

suspend the rules and pass the bill (S. 1266) to authorize the Secretary of Veterans Affairs to enter into contracts with nonprofit organizations to investigate medical centers of the Department of Veterans Affairs, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 9, as follows:

[Roll No. 661]

YEAS—423

Abraham	Cook	Gottheimer
Adams	Cooper	Gowdy
Aderholt	Correa	Granger
Aguilar	Costa	Graves (GA)
Allen	Costello (PA)	Graves (LA)
Amash	Courtney	Graves (MO)
Amodei	Cramer	Green, Al
Arrington	Crawford	Green, Gene
Babin	Crist	Griffith
Bacon	Crowley	Grijalva
Banks (IN)	Cuellar	Grothman
Barletta	Culberson	Guthrie
Barr	Cummings	Hanabusa
Barragán	Curbelo (FL)	Handel
Barton	Curtis	Harper
Bass	Davidson	Harris
Beatty	Davis (CA)	Hartzler
Bera	Davis, Danny	Hastings
Bergman	Davis, Rodney	Heck
Beyer	DeFazio	Hensarling
Biggs	Delaney	Herrera Beutler
Bilirakis	DeLauro	Hice, Jody B.
Bishop (GA)	DelBene	Higgins (LA)
Bishop (MI)	Demings	Higgins (NY)
Bishop (UT)	Denham	Hill
Black	Dent	Himes
Blackburn	DeSantis	Holding
Blumenauer	DeSaulnier	Hollingsworth
Blunt Rochester	DesJarlais	Hoyer
Bonamici	Deutch	Hudson
Bost	Diaz-Balart	Huffman
Boyle, Brendan	Dingell	Huizenga
F.	Doggett	Hultgren
Brady (PA)	Donovan	Hunter
Brady (TX)	Doyle, Michael	Hurd
Brat	F.	Issa
Brooks (AL)	Duffy	Jackson Lee
Brooks (IN)	Duncan (SC)	Jeffries
Brown (MD)	Duncan (TN)	Jenkins (KS)
Buchanan	Dunn	Jenkins (WV)
Buck	Ellison	Johnson (GA)
Bucshon	Emmer	Johnson (LA)
Budd	Engel	Johnson (OH)
Burgess	Eshoo	Johnson, E. B.
Bustos	Españillat	Johnson, Sam
Butterfield	Estes (KS)	Jones
Byrne	Esty (CT)	Jordan
Calvert	Evans	Joyce (OH)
Capuano	Farenthold	Kaptur
Carbajal	Faso	Katko
Cárdenas	Ferguson	Keating
Carson (IN)	Fitzpatrick	Kelly (IL)
Carter (GA)	Fleischmann	Kelly (MS)
Carter (TX)	Flores	Kelly (PA)
Cartwright	Fortenberry	Khanna
Castor (FL)	Foster	Kihuen
Castro (TX)	Fox	Kildee
Chabot	Frankel (FL)	Kilmer
Cheney	Franks (AZ)	Kind
Cicilline	Frelinghuysen	King (IA)
Clark (MA)	Fudge	King (NY)
Clarke (NY)	Gabbard	Kinzinger
Clay	Gaetz	Knight
Cleaver	Gallagher	Krishnamoorthi
Clyburn	Gallego	Kuster (NH)
Coffman	Garamendi	Kustoff (TN)
Cohen	Garrett	Labrador
Cole	Gianforte	LaHood
Collins (GA)	Gibbs	LaMalfa
Collins (NY)	Gohmert	Lamborn
Comer	Gomez	Lance
Comstock	Gonzalez (TX)	Langevin
Conaway	Goodlatte	Larsen (WA)
Connolly	Gosar	Larson (CT)

Latta	Pallone	Shuster
Lawrence	Palmer	Simpson
Lawson (FL)	Panetta	Sinema
Lee	Pascarell	Sires
Levin	Paulsen	Slaughter
Lewis (GA)	Payne	Smith (MO)
Lewis (MN)	Pearce	Smith (NE)
Lieu, Ted	Pelosi	Smith (NJ)
Lipinski	Perlmutter	Smith (TX)
LoBiondo	Perry	Smith (WA)
Loebach	Peters	Smucker
Lofgren	Peterson	Soto
Long	Pingree	Speier
Loudermilk	Pittenger	Stefanik
Love	Poe (TX)	Stewart
Lowenthal	Poliquin	Stivers
Lowe	Polis	Suozzi
Lucas	Posey	Swalwell (CA)
Luetkemeyer	Price (NC)	Takano
Lujan Grisham,	Quigley	Taylor
M.	Raskin	Tenney
Luján, Ben Ray	Ratcliffe	Thompson (CA)
Lynch	Reed	Thompson (MS)
MacArthur	Reichert	Thompson (PA)
Maloney,	Renacci	Thornberry
Carolyn B.	Rice (NY)	Tiberi
Maloney, Sean	Rice (SC)	Tipton
Marchant	Richmond	Titus
Marino	Roby	Tonko
Marshall	Roe (TN)	Torres
Massie	Rogers (AL)	Trott
Mast	Rogers (KY)	Tsongas
Matsui	Rohrabacher	Turner
McCarthy	Rokita	Upton
McCaul	Rooney, Francis	Valadao
McClintock	Rooney, Thomas	Vargas
McCollum	J.	Veasey
McEachin	Ros-Lehtinen	Vela
McGovern	Rosen	Velázquez
McHenry	Roskam	Visclosky
McKinley	Ross	Wagner
McMorris	Rothfus	Walberg
Rodgers	Rouzer	Walden
McNerney	Roybal-Allard	Walker
McSally	Royce (CA)	Walorski
Meadows	Ruiz	Walters, Mimi
Meehan	Ruppersberger	Walz
Meeks	Rush	Wasserman
Meng	Russell	Schultz
Messer	Rutherford	Waters, Maxine
Mitchell	Ryan (OH)	Watson Coleman
Moolenaar	Sanchez	Weber (TX)
Mooney (WV)	Sanford	Webster (FL)
Moore	Sarbanes	Welch
Moulton	Scalise	Wenstrup
Mullin	Schakowsky	Westerman
Murphy (FL)	Schiff	Williams
Nadler	Schneider	Wilson (FL)
Napolitano	Schrader	Wilson (SC)
Neal	Schweikert	Wittman
Newhouse	Scott (VA)	Womack
Noem	Scott, Austin	Woodall
Nolan	Scott, David	Yarmuth
Norcross	Sensenbrenner	Yoder
Norman	Serrano	Yoho
Nunes	Sessions	Young (AK)
O'Halleran	Sewell (AL)	Young (IA)
O'Rourke	Shea-Porter	Zeldin
Olson	Sherman	
Palazzo	Shimkus	

NOT VOTING—9

□ 1435

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3524

Mr. LATTA. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3524.

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

There was no objection.

CONCEALED CARRY RECIPROCITY ACT OF 2017

Mr. GOODLATTE. Mr. Speaker, pursuant to House Resolution 645, I call up the bill (H.R. 38) to amend title 18, United States Code, to provide a means by which nonresidents of a State whose residents may carry concealed firearms may also do so in the State, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 645, in lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-45 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 38

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Concealed Carry Reciprocity Act of 2017".

TITLE I—CONCEALED CARRY RECIPROCITY ACT OF 2017

SEC. 101. RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS.

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

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

"(a) Notwithstanding any provision of the law of any State or political subdivision thereof (except as provided in subsection (b)) and subject only to the requirements of this section, a person who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, who is carrying a valid identification document containing a photograph of the person, and who is carrying a valid license or permit which is issued pursuant to the law of a State and which permits the person to carry a concealed firearm or is entitled to carry a concealed firearm in the State in which the person resides, may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce, in any State that—

"(1) has a statute under which residents of the State may apply for a license or permit to carry a concealed firearm; or

"(2) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes.

"(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)(1) A person who carries or possesses a concealed handgun in accordance with subsections (a) and (b) may not be arrested or otherwise detained for violation of any law or any rule or regulation of a State or any political subdivision thereof related to the possession, transportation, or carrying of firearms unless there is probable cause to believe that the person

is doing so in a manner not provided for by this section. Presentation of facially valid documents as specified in subsection (a) is prima facie evidence that the individual has a license or permit as required by this section.

“(2) When a person asserts this section as a defense in a criminal proceeding, the prosecution shall bear the burden of proving, beyond a reasonable doubt, that the conduct of the person did not satisfy the conditions set forth in subsections (a) and (b).

“(3) When a person successfully asserts this section as a defense in a criminal proceeding, the court shall award the prevailing defendant a reasonable attorney’s fee.

“(d)(1) A person who is deprived of any right, privilege, or immunity secured by this section, under color of any statute, ordinance, regulation, custom, or usage of any State or any political subdivision thereof, may bring an action in any appropriate court against any other person, including a State or political subdivision thereof, who causes the person to be subject to the deprivation, for damages or other appropriate relief.

“(2) The court shall award a plaintiff prevailing in an action brought under paragraph (1) damages and such other relief as the court deems appropriate, including a reasonable attorney’s fee.

“(e) In subsection (a):

“(1) The term ‘identification document’ means a document made or issued by or under the authority of the United States Government, a State, or a political subdivision of a State which, when completed with information concerning a particular individual, is of a type intended or commonly accepted for the purpose of identification of individuals.

“(2) The term ‘handgun’ includes any magazine for use in a handgun and any ammunition loaded into the handgun or its magazine.

“(f)(1) A person who possesses or carries a concealed handgun under subsection (a) shall not be subject to the prohibitions of section 922(g) with respect to that handgun.

“(2) A person possessing or carrying a concealed handgun in a State under subsection (a) may do so in any of the following areas in the State that are open to the public:

“(A) A unit of the National Park System.

“(B) A unit of the National Wildlife Refuge System.

“(C) Public land under the jurisdiction of the Bureau of Land Management.

“(D) Land administered and managed by the Army Corps of Engineers.

“(E) Land administered and managed by the Bureau of Reclamation.

“(F) Land administered and managed by the Forest Service.”

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

“926D. Reciprocity for the carrying of certain concealed firearms.”

(c) SEVERABILITY.—Notwithstanding any other provision of this title, if any provision of this section, or any amendment made by this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this section and amendments made by this section and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

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

SEC. 102. RULE OF CONSTRUCTION.

Nothing in this title prohibits a law enforcement officer with reasonable suspicion of a violation of any law from conducting a brief investigative stop in accordance with the Constitution of the United States.

SEC. 103. CERTAIN OFF-DUTY LAW ENFORCEMENT OFFICERS AND RETIRED LAW ENFORCEMENT OFFICERS ALLOWED TO CARRY A CONCEALED FIREARM, AND DISCHARGE A FIREARM, IN A SCHOOL ZONE.

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

(1) in paragraph (2)(B)—

(A) by striking “or” at the end of clause (vi); and

(B) by redesignating clause (vii) as clause (ix) and inserting after clause (vi) the following:

“(vii) by an off-duty law enforcement officer who is a qualified law enforcement officer (as defined in section 926B) and is authorized under such section to carry a concealed firearm, if the firearm is concealed;

“(viii) by a qualified retired law enforcement officer (as defined in section 926C) who is authorized under such section to carry a concealed firearm, if the firearm is concealed; or”; and

(2) in paragraph (3)(B)—

(A) by striking “or” at the end of clause (iii);

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

(C) by adding at the end the following:

“(v) by an off-duty law enforcement officer who is a qualified law enforcement officer (as defined in section 926B) and is authorized under such section to carry a concealed firearm; or

“(vi) by a qualified retired law enforcement officer (as defined in section 926C) who is authorized under such section to carry a concealed firearm.”

SEC. 104. INTERSTATE CARRYING OF FIREARMS BY FEDERAL JUDGES.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, as amended by section 101(a) of this Act, is amended by inserting after section 926D the following:

“§926E. Interstate carrying of firearms by Federal judges

“Notwithstanding any provision of the law of any State or political subdivision thereof, a Federal judge may carry a concealed firearm in any State if such judge is not prohibited by Federal law from receiving a firearm.”

(b) CLERICAL AMENDMENT.—The table of sections for such chapter, as amended by section 101(b) of this Act, is amended by inserting after the item relating to section 926D the following:

“926E. Interstate carrying of firearms by Federal judges.”

TITLE II—FIX NICS ACT

SEC. 201. SHORT TITLE.

This title may be cited as the “Fix NICS Act of 2017”.

SEC. 202. ACCOUNTABILITY FOR FEDERAL DEPARTMENTS AND AGENCIES.

Section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901) is amended—

(1) in subsection (e)(1), by adding at the end the following:

“(F) SEMIANNUAL CERTIFICATION AND REPORTING.—

“(i) IN GENERAL.—The head of each Federal department or agency shall submit a semiannual written certification to the Attorney General indicating whether the department or agency is in compliance with the record submission requirements under subparagraph (C).

