro tempore (Mr. KOLBE). Is there objection to the request of the gentleman from Tennessee?

There was no objection.

TITLE AMENDMENT TO H.R. 1501, CONSEQUENCES FOR JUVENILE OFFENDERS ACT OF 1999

The SPEAKER pro tempore. Without objection, the amendment to the title of H.R. 1501 proposed in amendment No. 36 in Part A of House Report 106–186 is adopted.

There was no objection.

The text of the amendment to the title is as follows:

A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants to ensure increased accountability for juvenile offenders; to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency; and for other purposes.

LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, I ask for this 1 minute for the purpose of inquiring from the distinguished Majority Leader the schedule for today and next week.

Mr. ARMEY. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to my friend from Texas.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am pleased to announce we have concluded legislative business for the week.

The House will not be in session on Monday, June 21.

The House will next meet on Tuesday, June 22, at 12:30 p.m. for morning hour and 2 p.m. for legislative business. Members should note that we expect recorded votes after 2 p.m. on Tuesday, June 22. On Tuesday we will consider a number of bills under suspension of the rules, and H.R. 659, the Patriotic Act, under an open rule.

On Wednesday, June 23, and the balance of the week the House will consider the following legislation, all of which will be subject to rules:

H.R. 2084, the Department of Transportation Appropriation Act;

H.R. 1658, Civil Asset Forfeiture Reform;

H.J. Res. 33, Proposing an Amendment to the Constitution of the United States Authorizing the Congress to Prohibit the Physical Desecration of the Flag of the United States; and

H.R. 1802, Foster Care and Dependents Act of 1999.

Mr. Speaker, we expect to conclude legislative business by 2 o'clock p.m. on Friday, June 25, and I thank the gentleman for having yielded me the time.

Mr. BONIOR. If I could ask the gentleman from Texas: Do we expect any late nights next week, any anticipated late evenings?

Mr. ARMEY. I thank the gentleman.

We do have a fairly full legislative schedule, but it seems to me given that most of the work is considered under the rules and not very controversial we should not expect a flood of amendments, and we should be able to manage ourselves into relatively reasonable working hours.

Mr. BONIOR. I thank my colleague.

Let me ask him a further question and inquiry:

When are we going to take up campaign finance reform? I understand that the Committee on House Administration is going to have a series of hearings, and I would just implore my friend from Texas and my colleagues on this side of the aisle in the majority that the time has come for us to have this bill on the floor where we can have an open debate on an issue in which we debated for weeks and weeks and months on end in the last Congress. I think the country is ready, we are tired of waiting, and I hope the gentleman can give us some indication of when that bill will be before this body.

Mr. ARMEY. Mr. Speaker, let me again remind the gentleman the summers belong to the appropriations process. The Speaker and the leadership have correctly, I think, in terms of the management of the year's flow of business placed that priority on the process, and yet the Speaker has given assurance, and I would second the assurances that he has given, that we should be able to address this matter of campaign finance reform on the floor before the end of September.

Mr. BONIOR. Before the end of September.

Mr. Speaker, I regret hearing that once again. I understand that was the Speaker's assurance and the gentleman's assurance, but that seems awfully late in terms of making sure that we have something that can change the law of this country to clean up our campaign finance.

I yield for a comment to my friend and leader on this issue, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the distinguished whip for yielding, and I will say to my friend, the Majority Leader, I quoted him yesterday in hearings that we had in the Committee on House Administration saying that he hoped initially that this would be on the floor in July, campaign finance reform. I also quoted the gentleman from Tennessee (Mr. WAMP), who indicated that if we delayed until September he was fearful that it would kill campaign finance reform.

As the distinguished Majority Leader knows, we had over 50 hours of debate on the Shays-Meehan bill last Congress and we had 252 Members vote in favor of passing that bill, and frankly with all due respect the hearing that we had yesterday, three good Members of Congress, the gentleman from California (Mr. CALVERT), the gentleman from Maryland (Mr. GILCHREST) and the gentleman from Minnesota (Mr. SABO), came and testified, but very frankly, Mr. Leader, they testified on bills they have had in it for at least two congresses. Very little change in their testimony. They indicated to me it was essentially no different than it was before. So I fear that the hearings will simply delay us and will be a device to kill rather than pass campaign finance reform.

I would hope that the gentleman from Texas (Mr. ARMEY) would consult with his leadership and see if we could accelerate that so we could bring Shays-Meehan to the floor as quickly as possible, and I thank the distinguished gentleman from Michigan (Mr.

BONIOR) for yielding, and I thank the leader for his consideration of that request.

Mr. BONIOR. Mr. Speaker, I just have one other request, and I yield to the gentleman from California (Mr. FARR) for a comment.

Mr. FARR of California. Mr. Speaker, I just have a question for those of us traveling from the West Coast. Is there any possibility that those votes on Tuesday could be rolled until 5 o'clock? If we leave the West Coast first thing early Tuesday morning, the first plane gets in 4 p.m., and we can be on the floor by 5:00. It would be very helpful.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for his request, and I do understand how important and sensitive that is.

Ordinarily, especially on a Monday, we would almost assuredly give Members a 6 o'clock vote time. We do have again an opportunity to have an orderly week's business, but to begin, being a Tuesday beginning, I just at this point am not comfortable. Should we see a modification in the schedule, we would put out over the whip notice, but I just do not believe we can get there now.

□ 1430

But I just do not believe we can get there now.

Mr. FARR of California. So the gentleman does not think the votes could be rolled?

Mr. ARMEY. Mr. Speaker, if the gentleman would yield, we always look for these opportunities to the best of our ability, but we need to get more quickly than in many weeks to considerations of legislation under rules, and therefore we just simply cannot make that Tuesday accommodation that is so usual and, I think, so necessary and desirable. But we will continue to keep the needs of Members in our planning priorities.

Mr. FARR of California. Mr. Speaker, I thank the gentleman.

ADJOURNMENT TO TUESDAY, JUNE 22, 1999

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Tuesday, June 22, 1999 for morning hour debates.

The SPEAKER pro tempore (Mr. KOLBE). Is there objection to the request of the gentleman from Texas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

HAPPY BIRTHDAY, CHRISTOPHER

(Mr. ARMEY asked and was given permission to address the House for 1 minute.)

Mr. ARMEY. Mr. Speaker, it is my proud opportunity today to advise the House that my first grandson, Christopher Irving Armey; as we like to know him, ''CIA,'' will be 2 years old tomorrow, and I am going to spend the whole day on that.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now entertain 1-minute speeches.

NORTH AMERICAN SLAVERY MEMORIAL COUNCIL ACT

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I believe that a quote by Papa Dallas Stewart, a former slave, captures the essence of the bill that I have introduced today when he said, ''Promise me that you are going to tell all the children my story.''

As a child, Stewart had his eyes burned out when an overseer caught him studying the alphabet. He spent his life encouraging others to never forget about the horrors of slavery. He understood that we must share the painful past in order to protect our future.

Today, I introduce the North American Slavery Memorial, which is patterned after the Holocaust Museum and pays tribute to those who suffered and perished under slavery in North America. This bill will ensure that future generations grasp the injustice that occurred in North America's past so that we may never repeat it.

For the sake of Papa Stewart and countless others, we must never forget the past. I encourage my colleagues to join the gentleman from Georgia (Mr. LEWIS) and myself in cosponsoring the North American Slavery Museum bill.

WAKE UP, AMERICA

(Mr. FARR of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR of California. Mr. Speaker, I want to ask America to wake up. Watch what is going on here on the floor of Congress. America has seen that we cannot pass effective gun reform in this Congress because we are wedded to the NRA.

Well, I want you to do something about it. I want you to wake up your mayors, city councils, county supervisors, wake up your school boards, wake up your State legislators, because they can do what we cannot do. They can pass laws regulating gun business.

Mr. Speaker, 67 cities and dozens of counties in California have adopted 183 local firearm regulations, local firearm regulations. The State legislature has passed every single law that Congress has rejected. California regulates guns; other counties, cities and school districts regulate, and so can yours. So local governments can do what Congress has refused to do.

Wake up, America. Get all of the politicians involved in this. Take this issue home, and give it to your local legislators and make those laws in your own city.

BIPARTISANSHIP FOR MAINTAINING FISCAL DISCIPLINE

(Mr. WICKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WICKER. Mr. Speaker, a few weeks ago there were reports that Jack Lew, the Director of the Office of Management and Budget, intended to slam Republicans for making unrealistic cuts in spending programs. But these same reports also stated that Mr. Lew would insist that the GOP resist the temptation to raise the budget caps.

An administration official said, the message is to the GOP, it is your budget, live with it. Our budget? Mr. Speaker, the 1997 Balanced Budget Act was passed by a bipartisan majority in both House and Senate and signed by the Democratic President of the United States. The problem is that while the minority leadership and the White House are talking fiscal restraint, many of their Democratic colleagues are pushing for spending well above the approved levels. The leaders and their rank and file and the OMB should get on the same page on this issue. There is time to deliberate and craft spending bills to maintain the fiscal discipline which has produced our budget surplus, but only if it is done on a bipartisan basis.

Mr. Speaker, I urge my Democratic colleagues to join us in the pursuit of this goal.

BRING TERRORISTS TO JUSTICE

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, on my behalf and on behalf of my colleague, the gentleman from Ohio (Mr. LATOURETTE), I rise to strongly urge the President and the U.S. Government to act on behalf of justice. A Palestinian terrorist in a just-released autobiography admitted he planned the attack against Israeli athletes at the 1972 Olympics in Munich.

Mr. Speaker, 11 athletes were murdered in that attack. One of the murdered was David Berger, a middleweight lifter from Shaker Heights,

Ohio, with dual American-Israeli citizenship. David's family has been waiting 27 years for justice, to find the killers and to bring them to justice.

Palestinian terrorist Abu Daoud says he plotted the senseless murders in Munich. Now is the time for the United States and the world community to marshal its forces to capture Mr. Daoud and bring him before a court of law. We must do this for the memory of David Berger. We must do this for the families of all of the athletes who perished, and we must do this to fight terrorism wherever and whenever we find it.

CELEBRATING JUNETEENTH

(Mr. LAMPSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMPSON. Mr. Speaker, tomorrow thousands and thousands of African Americans in Galveston, Texas, the birthplace of Juneteenth, and around the Nation will celebrate this holiday of freedom and justice. President Abraham Lincoln technically ended the right to own human beings in 1863, but most slaves gained their freedom only after Union troops took control of Confederate territory and released them from bondage.

It took 2½ years after the Emancipation Proclamation for the Union Army to reach Texas, the last place where slavery was not only allowed, but also enforced.

After Union General Gordon Granger rode into Galveston and announced to the States' 200,000 slaves that they were free, they immediately erupted into jubilant celebration, much like the 4th of July.

As we look ahead to the next millennium, I challenge all of us to take this opportunity while we celebrate the rich history of this celebration of freedom to rededicate ourselves to the value of equal opportunity for all Americans, because that is at the heart of Juneteenth and the American ideal.

WASTING TIME IN THE HOUSE OF REPRESENTATIVES

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Mr. Speaker, after the high school shooting in my district last year, in my hometown of Springfield, Oregon, I talked to hundreds of residents. We had an incredible community dialogue about the causes and the possible solutions for youth violence. Everyone agreed it was complex. They had a long list of things they would like to see done. They would like to see something done about violence in the media.

After 66 amendments and dozens of hours of staying in session until 2 o'clock in the morning, this House has done nothing about violence in the media. After a day and a half on the very sensitive issue of gun control, this House has done nothing to extend instant check and background checks to people who purchase guns at gun shows. After 66 amendments and dozens of hours and late into the night, we have done nothing to add to the services to serve at-risk youth and their families and prevent them from getting into violence. Nothing. Zero.

Mr. Speaker, I hope my constituents and I hope my colleagues' constituents were watching. What we did here does not even meet the common-sense laugh test. It was a disgrace for this House of Representatives.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SHIMKUS). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

FOREIGN OPERATIONS APPROPRIATIONS BILL AND U.S. CAUCASUS POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, yesterday, in the other body, the Senate, the Appropriations Committee, marked up the foreign operation appropriations legislation for fiscal year 2000. The legislation reported out yesterday addresses several key issues concerning U.S. policies and priorities for the Caucasus Mountain region of the former Soviet Union, an area of vital and growing importance for the U.S. in the 21st century.

Here in the House, action on the foreign operations bill is not expected until later this summer. I wanted to take a few minutes to cite some of the key provisions in the Senate legislation that I hope the House will address, as well as to cite some additional areas where the Senate did not act, but I hope the House will.

As cochair of the Congressional Caucus on Armenian Issues, I plan to put my suggestions into a letter to the House Subcommittee on Foreign Operations, and that subcommittee, I should point out, has many good friends of Armenia, and I look forward to working with them.

First, the good news, Mr. Speaker. The Senate Foreign Operations bill earmarks $90 million in assistance to the Republic of Armenia. This represents an increase over the slightly less than $80 million that was reported in fiscal year 1999, and is certainly an improvement over the $71.5 million requested by the administration in its budget. I believe it is important for the United States to maintain our support and partnership with Armenia, which continues to make major strides towards democracy, as evidenced by last month's parliamentary elections, as well as market reforms and increasing integration with the West.

However, Armenia's strides towards providing a better life for its people at home and being a partner for peace and stability with the West continue to be challenged by the blockades imposed by the neighboring countries, Azerbaijan and Turkey. Provisions of U.S. support provides at least some relief from the difficulties imposed by the blockades and represents a moral statement by our country that we should try to offset the effects of the illegal blockades imposed on Armenia by its neighbors. I would urge the House subcommittee to provide the same $90 million earmark that has been included by the Senate.

Mr. Speaker, another area where I will be working to have the House follow the Senate language is with regard to something that is not there, and that is repealing section 907 of the Freedom Support Act, which restricts aid to Azerbaijan until that country lifts its blockade of Armenia and Nagorno Karabagh.

Last month, Secretary of State Albright called on the Senate appropriators to repeal section 907. When the Freedom Support Act was adopted in 1992, establishing our post-Cold War U.S. foreign policy for the Newly Independent States of the former Soviet empire, section 907 was included as a way of holding Azerbaijan accountable for the blockade of its neighbors. Azerbaijan has continued its strategy of trying to strangle Armenia and Nagorno Karabagh. I am glad the Senate appropriators resisted the administration's proposal to lift section 907.

As I just indicated, Azerbaijan's blockade is against both the Republic of Armenia and the Republic of Nagorno Karabagh. Nagorno Karabagh is an historically Armenian-populated region that Stalin's mapmakers included as part of Azerbaijan. Because Nagorno Karabagh's independence has not been officially recognized by the United States, it was a tremendous breakthrough when Congress approved $12.5 million in assistance for Nagorno Karabagh in the fiscal year 1998 legislation. Unfortunately, much of that assistance has yet to be obligated, and while the Senate is silent on this issue, I will be working with my Armenia issues caucus colleagues to ensure the House bill also provides report language directing the Agency for International Development to expedite delivery of this assistance.