“(ii) SUBMISSION DATES.—The head of a Federal department or agency shall submit a certification to the Attorney General under clause (i)—

“(I) not later than July 31 of each year, which shall address all relevant records, including those that have not been transmitted to the Attorney General, in possession of the department or agency during the period beginning on January 1 of the year and ending on June 30 of the year; and

“(II) not later than January 31 of each year, which shall address all relevant records, including those that have not been transmitted to the Attorney General, in possession of the depart-

ment or agency during the period beginning on July 1 of the previous year and ending on December 31 of the previous year.

“(iii) CONTENTS.—A certification required under clause (i) shall state, for the applicable period—

“(I) the total number of records of the Federal department or agency demonstrating that a person falls within one of the categories described in subsection (g) or (n) of section 922 of title 18, United States Code;

“(II) for each category of records described in subclause (I), the total number of records of the Federal department or agency that have been provided to the Attorney General; and

“(III) the efforts of the Federal department or agency to ensure complete and accurate reporting of relevant records, including efforts to monitor compliance and correct any reporting failures or inaccuracies.

“(G) IMPLEMENTATION PLAN.—

“(i) IN GENERAL.—Not later than 1 year after the date of enactment of this subparagraph, the head of each Federal department or agency, in coordination with the Attorney General, shall establish a plan to ensure maximum coordination and automated reporting or making available of records to the Attorney General as required under subparagraph (C), and the verification of the accuracy of those records, including the pre-validation of those records, where appropriate, during a 4-year period specified in the plan. The head of each Federal department or agency shall update the plan biennially, to the extent necessary, based on the most recent biennial assessment under subparagraph (K). The records shall be limited to those of an individual described in subsection (g) or (n) of section 922 of title 18, United States Code.

“(ii) BENCHMARK REQUIREMENTS.—Each plan established under clause (i) shall include annual benchmarks to enable the Attorney General to assess implementation of the plan, including—

“(I) qualitative goals and quantitative measures;

“(II) measures to monitor internal compliance, including any reporting failures and inaccuracies;

“(III) a needs assessment, including estimated compliance costs; and

“(IV) an estimated date by which the Federal department or agency will fully comply with record submission requirements under subparagraph (C).

“(iii) COMPLIANCE DETERMINATION.—Not later than the end of each fiscal year beginning after the date of the establishment of a plan under clause (i), the Attorney General shall determine whether the applicable Federal department or agency has achieved substantial compliance with the benchmarks included in the plan.

“(H) ACCOUNTABILITY.—The Attorney General shall publish, including on the website of the Department of Justice, and submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a semiannual report that discloses—

“(i) the name of each Federal department or agency that has failed to submit a required certification under subparagraph (F);

“(ii) the name of each Federal department or agency that has submitted a required certification under subparagraph (F), but failed to certify compliance with the record submission requirements under subparagraph (C);

“(iii) the name of each Federal department or agency that has failed to submit an implementation plan under subparagraph (G);

“(iv) the name of each Federal department or agency that is not in substantial compliance with an implementation plan under subparagraph (G);

“(v) a detailed summary of the data, broken down by department or agency, contained in the certifications submitted under subparagraph (F);

“(vi) a detailed summary of the contents and status, broken down by department or agency, of the implementation plans established under subparagraph (G); and

“(vii) the reasons for which the Attorney General has determined that a Federal department or agency is not in substantial compliance with an implementation plan established under subparagraph (G).

“(I) NONCOMPLIANCE PENALTIES.—For each of fiscal years 2019 through 2022, each political appointee of a Federal department or agency that has failed to certify compliance with the record submission requirements under subparagraph (C), and is not in substantial compliance with an implementation plan established under subparagraph (G), shall not be eligible for the receipt of bonus pay, excluding overtime pay, until the department or agency—

“(i) certifies compliance with the record submission requirements under subparagraph (C); or

“(ii) achieves substantial compliance with an implementation plan established under subparagraph (G).

“(J) TECHNICAL ASSISTANCE.—The Attorney General may use funds made available for the national instant criminal background check system established under subsection (b) to provide technical assistance to a Federal department or agency, at the request of the department or agency, in order to help the department or agency comply with the record submission requirements under subparagraph (C).

“(K) BIENNIAL ASSESSMENT.—Every 2 years, the Attorney General shall assess the extent to which the actions taken under the title II of the Concealed Carry Reciprocity Act of 2017 have resulted in improvements in the system established under this section.

“(L) APPLICATION TO FEDERAL COURTS.—For purposes of this paragraph—

“(i) the terms ‘department or agency of the United States’ and ‘Federal department or agency’ include a Federal court; and

“(ii) the Director of the Administrative Office of the United States Courts shall perform, for a Federal court, the functions assigned to the head of a department or agency.”; and

(2) in subsection (g), by adding at the end the following: “For purposes of the preceding sentence, not later than 60 days after the date on which the Attorney General receives such information, the Attorney General shall determine whether or not the prospective transferee is the subject of an erroneous record and remove any records that are determined to be erroneous. In addition to any funds made available under subsection (k), the Attorney General may use such sums as are necessary and otherwise available for the salaries and expenses of the Federal Bureau of Investigation to comply with this subsection.”.

SEC. 203. NICS ACT RECORD IMPROVEMENT PROGRAM.

(a) REQUIREMENTS TO OBTAIN WAIVER.—Section 102 of the NICS Improvement Amendments Act of 2007 (34 U.S.C. 40912) is amended—

(1) in subsection (a), in the first sentence—

(A) by striking “the Crime Identification Technology Act of 1988 (42 U.S.C. 14601)” and inserting “section 102 of the Crime Identification Technology Act of 1998 (34 U.S.C. 40301)”;

and

(B) by inserting “is in compliance with an implementation plan established under subsection (b) or” before “provides at least 90 percent of the information described in subsection (c)”;

and

(2) in subsection (b)(1)(B), by inserting “or has established an implementation plan under section 107” after “the Attorney General”.

(b) IMPLEMENTATION ASSISTANCE TO STATES.—Section 103 of the NICS Improvement Amendments Act of 2007 (34 U.S.C. 40913) is amended—

(1) in subsection (b)(3), by inserting before the semicolon at the end the following: “, including through increased efforts to pre-validate the

contents of those records to expedite eligibility determinations”;

(2) in subsection (e), by striking paragraph (2) and inserting the following:

“(2) DOMESTIC ABUSE AND VIOLENCE PREVENTION INITIATIVE.—

“(A) ESTABLISHMENT.—For each of fiscal years 2018 through 2022, the Attorney General shall create a priority area under the NICS Act Record Improvement Program (commonly known as ‘NARIP’) for a Domestic Abuse and Violence Prevention Initiative that emphasizes the need for grantees to identify and upload all felony conviction records and domestic violence records.

“(B) FUNDING.—The Attorney General—

“(i) may use not more than 50 percent of the amounts made available under section 207 of the Concealed Carry Reciprocity Act of 2017 for each of fiscal years 2018 through 2022 to carry out the initiative described in subparagraph (A); and

“(ii) shall give a funding preference under NARIP to States that—

“(I) have established an implementation plan under section 107; and

“(II) will use amounts made available under this subparagraph to improve efforts to identify and upload all felony conviction records and domestic violence records described in clauses (i), (v), and (vi) of section 102(b)(1)(C) by not later than September 30, 2022.”; and

(3) by adding at the end the following:

“(g) TECHNICAL ASSISTANCE.—The Attorney General shall direct the Office of Justice Programs, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the Federal Bureau of Investigation to—

“(1) assist States that are not currently eligible for grants under this section to achieve compliance with all eligibility requirements; and

“(2) provide technical assistance and training services to grantees under this section.”.

SEC. 204. NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM.

(a) STATE GRANT PROGRAM FOR CRIMINAL JUSTICE IDENTIFICATION, INFORMATION, AND COMMUNICATION.—Section 102 of the Crime Identification Technology Act of 1998 (34 U.S.C. 40301) is amended—

(1) in subsection (a)(3)—

(A) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively; and

(B) by inserting after subparagraph (B) the following:

“(C) identification of all individuals who have been convicted of a crime punishable by imprisonment for a term exceeding 1 year”;

(2) in subsection (b)(6)—

(A) by striking “(18 U.S.C. 922 note)” and inserting “(34 U.S.C. 40901(b))”; and

(B) by inserting before the semicolon at the end the following: “, including through increased efforts to pre-validate the contents of felony conviction records and domestic violence records to expedite eligibility determinations, and measures and resources necessary to establish and achieve compliance with an implementation plan under section 107 of the NICS Improvement Amendments Act of 2007”;

(3) in subsection (d), by inserting after “unless” the following: “the State has achieved compliance with an implementation plan under section 107 of the NICS Improvement Amendments Act of 2007 or”.

(b) GRANTS FOR THE IMPROVEMENT OF CRIMINAL RECORDS.—Section 106(b)(1) of the Brady Handgun Violence Prevention Act (34 U.S.C. 40302(1)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking “as of the date of enactment of this Act” and inserting “, as of the date of enactment of the Concealed Carry Reciprocity Act of 2017,”; and

(B) by striking “files,” and inserting the following: “files and that will utilize funding

under this subsection to prioritize the identification and transmittal of felony conviction records and domestic violence records,”;

(2) in subparagraph (B), by striking “and” at the end;

(3) in subparagraph (C)—

(A) by striking “upon establishment of the national system,”; and

(B) by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following—

“(D) to establish and achieve compliance with an implementation plan under section 107 of the NICS Improvement Amendments Act of 2007.”.

SEC. 205. IMPROVING INFORMATION SHARING WITH THE STATES.

(a) IN GENERAL.—Title I of the NICS Improvement Amendments Act of 2007 (34 U.S.C. 40911 et seq.) is amended by adding at the end the following:

“SEC. 107. IMPLEMENTATION PLAN.

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Concealed Carry Reciprocity Act of 2017, the Attorney General, in coordination with the States and Indian tribal governments, shall establish, for each State or Indian tribal government, a plan to ensure maximum coordination and automation of the reporting or making available of appropriate records to the National Instant Criminal Background Check System established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901) and the verification of the accuracy of those records during a 4-year period specified in the plan, and shall update the plan biennially, to the extent necessary, based on the most recent biennial assessment under subsection (f). The records shall be limited to those of an individual described in subsection (g) or (n) of section 922 of title 18, United States Code

“(b) BENCHMARK REQUIREMENTS.—Each plan established under this section shall include annual benchmarks to enable the Attorney General to assess the implementation of the plan, including—

“(1) qualitative goals and quantitative measures; and

“(2) a needs assessment, including estimated compliance costs.

“(c) COMPLIANCE DETERMINATION.—Not later than the end of each fiscal year beginning after the date of the establishment of an implementation plan under this section, the Attorney General shall determine whether each State or Indian tribal government has achieved substantial compliance with the benchmarks included in the plan.

“(d) ACCOUNTABILITY.—The Attorney General—

“(1) shall disclose and publish, including on the website of the Department of Justice—

“(A) the name of each State or Indian tribal government that received a determination of failure to achieve substantial compliance with an implementation plan under subsection (c) for the preceding fiscal year; and

“(B) a description of the reasons for which the Attorney General has determined that the State or Indian tribal government is not in substantial compliance with the implementation plan, including, to the greatest extent possible, a description of the types and amounts of records that have not been submitted; and

“(2) if a State or Indian tribal government described in paragraph (1) subsequently receives a determination of substantial compliance, shall—

“(A) immediately correct the applicable record; and

“(B) not later than 3 days after the determination, remove the record from the website of the Department of Justice and any other location where the record was published.

“(e) INCENTIVES.—For each of fiscal years 2018 through 2022, the Attorney General shall give affirmative preference to all Bureau of Justice Assistance discretionary grant applications of a State or Indian tribal government that received

a determination of substantial compliance under subsection (c) for the fiscal year in which the grant was solicited.

“(f) BIENNIAL ASSESSMENT.—Every 2 years, the Attorney General shall assess the extent to which the actions taken under title II of the Concealed Carry Reciprocity Act of 2017 have resulted in improvements in the National Instant Criminal Background Check System established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40903).

“SEC. 108. NOTIFICATION TO LAW ENFORCEMENT AGENCIES OF PROHIBITED PURCHASE OF A FIREARM.

“(a) IN GENERAL.—In the case of a background check conducted by the National Instant Criminal Background Check System pursuant to the request of a licensed importer, licensed manufacturer, or licensed dealer of firearms (as such terms are defined in section 921 of title 18, United States Code), which background check determines that the receipt of a firearm by a person would violate subsection (g) or (n) of section 922 of title 18, United States Code, and such determination is made after 3 business days have elapsed since the licensee contacted the System and a firearm has been transferred to that person, the System shall notify the law enforcement agencies described in subsection (b).

“(b) LAW ENFORCEMENT AGENCIES DESCRIBED.—The law enforcement agencies described in this subsection are the law enforcement agencies that have jurisdiction over the location from which the licensee contacted the system and the law enforcement agencies that have jurisdiction over the location of the residence of the person for which the background check was conducted, as follows:

“(1) The field office of the Federal Bureau of Investigation.

“(2) The local law enforcement agency.

“(3) The State law enforcement agency.”.

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the NICS Improvement Amendments Act of 2007 (Public Law 110-180; 121 Stat. 2559) is amended by inserting after the item relating to section 106 the following:

“Sec. 107. Implementation plan.

“Sec. 108. Notification to law enforcement agencies of prohibited purchase of a firearm.”.

SEC. 206. ATTORNEY GENERAL REPORT ON USE OF BUMP STOCKS IN CRIME.

(a) IN GENERAL.—Using amounts made available for research, evaluation, or statistical purposes, within 180 days after the date of the enactment of this Act, the Attorney General shall prepare and submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a written report that—

(1) specifies the number of instances in which a bump stock has been used in the commission of a crime in the United States;

(2) specifies the types of firearms with which a bump stock has been so used; and

(3) contains the opinion of the Attorney General as to whether subparagraphs (B)(i) and (C)(i) of section 924(c)(1) of title 18, United States Code, apply to all instances in which a bump stock has been used in the commission of a crime of violence in the United States.

(b) DEFINITION OF BUMP STOCK.—In this section, the term “bump stock” means a device that—

(1) attaches to a semiautomatic rifle (as defined in section 921(a)(28) of title 18, United States Code);

(2) is designed and intended to repeatedly activate the trigger without the deliberate and volitional act of the user pulling the trigger each time the firearm is fired; and

(3) functions by continuous forward pressure applied to the rifle's fore end in conjunction with a linear forward and backward sliding motion of the mechanism utilizing the recoil energy when the rifle is discharged.

SEC. 207. AUTHORIZATIONS OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated \$100,000,000 for each of fiscal years 2018 through 2022 to carry out, in accordance with the NICS Act Record Improvement Program and the National Criminal History Improvement Program, the activities under—

(1) section 102 of the NICS Improvement Amendments Act of 2007;

(2) section 103 of the NICS Improvement Amendments Act of 2007;

(3) section 102 of the Crime Identification Technology Act of 1998; and

(4) section 106(b) of the Brady Handgun Violence Prevention Act.

(b) ADDITIONAL AUTHORIZATIONS.—Section 1001(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10261(a)) is amended—

(1) in paragraph (1)—

(A) by striking “\$33,000,000” and inserting “\$31,000,000”;

(B) by striking “1994 and 1995” and inserting “2018 through 2022”; and

(C) by inserting “, in addition to any amounts otherwise made available for research, evaluation or statistical purposes in a fiscal year” before the period; and

(2) in paragraph (2)—

(A) by striking “\$33,000,000” and inserting “\$27,000,000”;

(B) by striking “1994 and 1995” and inserting “2018 through 2022”; and

(C) by inserting “, in addition to any amounts otherwise made available for research, evaluation or statistical purposes in a fiscal year” before the period.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from New York (Mr. NADLER) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 38.

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

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 38, the Concealed Carry Reciprocity Act of 2017.

Mr. Speaker, throughout my career in elected office, I have believed in and adhered to two fundamental principles regarding firearms policy: first, the right guaranteed to law-abiding Americans by the Second Amendment must be aggressively protected and preserved; second, the laws we have on the books need to be enforced to the fullest extent possible. The bipartisan bill before us today does both.

H.R. 38 ensures that law-abiding citizens' Second Amendment right does not end when they cross State lines. The bill allows law-abiding gun owners with valid State-issued concealed carry firearm permits or those who live in so-

called constitutional carry States to carry a concealed firearm in any other State that also allows concealed carry.

We know that citizens who carry a concealed firearm are not only better prepared to act in their own self-defense, but also in the defense of others. Take, for instance, an incident that occurred just last November on a highway in Florida. Lee County Sheriff's Deputy Dean Bardes had just concluded a high-speed chase just off Interstate 75. As Deputy Bardes approached to apprehend the suspect, the suspect, Edward Strother, violently attacked Deputy Bardes.

A witness on the scene told reporters that the attacker “just started punching him and hitting and hitting and hitting. I was afraid for the police officer. I thought he was going to kill him.”

Fortunately for Deputy Bardes, Ashad Russell, a Florida concealed carry permit holder, was also watching the attack unfold. Mr. Russell pulled his gun and approached the altercation. He told Strother he would shoot him if he didn't stop beating the deputy. The State Attorney's Office said Strother ignored Russell's commands to stop beating the deputy, so Russell fired his gun three times, hitting and fatally wounding the assailant. Lee County Sheriff Mike Scott has hailed Russell as a hero.

Importantly, this bill also contains the Fix NICS Act of 2017. This is a bipartisan and bicameral measure. The Fix NICS Act takes steps to ensure that State and Federal agencies enter all relevant records into the FBI's National Instant Criminal Background Check System. This bill will help ensure people who are legally prohibited from having guns, like those with violent felony convictions, do not obtain them.

The shooting at Virginia Tech and the church shootings in Charleston, South Carolina, and Sutherland Springs, Texas, are tragic reminders of what can happen when all relevant records are not entered into the system.

Our NICS system is only as good as the information within it. This important piece of legislation will ensure that more of the information already required to be uploaded to NICS under current law is actually placed in the NICS system.

Taken together, the Concealed Carry Reciprocity Act and the Fix NICS Act preserve and protect the right guaranteed to us by the Second Amendment and ensure that those prohibited by existing law from receiving a firearm are prevented from doing so.

Mr. Speaker, I urge my colleagues to join me in supporting this legislation.

I want to thank the lead sponsor, Mr. HUDSON of North Carolina, for his hard work on this bill. I would also like to thank the authors of the Fix NICS provisions, Mr. CULBERSON and Mr. CUELLAR, for their important contributions to the legislation before us today.

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

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to the Concealed Carry Reciprocity Act. This bill would not protect us from gun violence, but it would make us far less safe.

Under current law, each State makes its own determination about who may carry a concealed firearm in public, including deciding which other States' concealed carry permits to recognize. This bill would eviscerate the core public safety determinations that each State makes concerning the concealed carrying of guns in public based on the unique circumstances of each State and the desires of its citizens. In fact, the standards and requirements adopted in the States vary dramatically:

Thirty-one States and D.C. require gun safety training to carry concealed guns in public, and 21 of those States require live-fire training; 27 States and the District of Columbia prohibit individuals convicted of misdemeanor crimes of violence from concealed carry; 28 States and D.C. prohibit convicted stalkers from carrying concealed guns; 34 States and D.C. prohibit those under 21 years of age from carrying concealed guns. Many States prohibit gun possession and concealed carry by abusive dating partners, exceeding Federal protections against abusive spouses.

All of these States would have their carefully considered laws governing concealed carry overridden by this bill.

The obvious solution to the varying State laws is to continue to do what is currently done by many States, which is to choose which other State permits they will recognize. Some States, including my State of New York, have chosen not to recognize permits issued by any other State. Most States, however, have chosen to recognize permits from at least some other States, basing the choice on the strength and standards employed by the other States.

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We should not disregard these determinations, which is what this bill would do. Instead, this bill would say that every State must honor the concealed carry permit of every other State. About 10 States don't have any requirements and issue a concealed carry permit upon request to anyone.

What this bill would do, in effect, is to say that if New York or Illinois have strict requirements for concealed carry, if someone comes in from a State that doesn't, they have to let that person have concealed carry in their State. In effect, it uses the power of the Federal Government to import the laws of one State and make them enforceable in the other State.

In addition, I am deeply disappointed that the version of this bill before us today includes the bipartisan Fix NICS Act, a measure that should be enacted as a stand-alone bill without delay, and

that was reported as a separate bill by the Judiciary Committee.

That bill would take steps to address shortcomings with the National Instant Criminal Background Check System, or what we often call the NICS.

As the recent mass shooting at the church in Sutherland Springs, Texas, illustrates, we must do more to ensure all relevant prohibiting records are submitted to the databases that comprise the NICS. No one should pass a firearm background check that he or she should have failed simply because their record of a felony conviction, or domestic violence record, or some other prohibition under Federal law was not included in the system.

There is broad bipartisan support for the Fix NICS bill here in the House and in the Senate. That proposal, which would actually save lives, should not be tethered to the forced concealed carry reciprocity provisions of this bill, which would only serve to endanger our citizens.

The answer to our national problem of gun violence is not that we need more people carrying concealed firearms on our streets. More than 33,000 Americans lose their lives to gun violence every year, while, in some other countries, this figure barely exceeds 100. In 2011, the United Kingdom had 146 deaths due to gun violence; Denmark, 71; Portugal, 142; Japan, just 30; the United States, over 30,000.

A study in *The American Journal of Medicine* found that, compared to 22 other high-income countries, the gun-related murder rate in the United States is 25 times higher. The common factor in all of these other countries is the lack of such easy availability of guns. Our country, however, is awash in guns, and we have the shameful death toll to show for it. Sadly, this bill will only increase it.

We must change our approach to gun violence and adopt meaningful legislation that strengthens our gun laws instead of weakening them; and we must not undermine the efforts of States to defend their citizens against these arms.

Unfortunately, the dangers posed by the concealed carry reciprocity portion of this bill greatly outweigh the benefits of the NICS improvements; therefore, I oppose H.R. 38, and urge my colleagues to reject it today.

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

Mr. GOODLATTE. Mr. Speaker, I yield 4 minutes to the gentleman from North Carolina (Mr. HUDSON), the lead sponsor of the legislation.

Mr. HUDSON. Mr. Speaker, let me tell you a story. It is a story about an African-American single mother, two kids, living in south Philly. After twice being the victim of muggings, she decides to go out and legally purchase a firearm to protect herself, gets trained with her weapon, and applies for a concealed carry permit.

Sometime thereafter, she crossed the State line into New Jersey and, at a

routine traffic stop, did exactly as she was trained; handed her driver's license and her concealed carry permit to the police officer and let him know that she had a pistol in her purse.

What she didn't know is that the State of New Jersey doesn't recognize the concealed carry permits of their neighbor in Pennsylvania. And so this poor single mother, who has never had a brush with the law, spent almost 50 days in jail and was looking at 10 years in prison.

Are you serious? We have to make sure that never happens again.

The other side today is going to argue that we are violating States' rights with this legislation; but Article IV, section 1, the full faith and credit clause of the Constitution, says very clearly that every State should give the full faith and credit to the judicial proceedings and documents of every other State, and that Congress has a responsibility to determine how those documents will be recognized.

That is why a driver's license is recognized in every State. That is why, if I get married in North Carolina but I move to Arizona, I am not a single man again. They recognize that marriage. That is why divorce decrees are recognized in every State. The concealed carry permit should be recognized the same way.

But this is not trampling States' rights, because States can still determine what can be carried, where it can be carried. They can set any kind of limits they want about how weapons are carried in their municipalities or their States.

For example, if you visit the State of New York, they have a limit on the size of a magazine on a pistol. You have got to follow that law. If they want to set restrictions about places where you can't carry, even with this legislation, that law would have to be followed. The States retain this right, just like a driver's license.

The other side is also going to stand up and claim all kinds of doomsday scenarios about how we are going to increase crime; we are going to increase the number of weapons out there; we are going to turn the cities into the Wild West.

I find it ironic that we are being lectured to by people from big cities with a lot of gun control measures but have some of the worst crime in the Nation. They are worried about people coming from other places where we don't have crime. I think that is ironic.

But the truth is, over half the States already recognize permits from every other State; 19 States, in fact, already do this. States and municipalities, as I mentioned, retain the right to restrict where guns are carried in their communities, even under this legislation.

And if you look at the empirical evidence, places where you have concealed carry, even constitutional carry, when you instituted this right, violent crime went down. Gun crime went down. You have seen less crime, not more crime.

There was actually a study done in Florida and Texas, and it showed that off-duty police officers commit crimes more than concealed carry permit holders. Think about that. Police officers don't commit crimes very often, but even they commit crimes more than concealed carry permit holders. These are not the people we are worried about. These are not the violent criminals that we are worried about in our cities.

This is a commonsense measure that upholds our constitutional right. It makes sure that a law-abiding citizen, trying to do the right thing, doesn't become a criminal simply because they cross that line.

So for every freedom-loving American who exercises their Second Amendment right, today is your day. To the 73 percent of Americans who support concealed carry, today is your day. To the 15 million concealed carry permit holders out there, today is your day. And finally, to the single mothers out there who just want to protect themselves and their families, today is your day.

I thank the chairman for his leadership on this. I ask my colleagues to join me in supporting this commonsense legislation.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE), the ranking member of the Crime, Terrorism, Homeland Security, and Investigations Subcommittee.