Another area where the Senate bill is silent is on the issue of the peace process for Nagorna Karabagh. The U.S. has been one of the countries taking the lead in the peace process under the auspices of the Organization for Security and Cooperation in Europe. And late last year, the U.S. and our negotiating partners put forward a proposal known as the Common State Proposal as a basis for moving the negotiations forward. Despite some serious reservations, the elected governments of both

Nagorno Karabagh and Armenia have accepted this Common State Proposal to get the negotiations moving forward, but Azerbaijan has flatly rejected our peace proposal.

I will work, Mr. Speaker, to include language in the House foreign operations appropriations bill to urge the administration to stay the course in the Nagorna Karabagh peace process and not let the rejectionist policies of the Azerbaijan cause us to back down in the search for a just and lasting solution to this conflict, providing for the full self-determination of Nagorno Karabagh.

I do appreciate the fact that the Senate did not buy into the administration's inexplicable proposal to increase aid to Azerbaijan and decrease aid to Armenia. As I indicated, the Senate language provides for an increase in assistance to Armenia. It does not provide any specific mention of aid to Azerbaijan.

With the break-up of the Soviet Union, as the countries of the collapsing empire attained their independence, Azerbaijan attempted to militarily crush Nagorno Karabagh and drive out the Armenian population. But the Karabagh Armenians ultimately won their war of independence, and a cease-fire was signed in 1994.

American humanitarian assistance to Azerbaijan, via Non-Governmental Organizations (NGOs) has not been affected by Section 907. In recent years, further exemptions to Section 907 have been carved out. It is important that, at a time when Azerbaijan continues to reject good-faith efforts to achieve a negotiated settlement to the Nagorno Karabagh conflict, while illegally blockading supplies of fuel, food and other essential supplies to its neighbors, that we not reward this country with additional U.S. assistance.

□ 1430

Mr. Speaker, I look forward to working with my friends on the Subcommittee on Foreign Operations, Export Financing and Related Programs to craft legislation that supports Armenia.

JUSTICE FOR THE BERGER FAMILY

The SPEAKER pro tempore (Mr. THORNBERRY). Under a previous order of the House, the gentleman from Ohio (Mr. LATOURETTE) is recognized for 5 minutes.

Mr. LATOURETTE. Mr. Speaker, as Americans, we have a right to expect that justice will be served whenever an American citizen is murdered, either on our soil or on foreign land.

David Berger, the son of Dr. and Mrs. Benjamin Berger of Shaker Heights, Ohio, was murdered nearly 20 years ago, but unlike too many others whose lives are senselessly lost, his death was not relegated to the police blotter section of the local paper.

Instead, the killing of David Berger was broadcast around the world and splashed across the front page of virtually every newspaper in the world. Still, for his family there has been no justice and no closure.

David Berger, a dual American-Israeli citizen, was one of 11 Israeli athletes killed by Palestinian terrorists in 1972 at the Olympic Games in Munich. David Berger, a championship weightlifter, had emigrated to Israel so he could compete in the Olympics as a member of the Israeli team.

Many of us remember the 1972 Olympic games perhaps from Mark Spitz and the 7 gold medals that he won in swimming. Others recall with delight the pint-sized Olga Korbut, who captured our hearts and also captured gold, but for the Berger family the 1972 Olympic games are scarred with painful images that are permanently etched in their minds and hearts, a machine gun toting terrorist with a black ski mask in the window of the dormitory where their son and his teammates were staying, the white pine coffin that held his remains when he was returned to the United States for his funeral.

Mr. Speaker, David Berger was the only American to die in this horrific act of terrorism that changed our world, that caused the Olympics to lose its innocence and forced the world to take the reality of terrorism far more seriously. If it could happen at the Olympics, it could happen anywhere.

Mr. Speaker, I share the story of David Berger now because at this very moment in history the United States has an unprecedented opportunity to deliver justice to the Berger family.

The Palestinian guerilla long suspected as the mastermind of the terrorist acts at the Munich games not only has admitted his part in this plot, but has written a book and plans to profit from it. Abu Daoud has written his autobiography, and it was recently published in France, called ''Palestine: From Jerusalem to Munich.'' In his book he admits to being the mastermind of the hostage taking at the Munich games.

Based on those admissions the German government last week issued an Interpol arrest warrant for Abu Daoud and plans to try him as an accessory for murder for planning the attack. Now this terrorist is in Jordan. The Israeli government last week denied him access to Israel, making it impossible for him to return to his home on the West Bank.

Mr. Speaker, regrettably it appears that Abu Daoud cannot be held accountable for his crimes in the United States or in Israel. Therefore, it is imperative that the Jordanian government honor the Interpol arrest warrant and return him to Germany. I have called today, Mr. Speaker, upon President Clinton to immediately demand the Jordanian King Abdullah that he turn over Abu Daoud to Germany for prosecution. It would be reprehensible if the United States would now turn its back and refuse to do all within its power to see that an assassin of an American citizen is brought to justice.

Mr. Speaker, Abu Daoud's book is not yet available in the United States. However, any American citizen can log on to the Internet, call up Amazon.com and read a breezy synopsis which says, ''Twenty-five years ago after he masterminded the tragedy of the 1972 Munich Olympic games, one of the legendary figures of Palestinian terrorism comes out of hiding to tell his story.''

Daoud has chosen this time in history to reveal to the world his role in this senseless execution of 11 Olympic athletes. While it sickens me to the core, Mr. Speaker, to think that anyone could profit from this type of terrorism, it would sicken me even more if our country were to fail to intervene and assist the Berger family of Shaker Heights, Ohio.

Mr. Speaker, Dr. Benjamin Berger is now 81 years old. He still practices medicine and is on the board of trustees at Fairmount Temple, where his eldest son was eulogized more than a quarter of century ago. He and his wife Dorothy have two grown children. The Bergers were left with many wonderful reminders of their son's life: A memorial at the Jewish Community Center, a gym at his high school, and a 19-year-old grandson named after the wonderful son they lost.

As we can imagine, it is painful for David Berger's mother Dorothy to relive the horror that befell her family nearly 27 years ago. Mr. Speaker, Dorothy Berger cannot fathom why Abu Daoud has chosen to admit his criminal acts in a book. Maybe he is proud of it. He has gotten away with it all these years.

Mr. Speaker, an American citizen was killed nearly 27 years ago in one of the most heinous, well-known terrorist acts of this century. We must not allow Abu Daoud to get away with it one day longer.

Mr. Speaker, may justice prevail. May God bless the Berger family and the United States of America.

COMMONSENSE MEASURES TO CURB GUN VIOLENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. EHRLICH) is recognized for 5 minutes.

Mr. EHRLICH. Mr. Speaker, just a few thoughts on the events taking place on the floor in the last few days.

Mr. Speaker, I and most of us support the rights of law-abiding citizens to possess guns for a variety of reasons, not the least of which is self-defense. This view derives from my observation that many gun control initiatives have proven a failure in reducing crime.

For example, in the case of the Colorado shootings, the two criminals responsible for the carnage broke 19 State and Federal laws in the preparation and commission of those crimes.

Some of my constituents have written to me about gun control proposals which seek to limit gun owners to purchasing one gun a month and a minimum 3-day waiting period. Previously, waiting periods were necessary in order to allow for background checks to be

completed. The passage of the Brady bill in 1994 brought new computerized national and local criminal arrest records. The criminal background of a potential gun purchaser can now be verified in a matter of minutes through the National Instant Check System, the NICS. I believe the background investigation as initiated through the NICS is a reasonable check on gun ownership rights.