Ms. JACKSON LEE. Mr. Speaker, let me say that the problems that my good friend just mentioned on the floor can be solved by real, sensible gun safety legislation. Unfortunately, H.R. 38 is not that, and it is not that because it has ignored the pleas of law enforcement, and it has ignored the rational addition of amendments that would save lives.

H.R. 38 is dangerous, it is reckless, and it is secretly packaged as a fix to gun violence, but, instead, it is laced with lethal elements of catastrophic proportion.

Then, in the midnight hour, it matches the NICS Fix, dealing with the background checks, with the concealed carry reciprocity. That is patently unfair, Mr. Speaker.

Then it would not allow reasonable amendments, exposing victims of domestic violence, an amendment that I had, it will expose them, victims of domestic violence, to stalkers, and those who have been involved in domestic violence to gun violence or death.

It will entice those who perpetrate hate crimes. It will add to the current alarming death rate. Unfortunately, where we could have fixed the NICS, it does not do that.

556 women have been murdered this year alone by intimate partners with firearms. My amendment would have made this bill safer on the concealed carry bill. Didn't want to have it. Fourteen other sensible amendments were blocked.

4.5 million American women alive today have been threatened by abusers.

Hate crimes, those worshippers in Charleston, South Carolina, were killed by a person who came there with hate. My amendment dealing with not allowing someone convicted of a hate crime—even though they say that that is the Federal law, why not have it in this underlying bill where so many people are killed?

Let me give you an example. Under the Brady Campaign, 114,994 Americans are killed by guns. They include those in Las Vegas; they include those at the Pulse nightclub; in Charleston; those who marched in Charlottesville, with all the violence that they had; and of course, Sandy Hook. Seventeen thousand children are gunned down by guns.

The laws of different States, 12 States, have an open carry law with no rules. That means that if you are in Washington, D.C., where heads of state and other dignitaries come, then recklessly someone can come on the streets.

Do we even listen to police officers? The Major Chiefs Association has indicated that they are opposed to H.R. 38 because it will require those making legitimate legal stops as law enforcement officers, seeking to come home to their families, being subjected to individuals whose documents they may not know are credible, or whether they are fraudulent or whether, in fact, these individuals legitimately should have a gun.

I can't understand why this is not understood. So let me just say that it is usually understood that we respect the constitutionality of States. This is a bad bill. It ignores sovereignty, and we should vote it down because too many people are murdered by guns without safety regulations.

Mr. Speaker, I rise in opposition to H.R. 38, the "Concealed to Carry Reciprocity Act of 2017".

I oppose the bill for the following reasons:

H.R. 38 is dangerous, reckless and secretly packaged as a fix to gun violence, but instead, is laced with lethal elements of catastrophic proportion.

It will expose victims of domestic violence or stalking to gun violence or death.

It will entice those who perpetrate hate crimes.

It will add to the current alarming death rate.

The majority has elected to combine this dangerous measure with a more sensible and bipartisan measure, the Fix NICS Act, which we all supported as a stand-alone bill at markup.

This trickery tactic is both disappointing and deadly, of which, neither approach is welcome, for this reckless effort will negate any protections offered by the Fix NICS Act.

My Amendments would have remedied these glaring defects in H.R. 38, which is a recipe for disaster because it authorizes anyone who is allowed by one state to carry a concealed handgun to do so in any other state, even if other states have higher standards than the state where permit was granted.

This bill would endanger many more lives when dealing with domestic partners by exposing victims to gun violence.

Approximately, 556 women have been murdered this year alone by intimate partners with firearms, as statistics show that guns are the weapon of choice for domestic violence homicides.

My domestic violence amendment is an important public safety measure. Had it been made in order, it would have provided that States not be required to allow an individual to carry where such person is convicted of an offense of domestic violence or stalking as defined under the law.

Despite this sensible measure, my amendments along with 14 other germane democratic amendments were all blocked by the majority.

A 2016 meta-analysis found that approximately 4.5 million American women alive today have been threatened by abusers with firearms; of those, one million had either been shot or shot at by their abusers.

Stalking is also a strong indicator of lethality, with one study of female murder victims in ten cities finding that 76% of women who were murdered by an intimate partner were stalked the previous year.

My second amendment would have prohibited any person convicted of a hate crime, as defined under section 249 of title 18 United States Code, or any substantially similar offense under the law of any State, from carrying under this bill.

We all remember the vicious church shooting in Charleston, South Carolina where a white supremacist opened fire in a historic black church, killing nine people, including a pastor, during a prayer meeting.

Again, recently, in Charlottesville, VA, white nationalists invoked violence during a march by plowing a car into a group of anti-protesters, killing 32 year old Heather Heyer of Charlottesville.

This event prompted Attorney General Sessions to call the fatal attack "domestic terrorism" and said you can be sure we will charge and advance the investigation toward the most serious of charges that can be brought.

Imagine if this killer from Ohio was allowed to cross state lines freely at that time under this bill with a gun; the additional loss of life on that day could have been catastrophic.

New analysis of National Crime Victimization Survey data by the Center for American Progress reveals that between 2010 and 2014, roughly 43,000 hate crimes were committed in the United States that involved the use or threat of a gun.

Under federal law and the law in most states, individuals who have been convicted of hate crimes remain free to buy and possess guns. And now, under this bill, they can take their guns with them to inflict mayhem beyond their home states.

Hate-motivated individuals such as violent extremists and hate criminals often use guns as a tool to terrorize, threaten and intimidate members of historically vulnerable or marginalized communities. My amendment therefore, was a sensible and practical measure.

Mass shootings and carnage-filled classrooms, churches, workplace, concerts and clubs should not be the new normal because Congress can and should do better.

Every day on average, 315 people are shot, of which 93 die from gun violence, daily. And of the 315 shot, 46 are children and teens between the age of 0-19 and at least 7 of our children die daily from gun violence.

Every year on average, 114,994 people are shot, of which 33,880 people die from gun violence and of those shot, 17,012 of those victims are children and teens. Therefore, we lose at least 2,647 of our children a year to senseless gun violence.

These numbers are alarming and we should be devoting our efforts to saving lives, not opening up the flood gate to more carnage by snuffing innocent lives in passing H.R. 38.

This bill will amplify tragedies such as Sandy Hook Elementary, Charleston, SC, Florida's Pulse night club, San Bernardino, Las Vegas bump stocks killings, Texas recent church massacre, and the countless lives lost on our streets across this country daily.

Although the NRA argues that the United States is a dangerous place and that owning and carrying a gun is the only way to protect oneself and one's family, there are over 30,000 dead.

Removing safeguards intended to protect the public against potential harm or deadly force by private individuals jeopardizes universally recognized human rights—including the right to life.

H.R. 38 prohibits Congress' ability to address gun violence in a constructive and realistic manner? Adding more guns to our streets and loosening existing laws is extremely dangerous and counterproductive to ensuring public safety.

Disguising the danger in this bill, by wrapping it in the cloth of H.R. 4477, a more sensible measure, does not negate the toxicity level of H.R. 38.

In response to the TX recent church shooting, my amendment strengthened H.R. 4477 by requiring DoD to conduct a more comprehensive review of the procedures used by each branch of the Armed Forces to ensure that the Department is in substantial compliance with the DoD instruction 5505.11 entitled, "Fingerprint Card and Final Disposition Report Submission Requirements", dated December 1, 1998. But again, these amendments were blocked.

Unlike H.R. 4477, the Fix NICS Act, a bipartisan measure and good first step, which aims to improve key elements in the submission of information by federal and state agencies to the National Instant Criminal Background Check System (NICS) and which I supported, H.R. 38 as is and combined is lethal.

For the reasons stated above, I oppose this Rule and the underlying bill.

Mr. GOODLATTE. Mr. Speaker, I yield myself 15 seconds, and I include in the RECORD an article entitled, "'Good Samaritan' Kills Active Shooter in Texas Sports Bar," in which a shooter with two guns and two knives entered a sports bar and was shot by an individual that the police labeled a Good Samaritan who happened to be eating at the restaurant with his wife. He was a concealed carry permit holder. He told his wife to get down on the ground, and then he shot the assailant.

[From nbcnews.com, May 4, 2017]

'GOOD SAMARITAN' KILLS ACTIVE SHOOTER IN TEXAS SPORTS BAR: POLICE

(By Phil McCausland)

A "good Samaritan" with a gun killed an active shooter who may have been gearing up for a deadly rampage at a Texas sports bar Wednesday night, police said.

When 48-year-old James Jones walked inside the Zona Caliente Sports Bar, started

yelling and then allegedly shot and killed Cesar Perez—a 37-year-old restaurant manager who'd attempted to calm him down—Arlington police said witnesses were afraid they would be next.

In addition to the gun used to kill Perez, police say Jones had another semiautomatic pistol and two knives on him. The serial number on the second gun had been scratched off, and Jones did not have a gun license, police said.

"He definitely had the capacity, if he wanted, to commit further violence and potentially kill other patrons in the business," Arlington Police Lieutenant Chris Cook told NBC News, adding that it did not appear that the shooter knew his victim.

An armed "good Samaritan"—as the Arlington Police labeled him—happened to be eating at the restaurant with his wife. A concealed carry permit holder, he told her to get down on the ground and then shot Jones in the back.

"I don't think the shooter even knew where the rounds were coming from because he started shooting at the front door," Cook said, who described the scene as "chaotic."

Police reviewed video surveillance and pieced together the incident via witness interviews, but it remains unclear how many shots were fired by either individual. Police were looking into Jones' background to see whether he suffered from any mental illnesses and were awaiting test results to find out if he was under the influence.

The man who took down Jones wished to maintain his anonymity, police said, noting that he felt overwhelmed but relieved that he prevented further violence.

"We're thankful that the good 'Samaritan' acted quickly and decisively to end the threat," Cook said. "We never recommend people get involved. That's a personal decision that a citizen has to make."

Use of force and firearms expert Emanuel Kapelsohn told NBC News that, from his understanding, the man who took down the shooter reacted appropriately.

"I think it's to be applauded," he said. "Not everybody in the world ought to own a gun. Not everybody in the world ought to carry a gun. Not everyone in the world ought to engage an armed criminal where innocent people could be potentially injured."

"But this good Samaritan obviously had the ability to do what he did," Kapelsohn added. "Who knows how many people would be dead if he had not acted?"

Mr. GOODLATTE. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Crime, Terrorism, Homeland Security, and Investigations Subcommittee of the House Judiciary Committee.

Mr. SENSENBRENNER. Mr. Speaker, I am pleased that H.R. 38, as amended, includes the Fix NICS Act. I have long supported the National Instant Criminal Background Check System, or NICS.

NICS is about saving lives and protecting people from harm by preventing guns from falling into the wrong hands. It does this without interfering in the timely transfer of firearms to eligible gun buyers.

I was the original cosponsor of the Brady Handgun Violence Prevention Act of 1993 and worked diligently for its passage. I strongly supported this bill because it makes sense to prevent convicted felons and individuals judged to be mentally ill from obtaining guns.

At the time of negotiations, I insisted on the inclusion of the NICS program. Under this system, firearms dealers use the FBI's NICS system to cross-reference with a list of known convicted felons, drug users, illegal aliens, and those convicted of domestic violence.

As I have stated many times, the NICS system is only as good as the records that are put into it. Too often, people who otherwise would not pass a background check can slip through the cracks and buy guns.

After the recent shooting in Sutherland Springs, Texas, the U.S. Air Force disclosed that it had failed to report the gunman's history of domestic assault to the database, which should have prevented him from purchasing a firearm in the first place.

This legislation will provide a much-needed push to speed implementation of the NICS system used in conducting instant background checks prior to gun purchases. At the Federal level, it would require Federal agency cooperation and provide relevant records to the Attorney General for inclusion into the NICS. It holds Federal agencies accountable if they fail to upload relevant records to the background check system through public reporting and prohibiting bonus pay for political appointees.

At the State level, it will incentivize them to make sure that their reporting is up to date by giving Federal grant preferences to States which comply.

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Mr. Speaker, let me be clear. This bill is not about expanding background checks. This is about ensuring that the existing law is working. There is strong bipartisan support for improving what has become the systemic problem of missing information in the database. Accurate reporting is essential to ensuring that the system works as intended.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. NADLER. Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE) for a unanimous consent request.

(Ms. JACKSON LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, I thank the ranking member for yielding to me.

Mr. Speaker, I include in the RECORD an article by Mark Kelly entitled "Good Guys With Guns Can Be Dangerous, Too. Don't Gut Conceal Carry Laws. Why is Congress about to Vote to Loosen Gun Laws Again?" a letter from Major Cities Chiefs Association opposing H.R. 38; a letter from the chief of police from the City of Houston; and, finally, a report from the National Task Force to End Sexual and Domestic Violence.

'GOOD GUYS WITH GUNS' CAN BE DANGEROUS,
TOO. DON'T GUT CONCEALED CARRY LAWS
WHY IS CONGRESS ABOUT TO VOTE TO LOOSEN
GUN LAWS AGAIN?
(By Mark Kelly)

That day in Tucson, amid a gun tragedy, one of the heroes almost got shot.

It was Saturday, Jan. 8, 2011, and a mentally ill young man who'd gotten his hand on a gun opened fire on my wife, then-Rep. Gabrielle Giffords (D-Ariz.), and her constituents at an event in a Safeway parking lot. He shot my wife in the head at close range, injured 12 others and took the lives of six people. One victim was a 9-year-old girl.

After Gabby's would-be assassin dropped the full magazine as he sought to reload his gun and continue his rampage, people tackled him, kicked his gun away, subdued him as they waited for law enforcement to arrive and brought an end to the chaos. They were heroes.

The chaos nearly continued, though. Because the man who murdered those innocent people wasn't the only one there with a loaded, concealed gun.

Joe Zamudio was shopping at a drugstore nearby when he heard the shots. Allowed to carry a concealed weapon under Arizona law, Zamudio recognized the sound of gunfire and rushed to the scene with his gun in his jacket pocket, his hand on his weapon and ready to fire. But then Zamudio—a good guy trying to do the right thing—almost shot another good guy.

As he rounded the corner, he saw a man holding a gun. Zamudio confronted him: "Drop it, drop it!" he yelled.

But that man with a gun was a good guy, too. He was one of the heroes who had wrestled the shooter to the ground. And he was moments away from being shot for the wrong reason.

To his credit, Zamudio held his fire—just barely. As he recounted to reporters later, "It was a matter of seconds. . . . I was really lucky. . . . I've never been in the military or had any professional training. I just reacted."

The situation that played out in the Safeway parking lot that day shows the potential for tragedy and bloodshed when untrained people carrying loaded guns react to a crisis. Even with the best intentions, an armed person without the extensive firearms training that is required to respond under pressure in a crisis will risk making the situation worse, not better.

But this week, as we approach the seventh anniversary of the tragedy in Tucson and the fifth anniversary of the tragedy at Sandy Hook Elementary School—and after two of the five deadliest mass shootings in modern history happened in the last two months—Congress is working hard to pass one of the big-ticket items on the National Rifle Association's wishlist, a bill that weakens our gun laws and poses serious threats to public safety.

The House of Representatives is on the verge of voting to allow people permitted to carry concealed weapons to carry them into any other state regardless of what that state's law on such guns is. That would make it harder for law enforcement to do their job and allow all permit holders, even if they don't have a single shred of training, to carry loaded, hidden guns on every street in our country.

Right now, each state has the right to determine the extent to which it will recognize the concealed carry laws of other states. Some states have strong laws, preventing dangerous people like domestic abusers and convicted stalkers from obtaining concealed carry permits and requiring training and a thorough evaluation as part of the process.

In other states, concealed carry laws have much lower standards. The 12 states with the weakest laws, permitless carry states, do not even require a permit. That means a resident of those states may carry loaded, concealed guns in public spaces without ever having passed a background check.

The bill before Congress would allow people who have a permit issued by any state—including permitless carry states—to carry loaded, concealed handguns in any other state that allows concealed carry, even though they might not meet local public safety standards. This would mean an 18-year-old high school student from West Virginia could legally carry a concealed firearm in New York City, where residents must be 21 to even own a handgun.

And what would it mean for law enforcement? Nothing good. The bill would impose a threat of personal litigation on all law enforcement officers by allowing anyone whose ability to carry a concealed gun is mistakenly questioned by law enforcement to personally sue the officer. This bill would also effectively require them to be an expert on nationwide gun laws as they work to determine if it's legal for someone from out of state to be carrying a gun in whatever state they might be visiting. Just as concerning, it will mean that more law enforcement officers will have to confront more people with guns. And think back to the tragedy in Tucson: When law enforcement officers arrive at a crime scene where multiple people are holding guns, how do they even know who the good guy is?

We need politicians to show courage and listen to the American people, who want stronger laws to make them safer, not give-aways to gun lobbyists that threaten the safety of our communities. And that's exactly what this irresponsible bill would do.

As members of Congress consider this bill, they have to ask themselves if they want to be remembered as voting to help the Washington gun lobby instead of supporting law enforcement and public safety. And they should know that their constituents are watching their decision closely.

MAJOR CITIES CHIEFS ASSOCIATION,
November 2, 2017.

Hon. PAUL RYAN,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN: On behalf of the Major Cities Chiefs, representing the Nation's largest metropolitan law enforcement agencies in the country, we are writing to voice our strong opposition to the Concealed Carry Reciprocity Act of 2017, HR 38. Because we are responsible for public safety in jurisdictions across the Nation, we recognize that this legislation would be an enormous mistake.

This measure is both impractical and contrary to the rights of States. Moreover, it raises Constitutional questions about the authority of Congress to direct State officers.

Concealed weapon permit laws have been tailored to the needs of regions and local communities over a period of many years. An attempt by Congress to preempt these State laws forces States to accept the lowest minimum standard for concealed carry across the Nation, and creates a contradiction between the standards required for State residents and State visitors.

The thousands of local permit formats would make enforcement impossible, because police officers would not be able to determine the validity of a permit issued in another State or locality. It would be impossible for law enforcement to distinguish true permit carriers from criminals and illegal guns.

We are confident that members of Congress will respect the Constitutional sovereignty

of the States and will not act with disregard for the many reasonable and prudent laws already in place across the Nation.

Sincerely,

J. THOMAS MANGER,
Chief of Police, Montgomery County Police Department,
President.

CITY OF HOUSTON,
HOUSTON POLICE DEPARTMENT,
Houston, TX, November 29, 2017.

Hon. CHUCK GRASSLEY,
Chairman,

Hon. DIANNE FEINSTEIN,
Ranking Member, Committee of the Judiciary,
U.S. Senate, Washington DC.

DEAR CHAIRMAN GRASSLEY AND RANKING MEMBER FEINSTEIN: As the Chief of Police in Houston, I see first-hand the bloodshed and death toll from gun violence. Recent horrible events in Texas and Nevada serve as grim reminders that we have not done enough to prevent gun violence in America. While I am sorry I cannot attend your planned hearing, I serve as the First Vice President of Major Cities Chiefs and ask that you also enter this letter into the record.

The mass shooting in Texas is an ugly and tragic example of the need to strengthen our system of background checks. That's why I am supporting the measure introduced by Senator Cornyn and I urge the Committee to move his bill forward. The proposed legislation seeks to make current law work better by strengthening procedures. But we should not stop there as much more can be done to prevent the public from gun violence. This measure alone does not go far enough to stop what recently happened in Texas and the many, many senseless mass shootings that preceded our own tragedy.

Universal Background Check: The mass shooting in Texas represents a renewed call for the Universal Background Check that Congress has failed to adopt in the past. Much has been said about how the Texas gunman would have been precluded from the store purchase if the background system had worked correctly. But what would have stopped him from buying the same weapons at the next gun show? It's a disservice to the public to conduct background checks only in some cases, but not for all of them.

"Bump Stocks": Another common-sense measure is a ban on "bump stocks" and similar accessories that replicate fully automatic weapons fire. Such features result in a number of shots fired that causes the carnage we witnessed in Las Vegas. Like other law enforcement officials, I have studied the Las Vegas slaughter and concluded that there is no reasonable sporting or hunting purpose served by deadly devices that simulate military weapons capabilities. I was seated next to the ATF Director at a recent meeting of Major Cities Chiefs when he advised the Chiefs that new legislation will be required.

Concealed Weapons: Each State has carefully crafted its own laws relating to concealed weapons. While Congress has heretofore respected the Constitutional sovereignty of the States, there is legislation now pending that would undermine the authority of State laws relating to carrying of weapons. We strongly urge Congress to reject the misguided and impractical proposal for reciprocity. As police officers could not be expected to recognize legitimate or forged permits from thousands of jurisdictions, it would be impossible to determine which persons are authorized to carry a concealed weapon.

Silencers: Legislation to deregulate silencers is ill-advised because it would further threaten public safety. These devices were

invented for killing and stealth. Once widespread, hunters would be unable to hear nearby gunfire and thus be endangered. Gunshot detection systems in urban areas would be thwarted. Worst of all, the proposed legislation would permit criminals to purchase and possess silencers without any screening requirements. There is simply no legitimate justification for a measure that would further endanger the public.

Our Duty to Protect: Like those of us who wear a badge, members of Congress share our solemn duty to protect the public. The recent tragedies in Texas and Nevada should be recognized by Congress as cries for help from past and future innocent victims of gun violence. Chiefs of Police and Sheriffs join these victims in asking you to act now to prevent more death and bloodshed. We turn to you for courage and leadership to consider multiple steps and measures to curb the ongoing threat of gun violence in America.

Sincerely,

ART ACEVEDO,
Chief of Police.

NATIONAL TASK FORCE TO END
SEXUAL & DOMESTIC VIOLENCE,

December 1, 2017.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: As we enter the winter holiday season, we grieve for the approximately 556 women who will not celebrate with their families—the 556 women who have been murdered this year by intimate partners with firearms. As a country, we can and must do more to prevent the daily mass shootings that plague our nation, most of which are related to family violence.

Accordingly, we, the member organizations of the National Task Force to End Sexual and Domestic Violence (NTFV), comprising national organizations working to end gender-based violence and representing hundreds of member programs and hundreds of thousands of advocates and survivors, write to you today to oppose the package containing both the Concealed Carry Reciprocity (CCR) Act of 2017, H.R. 38, and the Fix NICS Act of 2017, H.R.4434.

While the Fix NICS Act of 2017, H.R.4434, will protect victims of domestic violence by ensuring domestic violence records are properly and expeditiously submitted to the National Instant Criminal Background Check System (NICS), the Concealed Carry Reciprocity Act, H.R. 38, undermines the safety of victims of domestic violence, dating violence and stalking by destabilizing protections for victims of abuse and allowing domestic violence offenders to follow their victims across state lines with loaded, concealed firearms. This combined measure is incredibly dangerous and will negate any protections offered by the Fix NICS Act.

Firearms are regularly used as tools of power and control. A 2016 meta-analysis of existing literature found that approximately 4.5 million American women alive today have been threatened by abusers with firearms; of those, one million had either been shot or shot at by their abusers. Guns are also the weapon of choice for domestic violence homicides. An abuser's mere access to a firearm increases the risk of intimate partner homicide of women by five times. Stalking is also a strong indicator of lethality, with one study of female murder victims in ten cities finding that 76% of women who were murdered by an intimate partner were stalked the previous year. Lawmakers have enacted strong, commonsense protections to prevent domestic violence homicides in states and localities across the nation and such protections must not be undermined by federally mandating concealed carry reciprocity.

States and Reciprocity Agreements: Currently, each state determines who can le-

gally carry concealed, loaded firearms in public. Many states have enacted strong laws to protect victims and survivors from gun-enabled abuse beyond the vital but limited protection federal law provides. States enter into reciprocity agreements at their own discretion. The proposal before the Committee would take away this local control by requiring every state to recognize every other state's concealed weapons permits, thereby undermining states' authority to make their own decisions as to what measures will provide the best protection for their citizens.

Victim Relocation: Often, victims of domestic violence, dating violence and stalking relocate across state lines to escape their abusers and seek refuge in states with stronger firearms protections. H.R. 38 would require states with strong protections for victims of abuse to accept the permits of states with weaker protections and allow domestic violence offenders to travel across state lines with loaded, concealed firearms. Domestic violence offenders could shop around for "out of state" permits, which are granted by ten states to non-residents, even if they do not meet the requirements to obtain a permit in their home state. Even if domestic abusers are prohibited from possessing firearms from their state of residence, they could easily obtain "out of state" permits and cross state lines to threaten, harass and harm their victims with firearms.

Law Enforcement and Background Checks: The CCR Act assumes that law enforcement need only look at an individual's out-of-state concealed carry license to verify their eligibility to carry a firearm. Twelve states no longer require permits to carry loaded, concealed firearms; individuals from those states would not be able to produce a state-issued photo ID license to prove their eligibility to carry a concealed firearm, as required by the bills. The bill also assumes that federal firearms prohibitors apply to all persons asserting the right to concealed carry reciprocity. However, many states do not run background checks when issuing concealed permits, so law enforcement in the travel state is unable to ascertain whether a federal or state prohibitor impairs the traveler's concealed carry permit or firearm possession. Even when a background check is required before a permit is issued, prohibited abusers often erroneously pass background checks, because the federal background check databases are missing most records relating to federal and many states' domestic violence prohibitors.

The Fix NICS Act of 2017 (H.R.4434): This bipartisan, bicameral bill reauthorizes NCHIP, requires all federal agencies and states to design implementation plans to increase submission of records into NICS, holds states and federal agencies responsible if they do not meet the benchmarks established in their implementation plans, and creates a Domestic Abuse and Violence Prevention Initiative to focus state efforts specifically on domestic violence records. This bill is supported not only by the domestic violence community but also such disparate entities as the NRA, the National Shooting Sports Foundation, and a number of gun violence prevention organizations.