I support some new proposals brought to this floor over the past two days, as well. For instance, I do not believe juveniles convicted of serious violent crimes should be allowed to acquire guns even after they turn 21 years of age. I support the imposition of harsh penalties for adults who provide guns to juveniles with the knowledge those guns will be used in a crime of violence.

I support programs which trace the source of firearms used in the commission of a crime. Convicted felons found in the possession of any gun should be punished severely, with mandatory minimum sentences that cannot be plea-bargained away.

Further, I welcome positive changes to current law that allow current and former police officers to carry weapons to protect themselves and our communities, prohibit guns pawned for more than a year from being returned until the owner passes an instant check, and allow D.C. residents the right to protect and defend themselves and their families in their own homes.

National crime statistics reflect an 18 percent decrease in violent crime and a 28 percent decrease in the murder rate from 1993 through 1997. The downward trend continued through June of 1998. I attribute a significant percentage of this improvement to the increased use of mandatory sentencing for violent offenders. Accordingly, I will continue to insist on harsh penalties for violent criminals, particularly those who misuse weapons during the commission of a crime.

Further, I call upon prosecutors everywhere to refrain from pleading away gun-related charges and criminal indictments. Sensible gun laws do work, but not when rendered meaningless by overburdened prosecutors more interested in moving their docket than in enforcing gun statutes.

Mr. Speaker, in my view the primary causes of gun violence in our society are rather obvious. The breakdown of families and family values, failure to hold individuals accountable for their actions, the romanticizing and glorifying of drug abuse, and violent behavior and guns on television, at the movies, and in video arcade are all relevant in assigning blame for recent events pertaining to youth violence.

Youth access to guns plays a part in the total picture, as well. Accordingly, I will continue to support measures restricting youth access to guns, criminal access to guns, and the mentally impaired and their access to guns.

I will not punish responsible. Law-abiding gun owners who are often made scapegoats by special interests and some segments of the popular press, and Members are going to see a heck of a lot of that over the coming days.

If gun control was the sole answer to the problem of violence in our country, my home State of Maryland, which has some of the strongest gun control laws in the country, would not have experienced an increased murder rate in 1998 while the national murder rate continued to fall.

The thoughts expressed herein do not make for an easy sound bite. Neither do they fall neatly under one political or philosophical label. They state, however, the views of one Member from Maryland who seeks to find positive solutions to one of our society's major ills, our fascination with violence.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

(Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE DISASTROUS WAR IN YUGOSLAVIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, fairly early on during the war in Yugoslavia I spoke on this floor and said it was obvious that Milosevic would cave and that President Clinton and his spin doctors would then try to declare a great victory. It was obvious that a country no bigger than Kentucky, with less than 4 percent of our population and an already weakened economy, and without any real ability even to fight back, could not hold out for long against the massive bombings and megabillions of the U.S. Defense Department.

The only reason this stupid, one-sided cruel joke of a war lasted as long as it did was because it became, as one columnist said, and allied farce instead of an allied force, as the military called it.

Jeffrey Gedmin, writing in the just published June 28 issue of the liberal New Republic Magazine, said this:

> If the deal between Yugoslavia and NATO over Kosovo sticks, expect the Clinton administration to claim vindication and to speak of a victory for American leadership via NATO. But Europe's own early post-mortem suggests that our allies might be drawing rather different conclusions.
>
> Privately, politically influential Europeans generally consider the U.S.-led operation in Kosovo to have been a fiasco. Calculations of an early victory proved disastrously wrong. The Kosovars, whom we started the fighting to protect, have been decimated. There were 90,000 refugees before the bombing began. Estimates of the homeless now exceed 1 million.

Mr. Gedmin ended his article by calling it a pyrrhic victory, meaning really no victory at all. Columnist Robert Novak said the same thing. He wrote,

> But the truly pyrrhic nature of NATO's victory lies in longer-term implications. Serious students of foreign policy, far from eager to join in a champagne bash, were melancholy. U.S. relations with China have been undermined. The most dangerous elements in the Russian military have been emboldened. Most worrisome, the world now sees America with different eyes.

Former Secretary of State Lawrence Eagleburger said, ''We looked like the big bully to a lot of people around the world.''

Senator KAY BAILEY HUTCHINSON said that we are in danger of losing prestige and good will around the world. Under this administration, we have bombed people in Afghanistan, the Sudan, Iraq, and Yugoslavia, all apparently in an attempt to show that the President and the Secretary of State are great world leaders, and to make their mark in history.

Paul Harvey called this war Monica's war, and many people believe all these bombings in Afghanistan, the Sudan, Iraq, and Yugoslavia, timed as they were, were at least in part done to try to make people forget things like the sordid Lewinsky affair and the President's sale of missile technology to the Chinese.

Columnist Tony Snow said that this was the first war we have ever entered into in which we were the unambiguous aggressor and in which there was no vital U.S. interests at stake. In the process, the President turned NATO from a purely defensive force into an offensive one for the very first time, illegally many think, because it was against the NATO charter. He turned our Defense Department into a war department, as it was once called. He violated both our constitutional law and our statutory law, the War Powers Act. But then, some people do not care as long as the stock market remains high.

Former Democratic Senator Sam Nunn said, however, ''I think we have to be more mature in handling these civil wars around the globe. We have got to develop other tools beyond military force to deal with what are nonvital interests, and I consider this,'' Senator Nunn said, ''to be a nonvital interest.''

These bombings have turned people who want to be our friends into enemies. These actions have increased anti-Americanism all over the world. We will have problems years from now because of all of this when the problems will be blamed on whomever is president at the time.

In addition, this has cost us many, many billions, which could have been spent on so many better things. Our military would have plenty of money and no shortages if this administration had not so totally misused our military in so many ridiculously costly ways.

Columnist Carol THOMAS wrote,

> Only a president who knows more about making love than war would declare the puny and ineffective one-sided assault on the former Yugoslavia to be a victory.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members to refrain from personal references towards the President.

□ 1500

Mr. DUNCAN. By any objective standard, the goals of Serbian leader Slobodan Milosevic, not of NATO and the United States, have been achieved. We have not defeated evil or hatred in the Balkans. It will come back, as it always has.

William Ratliff and David Openheimer, writing in the Washington Times, said,

NATO's bombing precipitated floods of refugees and other disasters that have destabilized the region in political, economic and other terms far beyond what Mr. Milosevic could have ever done on his own.

They added,

Since for most people NATO is America, this war has reignited anti-Americanism and suspicion of U.S. intentions from Argentina to China. Most people do not believe this war was to defend human rights, particularly since we harmed so many innocent people in and far beyond the central Balkans. Now people are already telling us we will have to spend $30 billion to $50 billion over the next few years to rebuild what we have destroyed.

This stupid, one-sided, cruel joke of a war was a foreign policy disaster that American taxpayers will be paying for in both military and economic terms for many years to come. It certainly cannot be called a victory in any shape, form or fashion.

[From the Washington Times, June 14, 1999]

PERILOUS PRECEDENT IN KOSOVO

(By William Ratliff and David Oppenheimer)

The resolution that passed United Nations Security Council Thursday is a welcome if short-term escape from a catastrophe NATO created in unintended cooperation with Yugoslav President Slobodan Milosevic. Some of the settlement can never be implemented and much of the collateral damage the war has caused will be difficult or impossible to reverse.

Mr. Milosevic undoubtedly is a war criminal whose crimes have been widely reported. But NATO is seriously guilty as well. Indeed, NATO's conduct precipitated or committed far greater moral—not to mention political, economic, international relations—damage than it prevented.

But already there are smug intimations of victory from the White House and nonsense like The Washington Post's editorial saying the Kosovo war proves the West ''would not stand for crimes against humanity.'' The hypocrisy of fighting a ''moral'' war that causes so many civilian casualties and global problems has not yet sunk in for Americans.

Now NATO is dictating a political correct ''settlement''—what Mr. Clinton calls ''multi-ethnic democracy'' and Kosovo autonomy within Yugoslavia—that is even more utopian than three months ago and guarantees more bitter warfare in the future.

War critics are not ''isolationists'' or critical of the American military; they simply say NATO could not achieve its objective of stopping Mr. Milosevic at an acceptable cost to ourselves and others. The proof:

NATO's stated objective was to protect the Kosovar Albanians, but it betrayed them. It gave Mr. Milosevic a cover to exponentially accelerate his repression and then in the June ''settlement'' fuzzed over the independence option that was given in the Rambouillet ultimatum. It is silly to suppose the Kosovo Liberation Army will agree to become a police force in a province of Yugoslavia. The Serb and NATO destruction of Kosovo left most of 1.5 million Kosovar Albanian refugees nothing to return to. Those most eager to return despite a terrible winter coming on are radicalized youngsters who now far more than before want to join the KLA to slaughter Serbs and seize the independence NATO now refuses to offer them.

If war had been the only option, it should not have been led by yuppie politicians who understood nothing about history, politics and warfare. There is a long list of lessons on the fatally flawed military conduct of the war, beginning with gradual escalation.

NATO's will or even capability to rebuild Kosovo and restore Kosovars to their destroyed homes will flag as Americans and Europeans are overwhelmed by problems of enforcement and as the billions of dollars add up at the expense of Social Security and other domestic projects.

For months NATO regularly (if apologetically) inflicted casualties on all sorts of innocents, from Serbs and Kosovar Albanians to Chinese, in part because it attacked from 15,000 feet in the air. While no military seeks casualties, to refuse to risk even one person in order to drop flood to hundreds of thousands of refugees in the mountains is to undermine one's seriousness and moral credibility.

Then there is the question, why Yugoslavia and not somewhere else where the crimes are equal or greater, as in Rwanda? Or the less remembered example of Cyprus, which next month ''celebrates the 25th anniversary of the Turkish invasion. Almost 200,000 Greek Cypriots were ''cleansed'' out of their homes in Northern Cyprus in 1974 by the Turkish army, but ''principled'' Washington for strategic reasons still in effect winks at Turkish occupation of more than a third of the island.

Serbia has been devastated and will cost tens of billions to rebuild, and Mr. Milosevic is still there.

NATO's bombing precipitated floods of refugees and other disasters that have destabilized the region in political, economic and other terms far beyond what Mr. Milosevic could ever have done on his own.

The war has buttressed reactionaries from Russia and China to the United States.

Since for most people NATO is America, this war has re-ignited anti-Americanism and suspicion of U.S. intentions from Argentina to China. Most people do not believe this war was to defend human rights, particularly since we harmed so many innocent people in and far beyond the Central Balkans.

NATO's war will encourage arms (including nuclear) proliferation around the world among nations who fear NATO may invade them next. The Kosovo war may even encourage development of defensive alliances to guard against NATO attacks on those it considers ''moral deviants.''

americans must see that long before its end this war was no longer simply a campaign to eliminate the ''evil'' Mr. Milosevic. It became a tragic fiasco with all kinds of casualties from Pristina to Beijing.

If Kosovo is seen as a ''victory,'' it will become a model for what British Prime Minister Tony Blair calls ''moral crusades'' to ''right wrongs'' around the world. The non-Western world—and many in the West as well—regard this as a dangerous and unworkable arrogance that like the Crusades centuries ago may have been at least partly moral in inspiration but in practice became fanatical, intolerant and massively destructive. If the moral crusades spread, the 21st century may have an even uglier human face than the 20th.

[From the New York Times]

WHAT DID NATO WIN IN BALKANS WAR?

(By A.M. Rosenthal)

But—why aren't we celebrating?

After all, we won, didn't we? The Kosovars will get to home, won't they?

Well, yes, we did encourage Slobodan Milosevic to drive them from those homes by giving him advance notice of when we would attack and assuring him not to worry about our sending in ground troops.

All right, all right, those were mistakes; shut up about them. At least now the million or so Kosovars we were supposed to be helping can pick up lives in their broken homes in smashed villages. Can't they?

Somebody will put up the money to fix up the homes. Isn't that so, perhaps?

Then there will be real peace, won't there? Naturally, to keep the Kosovars and Serbs from killing each other, we will have to maintain enough troops there for—oh, for about a generation.

But we are already doing that in Bosnia, so what is the big deal about sending off 7,000 or so more Americans—to start with—to Yugoslavia? Let's not be pretty about that; we are into the Balkan wars far too deep to quibble.

Maybe it won't be dangerous duty. The Kosovar army of Yugoslav citizens who count themselves Albanians won't take advantage of the departure of Serbian forces to take revenge on civilian Serbs. Will it?

And the Serbs in Serbia—they won't harbor a grudge against us, will they, for bombing their power plants, their factories, homes, hospitals, bridges and of course relatives with a destructiveness only the Germans had achieved against the Serbs in World War II?

Maybe they will forgive what the Germans did to them. About that time, they and their children will forgive us too, isn't that possible?

And the upside! Look at what we win. We saved NATO's face and President Clinton's and Madeleine Albright's. Her mouth foretold a quickie war. Maybe actually not saved their faces—but at least wiped them off a bit.

So we will be able to walk tall in the world for bombing Serbia into slivers. I mean, when the fear of America dies down in some countries that one day we will fly over their lands to bomb them into submission for not carrying out our orders.

You know, countries like India that are not about to surrender Kashmir without all-out war or Israel, whose mind it has crossed that, if NATO could bomb a neighbor that had not attacked its members first, why shouldn't the Arab League exercise the same privilege against Israel and eventually ask the United Nations for approval?

Remember—we have indicted Milosevic for war crimes. Yes, the fact that we never indicted Franjo Tudjman of Croatia, our own private dictators for driving 300,000 Serbs out is embarrassing. But at least the Serbian killer will have to spend his vacations at home or maybe someplace in Russia.

Maybe all that is why we are not celebrating the great victory. People like myself, who have spent years struggling to get our country to use its political and economic power for human rights, saw its leaders bumble into another Balkan war using bombs instead of the brains God should have given them.

The Bosian frightfulness has wound up in the partition that without foreign interference Muslims, Croates and Serbs could have had a decade ago, without war.

We have seen our country launch a war, first by futile ultimatum, then by a slovenly planned war that from the beginning brought more suffering to Kosovars and Serbian civilian than to Milosevic and his troops. Far too

many Americans wrote and talked of Serbs, our allies in battles we should remember, as if they were bugs.

To those Kosovars who will return or seek safe lives elsewhere, for Serbs who will one day eliminate Milosevic, go our embraces. To Clinton and his fellow leaders—our contempts for their human and security values.

While Clinton and his NATO comrades were busy bombing Serbia and Kosovo, they were permitting the destruction of the U.N. arms inspection of Iraq—the one barrier against Saddam Hussein's path to nuclear, biological and chemical weapons.

That is a disaster for all nations, for all human rights struggles. If America remembers the Clinton-Albright bungling in Iraq, China and Yugoslavia and demands that any presidential or senatorial candidate separate from them, there may be reason for some satisfaction—for for champagne and parades, none.