Although gaps in reporting of records span a range of firearms prohibitors, the gap in reporting of domestic violence records is particularly notable. Approximately 700,000 protective orders reside in state databases that are not in any federal database, and countless more protective orders are issued at the local level but never entered into state databases. Similarly, there are significant gaps in the number of misdemeanor domestic violence convictions and the records submitted to NICS. Poor record keeping often leads to

domestic abusers erroneously passing background checks or to 'default proceed', in which a background check cannot be completed within seventy-two hours, and a sale is allowed to proceed before the FBI has made a determination about the potential buyer's ability to legally purchase or possess firearms. In 2013 and 2014, a plurality (approximately 40%) of cases referred by the FBI to the ATF for firearms retrieval after a default proceed were related to a domestic violence prohibitor. An unknown number of prohibited abusers wrongly passed background checks altogether.

Simply put, we cannot support any bill that puts the lives of victims of domestic violence, dating violence, and stalking at risk. Any bill that includes the Concealed Carry Reciprocity Act, H.R.38, imperils the lives of victims, survivors, their children, their families, their friends and their communities. We continue to support The Fix NICS Act of 2017, H.R.4434, as a standalone bill because it saves lives. On behalf of victims of domestic violence, dating violence and stalking, we urge you to reconsider combining these bills. These two bills cannot be supported as a package and the CCR Act threatens to erase any progress that could be made by the Fix NICS Act.

Sincerely,

THE NATIONAL TASK FORCE
TO END SEXUAL AND
DOMESTIC VIOLENCE.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. ESTY).

Ms. ESTY of Connecticut. Mr. Speaker, I rise in strong opposition to the so-called Concealed Carry Reciprocity Act. It is outrageous that today, of all days, 1 week before the 5-year anniversary of the horrific murder of 20 schoolchildren and 6 educators in my district of Newtown, 2 months after the slaughter of 50 Americans watching a concert, that we are about to act on a bill to put more guns in the hands of more dangerous people.

Rather than helping raise the standards nationally for gun safety, this bill would override and lower most States' concealed carry laws, making it easier for domestic violence abusers, stalkers, and violent criminals to carry across State lines loaded hidden guns. This bill should be called the "Act to Carry Any Gun Anywhere Anytime by Anyone."

The Concealed Carry Reciprocity Act is an outrage and an insult to the families in Newtown and to the hundreds of families who have lost loved ones to gun violence who are gathered here today at the Capitol for the fifth annual Vigil to End Gun Violence.

In the 5 years since Sandy Hook, this is the very first bill we have been allowed to vote on in this Chamber, and it is a reckless giveaway to the moneyed gun interests.

Mr. Speaker, since 2012, gun violence has killed over 170,000 Americans. It is time for this House to truly honor the victims of gun violence and their families with action instead of caving in to the gun lobby yet again.

Mr. Speaker, I urge all of my colleagues to oppose this dangerous bill.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. POE), a member of the Judiciary Committee.

Mr. POE of Texas. Mr. Speaker, history is the great educator. We remember in American history the War of Independence started when the British tried to take away the firearms of Americans, and we had the Battles of Lexington and Concord. That revolution was successful because Americans were able to be armed.

The Texas War of Independence started when the Mexican Government tried to take away the firearms of Texans. That started in Gonzales, Texas, and it was successful and we became an independent country.

The Second Amendment is a constitutional right that Americans have. My friends on the other side don't like the Second Amendment. They wish it wasn't there. They do everything in their power to restrict the privilege and the right that we have under the Second Amendment, and we get it because of our history, to protect us from government and also for self-defense.

My friends talk about gun violence. They have got to remember that gun violence happens many times where people are disarmed, and it usually takes a gun to stop that gun, just like it did at the church in Texas.

In another situation, if I were to drive my Jeep to California and I get stopped by the California Highway Patrol, which maybe would occur, I would show them my Texas driver's license, and then they would let me drive, even though the laws in California are different on a driver's license.

Second, the registration of my Jeep in Texas would pass in California, even though if I had to get it done in California, it probably wouldn't pass. But they recognize that because we have laws that recognize that.

My marriage license would be accepted as well.

The right to bear arms, the right to have a concealed carry weapon, is based on the Second Amendment of the Constitution. All this law does is allow us to exercise that right in every State.

And that is just the way it is.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Mr. Speaker, I want to thank Mr. NADLER for yielding to me.

Mr. Speaker, that is just the way it is. Since the start of 2017, more than 14,340 people have been killed by gun violence in the United States, more than any other country on Earth. That is just the way it is.

More than 29,150 have been wounded. More than 680 of those have been children.

In October, 58 people were killed and 515 wounded in Las Vegas in the worst mass shooting in our Nation's history.

But we don't have a bill on the floor to prevent the creation of machine guns, which are illegal, by bump stocks.

Just 5 weeks later, a gunman entered a church in Sutherland Springs, Texas,

and killed 26 worshipers, while wounding 20.

The majority's response?

Bring to the floor a bill that makes America less safe, more replete with people carrying and concealing weapons in our communities. This bill says: If you want to carry a concealed weapon in a State that doesn't allow it constitutionally, no problem. Get your concealed carry license in another State that does.

In other words, every State, no matter their own judgment, talk about States' rights, no matter their own judgment, must be subjected to the policies of the least protective State in the Nation.

Instead of addressing the very serious problem of rampant gun violence in a constructive way, the Republican majority is bringing to the floor a bill that makes it easier to hide dangerous weapons in public.

Newtown, Aurora, Orlando, Las Vegas, Sutherland Springs, and community after community after community. What will it take for this Congress to act? What will it take to face this challenge instead of ignoring it? How many more will not live to see the new year or begin it with debilitating injuries they will carry for the rest of their lives? How many times will we have a moment of silence and a year of no action?

Mr. Speaker, defeat this bill. Its rational provision of NICS, making sure people report, does not justify the danger it expands. Support the rights of States to protect their residents from hidden firearms. Do not ignore the crisis that confronts our country. Have a moment of action, a moment of legislating more safety, not less; not simply a few seconds of silence to lament the loss of life, whether it be in Las Vegas or Orlando or in our own communities. Defeat this bill. Come back and do some positive, constructive work that makes America safe again.

Mr. GOODLATTE. Mr. Speaker, I yield myself 15 seconds to include in the RECORD a letter signed by 23 of those States' attorneys general who say, in part, in this letter: "Strong evidence indicates that concealed carry permit holders actually deter and reduce crime." This is taking action by passing this legislation.

ATTORNEY GENERAL OF MISSOURI,
Jefferson City, MO, December 1, 2017.
Re Constitutional Concealed Carry Reciprocity Act of 2017 (S. 446) and Concealed Carry Reciprocity Act of 2017 (H.R. 38).

HON. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.
HON. PAUL RYAN,
Speaker, House of Representatives,
Washington, DC.

HON. CHUCK SCHUMER,
Minority Leader, U.S. Senate,
Washington, DC.
HON. NANCY PELOSI,
Democratic Leader, House of Representatives,
Washington, DC.

DEAR CONGRESSIONAL LEADERS: As the chief legal officers of our States, we, the undersigned 23 state Attorneys General, write

in support of the Constitutional Concealed Carry Reciprocity Act of 2017 (S. 446) and the Concealed Carry Reciprocity Act of 2017 (H.R. 38). We share a strong interest in the protection of our citizens' Second Amendment right to keep and bear arms, and we are committed to supporting federal and state policies to preserve that constitutional right. These bills, if enacted, would eliminate significant obstacles to the exercise of the right to keep and bear arms for millions of Americans in every State.

The Second Amendment to the U.S. Constitution provides an individual right to own and carry a firearm for self-defense. The Amendment states that "[a] well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." U.S. Const. amend. II. As the Supreme Court recognized in *District of Columbia v. Heller*, 554 U.S. 570, 592 (2008), the Second Amendment "guarantee[s] the individual right to possess and carry weapons in case of confrontation." Indeed, "individual self-defense is 'the central component' of the Second Amendment right." *McDonald v. City of Chicago*, 561 U.S. 742, 767 (2010) (quoting *Heller*, 554 U.S. at 599).

The core interest protected by this right is self-defense by law-abiding citizens. This right therefore extends to weapons "in common use" and "typically possessed by law-abiding citizens for lawful purposes." *Heller*, 554 U.S. at 624-25, 627 (quoting *United States v. Miller*, 307 U.S. 174, 179 (1939)).

The Second Amendment historically has guaranteed the right to carry firearms outside the home for self-defense. In *Heller*, the Supreme Court relied on the preeminent authority on English law for the founding generation, William Blackstone, who explained that the right to self-defense, codified by the framers in the Second Amendment, was an "individual right protecting against both public and private violence." *Heller*, 554 U.S. at 594 (citations omitted). As Justices Thomas and Gorsuch have written, "[s]elf-defense has to take place wherever the person happens to be, and in some circumstances a person may be more vulnerable in a public place than in his own house." *Peruta v. California*, 137 S. Ct. 1995, 1998-99 (2017) (Thomas, J., and Gorsuch, J., dissenting from the denial of certiorari) (quoting Eugene Volokh, *Implementing the Right to Keep and Bear Arms for Self-Defense: An Analytical Framework and a Research Agenda*, 56 UCLA L. Rev. 1443, 1515 (2009)).

To be sure, the right to carry firearms for self-defense is not unlimited, and the Supreme Court has stated that its decisions do not cast doubt on the "longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms." *Heller*, 554 U.S. at 626-27. But these exceptions all assume that the right to carry a weapon in self-defense applies in public places generally.

The Second Amendment, moreover, applies to both the Federal Government and the States. The Second Amendment is a right "fundamental to our scheme of ordered liberty," and so it applies not just to the Federal Government but also to the States under the Due Process Clause of the Fourteenth Amendment. *McDonald*, 561 U.S. at 767; see also *Caetano v. Massachusetts*, 136 S. Ct. 1027, 1027 (2016) (per curiam).

Nevertheless, some activist courts have held that the Second Amendment has no application at all outside the home, and thus have upheld state laws banning any firearm ownership outside the home. See, e.g., *Peruta v. California*, 137 S. Ct. 1995, 1997, 1999 (2017) (Thomas, J. and Gorsuch, J., dissenting from

the denial of certiorari) (collecting cases); e.g., *Williams v. State*, 10 A.3d 1167, 1177 (Md. 2011); *Mack v. United States*, 6 A.3d 1224, 1236 (D.C. 2010). Further, ten states refuse to recognize any out-of-state concealed carry permits, and many more refuse to recognize out-of-state concealed carry permits unless certain conditions are met.

The citizen interest in self-defense, supported and protected by the Second Amendment, is called into serious question by such blanket refusals to permit carrying firearms in self-defense outside the home or to allow non-resident visitors to carry concealed weapons. Because some States refuse to give the Second Amendment its full import, Congress should enact concealed-carry reciprocity legislation, to help implement and enforce the constitutional right to self-defense for millions of law-abiding Americans across the country.

The exercise of Congress's power is particularly warranted in this case because the States that refuse to allow law-abiding, non-resident visitors to carry concealed weapons place their occupants in greater danger—not less—from gun violence. These States leave citizens without any real option for self-defense, and so it is not surprising that they have been unable to show that their regulations reduce crime.

Authorizing permit holders to carry across state lines will not result in an increased risk of crime. Concealed carry permit holders are among the most law-abiding members of society, and those States that allow for reciprocal concealed-carry permits have not encountered any significant safety issues. In Texas, for example, state data on permit holders shows that, compared to the general public, they are “ten times less likely to commit a crime, eleven times less likely to commit an aggravated assault with a deadly weapon, and seven times less likely to commit deadly conduct with a firearm.” Kevin Ballard, *Peruta v. County of San Diego: An Individual Right to Self-Defense Outside the Home and the Application of Strict Scrutiny to Second Amendment Challenges*, 47 *Golden Gate U. L. Rev.* 25, 59 (2017).

Further, strong evidence indicates that concealed-carry permit holders actually deter and reduce crime. Those who engage in lawful and licensed concealed carry are not only less likely to be involved in criminal activity themselves, but their presence also deters others from engaging in violent crime. See John R. Lott, Jr., *More Guns, Less Crime* (University of Chicago Press, 3d ed. 2010). County-level data for the entire United States from 1977 to 2000, the period in which many concealed-carry laws took effect, shows annual reductions in murder rates between 1.5 percent and 2.3 percent for each additional year that a right-to-carry law was in effect, and the total economic benefit from reduced crimes usually ranges between approximately \$2 billion and \$3 billion per year. Florenz Plassmann & John Whitley, *Confirming “More Guns, Less Crime,”* 55 *Stan. L. Rev.* 1313 (2003). “Violent crime falls after right-to-carry laws are adopted, with bigger drops the longer the right-to-carry laws are in effect.” John R. Lott, Jr., *What a Balancing Test Will Show for Right-to-Carry Laws*, 71 *Md. L. Rev.* 1205, 1212 (2012).