CHARITABLE CHOICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

Mr. SOUDER. Mr. Speaker, this really has been an exhausting week, and it will be interesting to see how people address this. Earlier one of our Members who said that we did not actually do anything this week, we did in fact pass a juvenile justice prevention bill, and I thought that that was our goal here which was to reduce juvenile crime and to reach those who have gotten in trouble and try to help them straighten out their lives.

If one is obsessed only with guns, and particularly if one is obsessed only with their solution to the gun problem, perhaps we had a difficult week because their bill did not pass, but let us not confuse that with the fact that we did accomplish some advancement in an effort to try to reach youth.

Furthermore, some of us were disappointed that we did not do more to address the question of violence in the media, and hopefully over the next few months we will be able to address that.

One amendment that I had that passed, the charitable choice amendment, gets lost. Charitable choice and many other things like this are not as glamorous or as media driven, and the general public does not focus on them like the Ten Commandments or like the one video game called Postal, where actually someone goes crazy and it shows how many of the people are remaining to be killed and a person gets more points if they hit them in the chest or at a main artery as opposed to other places in their body. This type of disgusting type of thing will get a lot of media attention, but when we do charitable choice where we are allowing juvenile prevention funds to be used by religious-based organizations, where people are actually trying to help the kids who are being impacted by this, it does not get as much media coverage.

We had hoped this afternoon to be able to move under unanimous consent a sense of the House of Representatives in regard to community renewal through community and faith-based organizations. Out of respect to the minority who did not have adequate time to look at this and has some objections, this will probably be addressed on Tuesday, but I wanted to speak a little bit about this resolution and the renewal alliance efforts of this past week.

The gentleman from Pennsylvania (Mr. PITTS), the gentleman from Ohio (Mr. KASICH), the gentleman from Missouri (Mr. TALENT), the gentleman from Oklahoma (Mr. WATTS), the gentleman from Pennsylvania (Mr. ENGLISH), the gentleman from Tennessee (Mr. WAMP) and many others, as well as former Democratic colleagues Fred Flake of New York and Denny Davis of Chicago, have worked together in trying to put together both legislative packages, as well as in our renewal alliance efforts this past week, to have a number of meetings, to highlight local groups, to visit local charities and we were hoping that this resolution would have been a capping to that week.

The resolution, which we hope to have come up on Tuesday, states that while steady economic growth and low inflation has yielded unprecedented prosperity, many American citizens have not in fact benefited from this prosperity and continue to be socioeconomically disadvantaged. Many of these live in inner cities and rural communities where they continue to be plagued by social breakdown, economic disadvantage and educational failure that fosters hopelessness and despair.

Many of the groups that are by far the most effective are community and faith-based organizations. Many of us believe through the American Community Renewal Act and other pieces of legislation that we need to figure out how to get more dollars to the groups that are the most effective. We need to know how to capitalize on their vision of compassion, of volunteerism, of caring for the poor and the vulnerable; that when we see our national leaders, our current Republican leader candidate for president, Governor Bush has been a leader in the area of prisons where he has worked with Prison Fellowship. He has worked with a number of other local groups in Texas and has actually put this into practice.

A little bit newer to this is Vice President GORE but he has been outspoken in the past few weeks on the importance of including charitable, particularly religious and community-based organizations, in this effort.

In fact, on his election campaign home page he specifically says that he believes charitable choice should be promoted, and that was reflected in a vote this week on my amendment, where we not only had 346 votes but we had, I believe it was 130 Democrats for it and only 79 Democrats against it.

We are in an unusual period right now in America, and that is both parties are coming to realize that the Federal Government, for that matter the State and local governments alone, cannot accomplish and solve all the problems related to poverty. Not that anybody can, but they need the help; in particular are seeking the help. Many of us in government now realize we have to work, we must work, with the churches and volunteers in our local community. We must give tax incentives.

I have one tax bill, the charitable tax bill, that would increase the value of the charitable deduction to 120 percent; that would let nonitemizers take the charitable deduction; that would lift the caps on higher income and delay the effective date to April 15.

We need to be looking at creative tax solutions, at creative solutions as we now have, in welfare reform where we have done charitable choice, in social services block grant where we did charitable choice last year, and now in juvenile justice where we have put charitable choice in.

So whatever else we may or may not have accomplished, we did move some prevention programs. We have once again advanced the charitable choice and next hopefully we will have another resolution that will put the House on record in this exciting and really substantive, if not the most sexy concept, that we are proceeding with.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PASCRELL (at the request of Mr. GEPHARDT) for Friday, June 18, after 12:15 p.m., on account of family emergency.

Mr. LEWIS of California (at the request of Mr. ARMEY) for today on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at the request of Mr. PALLONE) to revise and extend his remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. SOUDER) to revise and extend their remarks and include extraneous material:)

Mr. SMITH of Michigan, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

Mr. EHRLICH, for 5 minutes, today.

Mr. SOUDER, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and insert extraneous material:)

Mr. EHRLICH, for 5 minutes, today.

SENATE CONCURRENT RESOLUTION REFERRED

A Concurrent resolution of the Senate of the following title was taken

from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 40. Concurrent resolution commending the President and the Armed Forces for the success of Operation Allied Force; to the Committee on International Relations in addition to the Armed Services Committee for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADJOURNMENT

Mr. SOUDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 7 minutes p.m.) under its previous order, the House adjourned until Tuesday, June 22, 1999, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2665. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Horses From Australia and New Zealand; Quarantine Requirements [Docket No. 98–069–2] received June 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2666. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Propamocarb Hydrochloride; Extension of Tolerance for Emergency Exemptions [OPP–300826; FRL–6070–1] (RIN: 2070–AB78) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2667. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Public Housing Development Rule: Information Collection Approval Numbers [Docket No. FR–4443–F–05] received April 8, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2668. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2669. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2670. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–7288] received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2671. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits—received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2672. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Leesville, Louisiana) [MM Docket No. 98–191] (RM–9351) received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2673. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, Office of Governmentwide Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Circular 97–12; Introduction—received June 14, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2674. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule—Matching Credit Card and Debit Card Contributions in Presidential Campaigns [Notice 1999–9] received June 14, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

2675. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Migratory Bird Special Canada Goose Permit (RIN: 1018–AE46) received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2676. A letter from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking and Importing Marine Mammals; Taking of Marine Mammals Incidental to Power Plant Operations [Docket No. 970703165–9117–03; I.D. 062397A] (RIN: 0648–AK00] received June 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2677. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to amend title XVIII of the Social Security Act to increase flexibility in Medicare claims processing; jointly to the Committees on Ways and Means and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on the Judiciary. H.R. 1659. A bill to reinforce police training and reestablish police and community relations, and to create a commission to study and report on the policies and practices that govern the training, recruitment, and oversight of police officers, and for other purposes; with an amendment (Rept. 106–190). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 33. Resolution proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States (Rept. 106–191). Referred to the House Calendar.

Mr. HYDE: Committee on the Judiciary. H.R. 1658. A bill to provide a more just and uniform procedure for Federal civil forfeitures, and for other purposes; with amendments (Rept. 106–192). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. FARR of California (for himself, Mr. GALLEGLY, Mr. WAXMAN, Mr. CAMPBELL, Mr. STARK, Mrs. CAPPS, Mr. BILBRAY, and Ms. ESHOO):

H.R. 2277. A bill to designate all unreserved and unappropriated California coastal rocks and islands currently administered by the Bureau of Land Management as a component of the National Wilderness Preservation System; to the Committee on Resources.

By Mr. FARR of California:

H.R. 2278. A bill to require the National Park Service to conduct a feasibility study regarding options for the protection and expanded visitor enjoyment of nationally significant natural and cultural resources at Fort Hunter Liggett, California; to the Committee on Resources.