Our experience as attorneys general further reinforces this data. Law-abiding individuals who choose to exercise their constitutional right to carry a firearm for self-defense promote public safety. Our states have chosen to respect the rights of residents and non-residents alike to carry arms for their defense, and we ask Congress to protect the same rights of our law-abiding residents as they travel throughout the United States.

States should not be able to deny citizens of other States the basic constitutional right

to self-defense. We thus urge Congress to enact legislation such as the Constitutional Concealed Carry Reciprocity Act of 2017 (S. 446) or the Concealed Carry Reciprocity Act of 2017 (H.R. 38). These bills aim to protect the rights of law-abiding citizens to carry a concealed handgun. They do not allow for carrying firearms by felons, those involuntarily committed to mental health facilities, and other persons prohibited by federal law from possessing or receiving firearms. And these bills would not prevent States from allowing governmental and private entities to preclude concealed carry on their own property.

As the Supreme Court held in *McDonald*, it is “unmistakably” true that “the Second Amendment right to keep and bear arms” is “fundamental to our scheme of ordered liberty” and “deeply rooted in this Nation’s history and tradition.” *McDonald*, 561 U.S. at 767–68. Congress should act to safeguard and implement this deeply rooted right for those traveling across state lines.

Thank you for the opportunity to address this legislation. As the chief legal and law enforcement officers of our respective States, we urge Congress to pass this important legislation implementing one of the most basic American freedoms, the Second Amendment right to keep and bear arms.

Very truly yours,

Joshua D. Hawley, Missouri Attorney General; Steve Marshall, Alabama Attorney General; Mark Brnovich, Arizona Attorney General; Leslie Rutledge, Arkansas Attorney General; Pamela Jo Bondi, Florida Attorney General; Chris Carr, Georgia Attorney General; Lawrence Wasden, Idaho Attorney General; Curtis T. Hill, Jr., Indiana Attorney General; Derek Schmidt, Kansas Attorney General; Jeff Landry, Louisiana Attorney General; Bill Schuette, Michigan Attorney General; Timothy C. Fox, Montana Attorney General.

Doug Peterson, Nebraska Attorney General; Adam Paul Laxalt, Nevada Attorney General; Wayne Stenehjem, North Dakota Attorney General; Mike DeWine, Ohio Attorney General; Alan Wilson, South Carolina Attorney General; Marty J. Jackley, South Dakota Attorney General; Ken Paxton, Texas Attorney General; Sean Reyes, Utah Attorney General; Patrick Morrissey, West Virginia Attorney General; Brad D. Schimel, Wisconsin Attorney General; Peter K. Michael, Wyoming Attorney General.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Alabama (Mrs. ROBY), a member of the Judiciary Committee.

Mrs. ROBY. Mr. Speaker, I rise today in support of H.R. 38, the Concealed Carry Reciprocity Act of 2017.

Mr. Speaker, our Founders laid out certain rights in our Constitution, not to empower the government, but to empower the people. Certainly among the most fundamental of those rights we have as Americans is to keep and bear arms.

H.R. 38, the Concealed Carry Reciprocity Act of 2017, simply ensures all law-abiding citizens who meet the requirements to obtain concealed carry permits in their home State can exercise the right to protect themselves in any State, provided that they obey the local concealed carry laws.

Mr. Speaker, some opponents of this bill claim that we are somehow making it easier for dangerous unqualified individuals to obtain and carry guns. That is absolutely not true.

If a citizen is currently prohibited from purchasing or possessing a firearm, this bill does nothing to change that.

On the other hand, Mr. Speaker, others will tell you that we are making it harder for law-abiding Americans to exercise their Second Amendment right. That is not true either.

H.R. 38 does nothing to infringe upon anyone’s right to keep and bear arms. The bill simply ensures that our current National Instant Criminal Background Check System, or NICS, is enforced and working properly.

Those of us who respect the Second Amendment and dedicate our careers to defending it will always fight to protect this fundamental right from those who would erode it.

Mr. Speaker, we also have a responsibility to uphold and enforce our current laws to ensure dangerous people can’t obtain weapons. In fact, it is precisely because we want to preserve our Second Amendment right that we must ensure our criminal background check system works properly.

Mr. Speaker, I urge my colleagues to support this bill in order to ensure that those who obtain a concealed carry permit in one State are able to enjoy the freedom in any State and to make sure our current background check system is working the way it was intended to work.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, firstly, the NRA put a bulletin out to urge people to vote for this. They said: “We must ensure that antigun jurisdictions do not harass travelers.”

Mr. Speaker, that is the purpose of this bill from the NRA, that nine antigun jurisdictions, State legislatures that have restrictive gun laws, cannot harass travelers, cannot see that their State has the same laws that their citizens have from people out of State.

When my friends on the other side talk about being concerned about the Second Amendment and dedicating their lives to it and seeing that irresponsible people don’t get guns, when we tried to bring a no fly, no buy law, they weren’t for it. They talked about due process.

But have they brought a due process bill to the floor for people who are on the no-fly list?

No.

People who are on Social Security who can’t manage their own affairs, they passed a law that said they should get guns when they couldn’t before. That is not in keeping with what they are saying.

This bill violates States’ rights, puts guns in the hands of people that States don’t want them to have. There are seven States that don’t allow people under 21, unless they are in the military, to have a gun permit. This Federal law would override those seven States.

Mr. Speaker, this is a bad law. It is the NRA's law. We should have had amendments considered in committee, but we didn't because the NRA didn't want them.

□ 1515

Mr. GOODLATTE. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. FARENTHOLD), a member of the Judiciary Committee.

Mr. FARENTHOLD. Mr. Speaker, I am here today to support the Concealed Carry Reciprocity Act, which will allow a person who is licensed in one State to carry their firearm to carry it in other States. It works just like your driver's license. My Texas driver's license lets me drive in Virginia; it lets me drive in Florida; it lets me drive in California.

When I was a child growing up in Texas, my family taught me the importance of marksmanship, gun safety, and the Second Amendment. And I have long said that, when it comes to reducing violence, it is the individual, not the weapon, that we need to be focused on.

This bill helps ensure an American's right to carry is not infringed when crossing State lines, enhancing public safety. In fact, as the chairman stated earlier here today, a peer-reviewed study shows that States with more restrictive concealed carry laws had higher gun-related murder rates. That is why we need an armed citizenry to protect ourselves and each other.

As we saw in the terrible Texas church shooting in Sutherland Springs just recently, the death toll could have been much higher had not an armed citizen been there to confront the gunman. There are those who insist the bill will arm the criminals, but those claims are far from true, as gun laws restricting criminals from access to weapons are already there in their home States. They are going to remain undisturbed.

I am a strong supporter of the Second Amendment and the Constitution, as I suspect most of you all are, Mr. Speaker, and I believe gun control is hitting what you aim at and nothing else.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, I thank my friend for yielding.

Mr. Speaker, it has been almost 5 years to the day that 20 6- and 7-year-old babies were slaughtered in Newtown. It has been about a year-and-a-half since 49 people were killed in my home State of Florida, 58 more being injured. In October, 59 people were killed and 500 injured at an outdoor concert in Las Vegas. And in November, 26 people were killed and injured as they worshiped in Sutherland Springs, Texas. The response to all of this tragedy is a bill to make it easier for people to carry concealed weapons in every corner of this country.

I don't know whose idea—other than the gun corporations, I don't know

whose idea it was that this would be the way that we honor the memories of those who have been killed, that instead of commonsense gun safety legislation that the overwhelming majority of people in this country support, we get a bill to make it possible to carry concealed weapons in every State, in every corner of this country.

When my friends on the other side say this doesn't override any laws, that is absolutely untrue. In States that have State laws that govern where you can and can't carry a gun, this bill overrides that and says you can bring any gun into the State, whatever your regulations are about what you can carry.

This is a bill that doesn't make us safer. It doesn't make us stronger. But make no mistake, it makes the bottom line, the profits of the gun makers in this country, a little bit healthier.

As we enter the Christmas season and we think about the 20 6- and 7-year-old kids whose lives were taken 5 years ago today, whose parents, whose families suffer every day with that loss, whose kids aren't there to receive Christmas presents, I ask my friends on the other side: Why is it that we respond to that by giving this enormous Christmas gift to the NRA?

Mr. GOODLATTE. Mr. Speaker, I yield myself 15 seconds to include in the RECORD two articles, one from Tennessee and one from Florida, in which concealed carry permit holders stopped dead in their tracks people who were going to commit murder.

[From www.wsmv.com, Oct. 8, 2017]

USHER BEING CALLED "HERO" FOR HELPING TO STOP ANTIOCH CHURCH SHOOTER

(By Edward Burch)

ANTIOCH, TN.—Robert Caleb Engle is being hailed as a hero after helping to stop the accused gunman during the shooting at Burnette Chapel Church of Christ in Antioch on Sunday.

According to police and witnesses at the scene, Engle, who is an usher at the church, confronted the accused shooter, Emanuel Kidega Samson. Engle was then pistol-whipped by Samson. The two got into a scuffle before Samson shot himself in the chest.

Engle, who has a carry permit, went out to his car to get a gun, despite suffering a head injury.

Engle then went back inside the church to confront Samson and held him at gunpoint until authorities arrived.

Engle, 22, declined an on-camera interview but did send a statement.

When complimented about his heroism, Engle said, "I do not want to be labeled a hero. The real heroes are the police, first responders, medical staff and doctors who have helped me and everyone affected."

"I've been going to this church my whole life," Engle said "I would have never, ever thought something like this would have happened."

"(He's) just an outstanding young man, even before today," said Tammy Adcock, one of Engle's neighbors. "Today just proved his character."

Engle also asked for prayers for not just the victims, but for the shooter and the shooter's family.

"They are hurting as well," Engle said.

Engle and 64-year-old Catherine Dickerson were taken to Skyline Medical Center with non-life-threatening injuries.

Both Engle and Dickerson have since been released from the hospital.

[From Florida Today, Nov. 27, 2017]

SCHLENKER SHOOTING: ROCKLEDGE GUNMAN RECOVERING, WORKED AT BREVARD ELEMENTARY SCHOOL

(By J.D. Gallop)

The 28-year-old man suspected of carrying out a shooting at a Rockledge auto shop last week that left one person dead and another paralyzed, also worked as a part-time custodian at an elementary school, authorities said.

Brevard County Public School officials confirmed that Robert Lorenzo Bailey Jr. was employed with the district since 2014, working at Lewis Carroll Elementary on Merritt Island.

"He's a part-time custodian," said Jennifer Wolfinger, spokeswoman for the school district, adding that Bailey remains on the payroll. Officials are reviewing his employment records.

Bailey wandered onto the Schlenker Automotive property on Friday, and using a .40-caliber handgun, started firing on workers, killing 50-year-old Schlenker employee Roger Lee Smith, Rockledge police said. Smith had stepped into the parking lot after he heard a shot that paralyzed a 25-year-old, unidentified co-worker, according to police. Police have not released the identity.

Two other workers—both concealed weapons permit holders—confronted the gunman and engaged in a shootout that left the suspect wounded. Bailey continues to recover at Holmes Regional Medical Center in Melbourne.

The shooting—which happened the day after Thanksgiving—left family members of the victim, a husband, father and grandfather, devastated.

"He would do anything . . . anything for anybody. It hurts that somebody would hurt him," said Bnickcole Smith, a 27-year-old niece of the victim. "That man took from us a longtime husband, a father figure and a grandfather. He loved being with his family and was such a fun, outgoing person. Personally, it's just destroyed me."

Bailey, known to friends as a bouncer and a regular in the Cocoa Village pub scene, did not have any connections to the autoshop, police said. Police have not yet confirmed any criminal or medical history that might give insight into a possible motive.

Others who knew Bailey, including a manager at the Dog and Bone British Pub, said he seemed to be acting differently lately. The manager said Bailey was fired from his job at the pub after Bailey confronted a patron. Another manager suggested Bailey see a doctor after Bailey aired thoughts that he believed the patron had a gun and was attempting to kill him.

"You could tell he had gone through some type of stress or disorder. He kept to himself," said 26-year-old Paul Lyal, who learned about the shooting late Sunday. Lyal said he met Bailey at the Dog and Bone British Pub several years ago.

"Sometimes he would be quiet, other times out laughing with everyone. He would even do karaoke or just go upstairs and dance for hours," Lyal recalled. "I'm just shocked like everyone else."

Rockledge detectives did not comment on Bailey's injuries or surgery over the weekend to treat his wounds.

Lou Schlenker, owner of the business that has operated in Rockledge for 36 years, released a statement to Florida Today on Sunday evening:

"In this difficult time of mourning the loss of Roger and the severe injuries that (our other employee) has sustained, we would like

to thank all of the community for the overwhelming support and prayers we have received. We know there will be a long healing process ahead of us but we want to reassure everyone that this is an organization full of dedicated, courageous, and heroic individuals serving this community," the statement read.