H.R. 2279. A bill to expand the boundaries of Pinnacles National Monument, and for other purposes; to the Committee on Resources.

By Mr. STUMP (for himself, Mr. EVANS, Mr. QUINN, and Mr. FILNER):

H.R. 2280. A bill to amend title 38, United States Code, to provide a cost-of-living adjustment in rates of compensation paid for service-connected disabilities, to enhance the compensation, memorial affairs, and housing programs of the Department of Veterans Affairs, to improve retirement authorities applicable to judges of the United States Court of Appeals for Veterans Claims, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ACKERMAN:

H.R. 2281. A bill to amend title 18, United States Code, to permanently prohibit the possession of firearms by persons who have been convicted of a felony, and for other purposes; to the Committee on the Judiciary.

By Mr. BLILEY (for himself, Mr. OBERSTAR, Mr. CAMP, Mr. SCOTT, Mr. BURTON of Indiana, Mr. POMEROY, and Mr. DEMINT):

H.R. 2282. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from individual retirement plans for adoption expenses and to expand and extend permanently the exclusion allowed for employer adoption assistance programs; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island:

H.R. 2283. A bill to amend title 10, United States Code, to improve the authorities relating to the provision of honor guard details at funerals of veterans; to the Committee on Armed Services.

By Mr. LEWIS of Kentucky (for himself and Mrs. NORTHUP):

H.R. 2284. A bill to provide that certain costs of private foundations in removing hazardous substances shall be treated as qualifying distributions; to the Committee on Ways and Means.

By Mr. RODRIGUEZ (for himself, Mr. SMITH of Texas, Mr. BONILLA, and Mr. GONZALEZ):

H.R. 2285. A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to authorize the Secretary of the Interior to participate in the design, planning, and construction of the San Antonio Water System Water Recycling Project Phase III for the reclamation and reuse of water, and for other purposes; to the Committee on Resources.

By Mr. SCARBOROUGH (for himself, Mr. LEWIS of Georgia, Mr. ROEMER, and Mr. QUINN):

H.R. 2286. A bill to designate the Federal building located at 10th Street and Constitution Avenue, NW, in Washington, DC, as the

''Robert F. KENNEDY Department of Justice Building''; to the Committee on Transportation and Infrastructure.

By Mr. SERRANO (for himself, Ms. JACKSON-LEE of Texas, Mrs. MINK of Hawaii, Mr. HINOJOSA, Mr. EVANS, Mr. ROMERO-BARCELO, Mr. PASTOR, Mr. RANGEL, and Ms. LEE):

H.R. 2287. A bill to amend the Immigration and Nationality Act to ensure that veterans of the United States Armed Forces are eligible for discretionary relief from detention, deportation, exclusion, and removal, and for other purposes; to the Committee on the Judiciary.

By Mr. STEARNS (for himself and Mr. LEWIS of Georgia):

H.R. 2288. A bill to establish the North American Slavery Memorial Council; to the Committee on Resources.

By Mr. WELDON of Florida (for himself and Mr. DAVIS of Florida):

H.R. 2289. A bill to amend the Internal Revenue Code of 1986 to treat spaceports like airports under the exempt facility bond rules; to the Committee on Ways and Means.

By Mr. ROEMER (for himself, Mr. WOLF, and Mr. LAFALCE):

H. Con. Res. 137. A concurrent resolution expressing the sense of Congress with regard to the recommendations of the National Gambling Impact Study Commission; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 73: Mr. CUNNINGHAM, Mr. ROHRABACHER, Mr. FOLEY, Mr. HERGER, Mr. BURTON of Indiana, Mr. COBLE, and Mr. ARCHER.

H.R. 142: Mr. GUTKNECHT.

H.R. 175: Mr. CROWLEY, Mr. GILCHREST, Mr. ABERCROMBIE, Mr. SERRANO, Mr. HOBSON, Mr. HASTINGS of Florida, Ms. JACKSON-LEE of Texas, Mr. KNOLLENBERG, Mr. FOSSELLA, and Mr. BOSWELL.

H.R. 218: Mr. BARCIA.

H.R. 303: Mrs. MEEK of Florida, Mr. PETERSON of Pennsylvania, Mr. COOK, Ms. KILPATRICK, Mr. THUNE, and Mr. HALL of Ohio.

H.R. 316: Mr. TIERNEY and Mr. WU.

H.R. 332: Mr. PAUL.

H.R. 491: Ms. LEE.

H.R. 528: Mr. EVERETT.

H.R. 531: Mr. SNYDER and Mr. TOWNS.

H.R. 577: Mr. BARRETT of Nebraska.

H.R. 682: Mr. BEREUTER.

H.R. 693: Mr. STRICKLAND.

H.R. 721: Mr. WEYGAND and Mr. CANNON.

H.R. 762: Mr. ROTHMAN, Mrs. CAPPS, Mr. CONYERS, Mr. MARTINEZ, Mr. MOORE, Mr. KUCINICH, Mr. HOUGHTON, Mr. COSTELLO, Mr. LUCAS of Oklahoma, Mr. GOODLING, Mr. DAVIS of Virginia, Mr. CAPUANO, Mr. OLVER, Mr. STUPAK, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KING, Mr. INSLEE, Mr. KILDEE, Mr. CLEMENT, Mr. LARSON, Mr. BOUCHER, Mr. HOEFFEL, Mr. MASCARA, Mr. PALLONE, Mr. WOLF, Ms. PRYCE of Ohio, Ms. VELAZQUEZ, Mr. GONZALEZ, Mr. LAMPSON, Ms. NORTON, Mr. BERRY, Mrs. JOHNSON of Connecticut, Mr. WU, Mr. SCOTT, Mr. ENGEL, Mr. KENNEDY of Rhode Island, Ms. CARSON, Mr. MCNULTY, Mr. LAHOOD, Mrs. MCCARTHY of New York, Mr. CLYBURN, Mr. SHAW, Ms. LEE, Mr. LEWIS of California, Mr. OWENS, Ms. SCHAKOWSKY, Mr. FATTAH, Mr. FARR of California, Mr. SMITH of New Jersey, and Mr. SAXTON.

H.R. 764: Mr. GREEN of Wisconsin, Mr. PORTMAN, Mr. MEEKS of New York, and Mr. LAMPSON.

H.R. 772: Mr. UDALL of Colorado.

H.R. 776: Mr. KLECZKA.

H.R. 783: Mr. COSTELLO, Mr. HALL of Ohio, Ms. KAPTUR, Mr. HOLDEN, Mr. HINCHEY, Mrs. ROUKEMA, and Mr. BOEHLERT.

H.R. 784: Mr. HOLDEN, Mr. GREEN of Texas, Mr. GILMAN, Mr. INSLEE, and Mrs. EMERSON.

H.R. 804: Mr. FROST.

H.R. 835: Mr. ARMEY, Mr. HEFLEY, Mr. DELAY, Mr. BILBRAY, Mr. BENTSEN, Mr. WEYGAND, Mr. CLEMENT, Mr. BLUNT, Mr. GONZALEZ, Mr. BARCIA, Mrs. CAPPS, Mr. PASCRELL, and Mr. PHELPS.

H.R. 853: Mr. GEKAS.

H.R. 859: Mr. FILNER.

H.R. 864: Mr. PAUL, Ms. SLAUGHTER, Ms. HOOLEY of Oregon, Mr. HOYER, Mr. BILIRAKIS, Mr. ROEMER, Ms. SCHAKOWSKY, Mr. CROWLEY, Mr. SERRANO, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. JACKSON-LEE of Texas, Mr. HASTINGS of Florida, and Mr. KNOLLENBERG.

H.R. 909: Mr. MARTINEZ.

H.R. 914: Mr. GORDON.

H.R. 958: Mr. ENGEL.

H.R. 1044: Mr. LEWIS of Kentucky.

H.R. 1053: Mr. VENTO.

H.R. 1070: Mr. JENKINS.

H.R. 1083: Mrs. CUBIN and Mr. BOEHLERT.

H.R. 1093: Mr. WEINER, Mr. WATT of North Carolina, Mr. BERRY, Mr. DAVIS of Illinois, Mrs. NAPOLITANO, Mr. UDALL of New Mexico, and Ms. MCCARTHY of Missouri.

H.R. 1111: Mr. JENKINS.

H.R. 1168: Mr. CLEMENT.

H.R. 1180: Mr. SHIMKUS, Mr. ANDREWS, and Mrs. THURMAN.

H.R. 1196: Mr. DAVIS of Illinois and Ms. HOOLEY of Oregon.

H.R. 1215: Mr. PETRI.

H.R. 1216: Mr. CALVERT, Mr. BISHOP, and Ms. LEE.

H.R. 1260: Mr. FOLEY.

H.R. 1281: Mr. WATKINS.

H.R. 1283: Mr. BRYANT, Mr. GARY MILLER of California, and Mr. SHAYS.

H.R. 1300: Mr. SERRANO.

H.R. 1301: Mr. BASS, Mr. POMBO, Mr. FRELINGHUYSEN, Mr. LEWIS of Kentucky, Mr. THUNE, Mrs. MINK of Hawaii, Mr. MCINTYRE, Mr. LOBIONDO, Mr. OSE, and Mr. WICKER.

H.R. 1303: Mr. MARTINEZ.

H.R. 1317: Mr. NUSSLE.

H.R. 1325: Mr. FILNER, Mr. VENTO, and Mrs. NORTHUP.

H.R. 1328: Mr. LOBIONDO.

H.R. 1344: Mr. GILLMOR and Mr. SIMPSON.

H.R. 1381: Mr. DEAL of Georgia.

H.R. 1387: Mr. PETERSON of Minnesota and Mr. REYES.

H.R. 1433: Mr. SMITH of Washington and Mr. INSLEE.

H.R. 1442: Mr. DEUTSCH.

H.R. 1456: Mr. BONIOR, Mr. MEEKS of New York, Ms. DANNER, and Ms. HOOLEY of Oregon.

H.R. 1525: Mr. NEAL of Massachusetts and Ms. HOOLEY of Oregon.

H.R. 1622: Mr. PASTOR.

H.R. 1645: Mr. BONIOR.

H.R. 1663: Mr. HAYWORTH.

H.R. 1676: Ms. MCKINNEY.

H.R. 1707: Mr. MCINNIS.

H.R. 1731: Mr. HUNTER, Mr. DICKEY, and Mr. MCDERMOTT.

H.R. 1736: Mr. BRADY of Pennsylvania, Mr. HILLIARD, Mr. FILNER, Mr. ABERCROMBIE, and Mr. WEXLER.

H.R. 1746: Mr. BLUNT and Mr. COMBEST.

H.R. 1760: Ms. LEE.

H.R. 1784: Mr. HASTINGS of Florida, Mr. RAHALL, Mr. MEEHAN, Mr. MCNULTY, Mr. SHERMAN, and Mr. WEINER.

H.R. 1810: Mr. LAHOOD and Mr. THUNE.

H.R. 1837: Mr. STRICKLAND and Mr. LOBIONDO.

H.R. 1863: Mr. DICKS.

H.R. 1899: Mr. GILMAN, Mr. KENNEDY of Rhode Island, Mr. LARSON, Mr. TURNER, Ms. LEE, Mrs. MALONEY of New York, and Mr. BONIOR.

H.R. 1917: Mr. PAUL, Mr. TOWNS, Mrs. MINK of Hawaii, Mr. WATKINS, Mr. VISCLOSKY, Ms. NORTON, Mr. BENTSEN, Mr. ROMERO-BARCELO, and Mr. THOMPSON of California.

H.R. 1929: Ms. BALDWIN.

H.R. 1932: Mr. BALDACCI, Mr. SHOWS, Mr. SHERMAN, Mr. FRELINGHUYSEN, Mr. HOLT, Ms. GRANGER, and Ms. ESHOO.

H.R. 1950: Mr. FORBES, Mr. METCALF, and Mr. ETHERIDGE.

H.R. 1975: Mr. HAYWORTH and Mr. BARR of Georgia.

H.R. 1977: Ms. SCHAKOWSKY, Mr. VENTO, and Ms. WOOLSEY.

H.R. 1990: Mr. TRAFICANT, Mr. FROST, Mr. WISE, Mr. NADLER, and Mr. LOBIONDO.

H.R. 1993: Mr. RADANOVICH.

H.R. 1996: Mr. BRADY of Pennsylvania and Mr. FROST.

H.R. 1998: Mr. CAPUANO, Mr. SHAW, Mr. MCGOVERN, Mr. SALMON, Mr. VENTO, and Mr. HAYWORTH.

H.R. 1999: Mr. STUMP and Mr. KOLBE.

H.R. 2013: Mr. LATHAM.

H.R. 2031: Mr. RAHALL, Mr. DICKEY, Mr. EHRLICH, Mr. ETHERIDGE, Mr. MCINTYRE, Mr. SANDLIN, Mr. MEEHAN, Mr. BARCIA, and Mr. TURNER.

H.R. 2060: Mr. EVANS and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2101: Mrs. NORTHUP.

H.R. 2121: Mr. RAHALL, Mr. LAHOOD, Ms. RIVERS, Mr. RODRIGUEZ, and Mr. KILDEE.

H.R. 2233: Mrs. CLAYTON, Mr. DICKEY, Mr. HASTINGS of Florida, Mr. NETHERCUTT, Mrs. MORELLA, Mr. TALENT, Mr. BRYANT, Mr. COOK, Mr. BILBRAY, Mr. WATKINS, Mr. LAZIO, Mr. FALEOMAVAEGA, and Mr. NORWOOD.

H.R. 2252: Mr. COLLINS.

H.R. 2260: Mr. DEMINT and Mrs. NORTHUP.

H. Con. Res. 17: Ms. PELOSI.

H. Con. Res. 100: Mr. PAYNE and Mr. GILMAN.

H. Con. Res. 112: Mr. NETHERCUTT, Mr. KLECZKA, Mr. LINDER, Mr. GUTKNECHT, Mr. SANFORD, Mrs. BONO, Mr. SWEENEY, and Mr. LAZIO.

H. Con. Res. 113: Ms. HOOLEY of Oregon.

H. Con. Res. 128: Mr. DEUTSCH, Mr. CLAY, Mr. RAMSTAD, Mr. GEPHARDT, Ms. DUNN, Mr. PAYNE, and Mr. FILNER.

H. Con. Res. 130: Mr. FALEOMAVAEGA.

H. Con. Res. 133: Mr. FROST, Mr. RUSH, Mr. SISISKY, and Mr. BONIOR.

H. Res. 34: Mrs. JOHNSON of Connecticut, and Ms. EDDIE BERNICE JOHNSON of Texas.

H. Res. 90: Mr. MEEHAN, Mr. PETERSON of Minnesota, Mr. LAMPSON, Mr. CLEMENT, and Mr. WU.

H. Res. 212: Mr. BARRETT of Wisconsin, Mr. CROWLEY, and Mr. KLECZKA.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 853: Mr. HOBSON.