Mr. GOODLATTE. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. GAETZ), a member of the Judiciary Committee.

Mr. GAETZ. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I don't know why Democrats are so afraid to allow people to exercise the full extent of their constitutional rights. In my State, we have got 1.7 million concealed carry permit holders. Concealed carry permit holders in Florida are eight times less likely to commit crimes than members of law enforcement.

I think the American people see that, if they had their way, we would take the bad acts of people who break the law and we would use that as an excuse to deprive law-abiding people of the full exercise of their rights.

So I rise in support of the Constitution and to correct a common mistake. The rights that are enumerated in the Constitution are not granted to the American people by government. These are God-given rights, and it is the government's duty to protect them for all citizens.

For too long, the government has failed to protect the Constitution and has stripped law-abiding citizens of their freedom. States recognize driver's licenses from other States, but nowhere in the Constitution are they mentioned; yet States routinely deny carry permits from other States, including neighboring States, even though the Constitution explicitly states that the right of people to keep and bear arms shall not be infringed.

Mr. HUDSON's good bill restores constitutional liberty. I am proud to join in sponsoring this legislation and to stand with the Constitution and against those who wish to dismantle it.

Mr. Speaker, I encourage my colleagues to remember the oath that they swore to uphold and defend the Constitution, and I would encourage them to vote "yes" on H.R. 38.

Mr. NADLER. Mr. Speaker, I yield to the gentleman from Rhode Island (Mr. CICILLINE) for the purpose of a unanimous consent request.

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

Mr. CICILLINE. Mr. Speaker, my friends on the other side of the aisle made a number of arguments about how, if everyone has a concealed weapon, America will be safer.

Mr. Speaker, I have two studies here which directly rebut that:

A 2017 Stanford University study found that in States that adopted the most permissive concealed carry laws, violent crime is 13 to 15 percent higher than it would have been had the State retained a more restrictive law;

A 2017 study by researchers at Boston University found that States with shall-issue laws had a 10.6 percent higher handgun homicide rate, consistent with the results of the Stanford study.

Both of those empirical studies disprove the claim that we make America safer if everyone carries a hidden, loaded firearm.

Mr. NADLER. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. CROWLEY), the distinguished chairman of the Democratic Caucus.

Mr. CROWLEY. Mr. Speaker, I thank the gentleman for yielding.

I must have missed something in my religious training. Were there 11 Commandments by God? I know about the first 10, but I missed that 11th one that thou shall have the ability to bear arms. I missed that one, that God-given right.

Was it a God-given right for someone to take that God-given right and execute 58 people at a concert? Was that a God-given right?

Mr. Speaker, the American people have spoken with nearly a unanimous voice. They want Congress to keep their families safe by passing common-sense gun safety legislation, legislation that will keep guns out of the hands of criminals; protections that will keep those who want to cause terror in our churches, in our schools, at concerts, and in our communities from getting those firearms.

The bill before us does the exact opposite. It would force States like New York to weaken their own gun safety laws and allow concealed carry. It puts families like yours and mine at risk. And for what? To appease the NRA? That is shameful.

In the 66 days since the Las Vegas massacre, Congress has done nothing, absolutely nothing, to address the clear loopholes in our laws that allowed one man to kill and injure so many.

It has been 66 days since numerous Republicans denounced the bump stocks and promised a fix, only to turn around and do this bill. At a time when we have seen one horrific mass shooting after another, Republicans are forcing through a bill that will put each and every American in harm's way. What is more, this egregious proposal comes days before the fifth anniversary of the tragic shooting at Sandy Hook.

This will put us in further danger of another Las Vegas, another Orlando, and another Sandy Hook. The American people are sick and tired of this. They want this Congress to protect them, not enable criminals.

Mr. GOODLATTE. Mr. Speaker, may I ask how much time is remaining on each side.

The SPEAKER pro tempore (Mr. YOUNG of Iowa). The gentleman from Virginia has 11¾ minutes remaining. The gentleman from New York has 13 minutes remaining.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the

gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. RUTHERFORD), a member of the Judiciary Committee.

Mr. RUTHERFORD. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, in my 41 years of law enforcement, 12 years as a sheriff of Duval County, Florida, I can tell you I have seen many, many times where good, law-abiding citizens used legal firearms to stop dangerous people from harming them, their loved ones, and even their neighbors.

Mr. Speaker, as a law enforcement professional, I want good people carrying firearms.

The Fraternal Order of Police that represents thousands of officers all across the United States of America supports good people carrying firearms. Do you know why? Because we know, as law enforcement officers we understand that, at our agencies, our priority one response time target is 7 minutes.

In a life-and-death situation, we target getting there in 7 minutes. That is in a well-policed community. I want to put Republicans, Democrats, and everyone on notice that, for that 7 minutes, you better be prepared to protect yourself.

If an active shooter in a mall, in a school, in a church like we just saw in Sutherland Springs, Texas, is killing people, let's say to the tune of five people per minute, that is an average of 35 dead, unarmed citizens before the police can even arrive at the scene.

Believe me, we want good, law-abiding citizens who are authorized to carry firearms to have the ability to intervene in a violent situation before law enforcement can even arrive at the scene. We need the Concealed Carry Reciprocity Act to ensure that these good, law-abiding citizens can retain the constitutional right to bear arms legally across State lines and hopefully be able to stop a violent incident.

Mr. Speaker, none of our other constitutional rights stop at a State line. Our Second Amendment rights should not stop at that line either.

Mr. Speaker, I strongly encourage my colleagues to support H.R. 38 and save lives.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I thank the gentleman for yielding.

We just heard some of our other colleagues on the other side of the aisle speak about the God-given right to apparently carry a concealed, loaded firearm across State lines. What about the God-given right to live, to stay alive, and to be free from gun violence in this country?

We now have seen the two deadliest shootings in American history, 20 children slaughtered 5 years ago at Sandy Hook, and the list goes on and on.

Our Republican colleagues will do nothing about it. They won't pass universal background checks. They won't pass no fly, no buy to keep terrorists from being able to buy a gun. They won't prevent bump stocks. But they are finally rising up to do something, and what is their answer? Let everyone in America carry a concealed, loaded firearm. Even people who are violent criminals, stalkers, and domestic abusers can carry a concealed firearm.

Make no mistake about it. This legislation allows someone to go online. You don't have to be a resident of the State, a State that has no protections. You don't have to have training. You could be a criminal. You can go online and you get a permit in that State. You don't have to be a resident. You only have to go there, and you can then travel America with a loaded, concealed firearm and overrule the will of the people of that State through their legislature to impose responsible limitations on it.

□ 1530

It also endangers police officers who can be sued for having the audacity to ask someone if they actually have a permit and detain them. They have a cause of action against the police officer and attorneys' fees—unprecedented.

This is the response to a country that is pleading for responsible gun safety legislation, that is living with the carnage of gun violence and asking this Congress: Do something about it; protect us from this violence.

Our Republican colleagues muster up the courage to pay homage to the NRA and make it easier to sell guns so that people can carry concealed loaded firearms all across this country.

Shame on you. Shame on you. You have a responsibility to work with us to protect our constituents from gun violence and to enact sensible gun safety legislation that will reduce the incidents of gun violence. This will make it worse.

The claim that somehow it makes it safer is refuted by all of the empirical evidence. You know it is. Shame on the Republicans.

The SPEAKER pro tempore. The gentleman and other Members are reminded to direct their remarks to the Chair.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. JOHNSON), who is a member of the Judiciary Committee.

Mr. JOHNSON of Louisiana. Mr. Speaker, today I rise in strong support of H.R. 38, the Concealed Carry Reciprocity Act of 2017.

Our constitutional right to keep and bear arms should not be confined by State lines. Yet, currently, a person who has legally obtained a concealed carry permit in one State can be denied that right by simply crossing the State's border.

Consider my own home State of Louisiana. Our laws rightfully allow for licensed carrying of concealed firearms. I am a concealed carry permit holder myself. When a Louisianian leaves the State, however, our valid concealed carry handgun permit becomes void, absent an agreement from the State we may be in or traveling through.

The Concealed Carry Reciprocity Act that we vote upon today ensures that law-abiding citizens with a concealed carry permit are not denied their Second Amendment right simply because they travel to other States. The Constitution should know no such bound. It does so while also recognizing States' rights by clearly noting that concealed carry holders must follow the law of each and every jurisdiction.

As a constitutional law attorney myself, it is critically important to me that the fundamental right of every law-abiding citizen to keep and bear arms is protected; and, yes, this legislation is about preserving our God-given freedoms. It is about public safety, and it is about common sense.

As noted, our letter by 23 States attorneys general, including my own home State of Louisiana, affirms that concealed carry laws deter crime. As my friend and colleague, Sheriff Rutherford, just said here so well, he reminded us that law enforcement wants the good guys to be armed.

The Concealed Carry Reciprocity Act protects our Second Amendment right, and I encourage my colleagues to support this important legislation. I want to thank Congressman HUDSON for introducing H.R. 38 and Chairman GOODLATTE for advancing this legislation through the House Judiciary Committee. I am proud to be a part of this historic legislation.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Speaker, there have been 914 cases of non-self-defense killings by private citizens holding permits to carry concealed loaded handguns in the last 10 years, which translates into 1,119 Americans dead by homicide, mass shooting, suicide, and murder of police officers under concealed carry permit laws in the States.

In Florida, for example—I saw my friend, Mr. RUTHERFORD, up there—in August, concealed handgun permit holder, Everett Miller, shot and killed two Kissimmee, Florida, police officers.

Now, if you want to give everybody the right to a concealed carry permit in your States, fine. But don't impose that on the people of Maryland. We have got our own laws, thank you. Since January, we have had 397 gun massacres in America defined as a slaying of four people or more. Two of them—Las Vegas, which left 58 people dead, and Sutherland Springs, which left 26 people dead—are among the 10 worst massacres in American history by gun.

The American people want to end this reign of terror. But what do our

friends do on the other side? Do they bring us the universal criminal background check legislation favored by more than 90 percent of the American people of every political party to plug the gun show loophole, the internet loophole, and the 7-Eleven parking lot loophole? No.

Do they bring to the floor the bill to criminalize bump stocks which they promised to us? No. No such luck. Instead, they bring forward a bill that would wipe out the vast majority of concealed carry laws in the United States of America, trampling States' rights and wrecking all of the painstaking work of legislatures all over the land dragging this down to the most lax and permissive State laws in the country. It is not a race to the bottom, it is a plunge to the bottom they have engineered here.

This fraudulently named bill has nothing to do with reciprocity because States already have the power to negotiate reciprocity agreements, and 22 of them have it.

Your bill destroys reciprocity. Your bill brings us down to the level of the lowest, most permissive laws in the country. My State doesn't give concealed carry permits to domestic abusers, to violent offenders, and to dangerously unstable people. Don't drag us down to the lowest level. Protect States' rights.

Mr. GOODLATTE. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Speaker, the difference of opinion on this bill vividly illustrates the profoundly different world view of Democrats versus Republicans. Democrats instinctively trust the government and instinctively distrust individuals. Republicans instinctively distrust the government and trust the good hearts and good sense of individual Americans to be the best stewards of protecting themselves, their family, their property, and their freedoms.

Our Founders understood this, and this is why the First Amendment protects our freedom of conscience and the Second Amendment follows it immediately so that we, as free people, have the ability to protect ourselves—our freedom of conscience—against the overpowering force of the government.

We in Texas enacted in 1995, while I was a member of the Texas house, a concealed carry law, and we have had now over 20 years of data. People can go to the Department of Texas Public Safety website and look under conviction rates and see that the concealed carry permit holders in Texas, over the last 22 years, are 21 times less likely to commit a crime than the average Texans.

The 7 minutes Sheriff Rutherford just mentioned to us are a lifetime, if you or your family or neighbors are at risk of attack. The individual law-abiding American who is carrying a concealed weapon has had a background check, they have been trained in the

use of the weapon, and they know the law. We all, as Americans, should work together to preserve the Second Amendment right of every American to keep and bear arms no matter what State they are in.

Mr. Speaker, I urge Members to support this important legislation.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. O'ROURKE).

Mr. O'ROURKE. Mr. Speaker, I thank the gentleman for yielding.

Like so many Texans, I grew up in a household that honored a tradition of gun ownership for hunting, for collection, and for sportsmanship, and also honored gun safety. I was taught to shoot by my uncle, Raymond O'Rourke, jail captain and the chief marksman in the El Paso County Sheriff's Office.

I also live in a State that has a license to carry process which requires safety training, though 18 States do not. Texas requires that someone who has a license to carry be 21 years or older, though 15 States do not. Texas requires that those who abuse their partners not be allowed to have a license to carry, though 14 States do not. Texas does not grant licenses to violent offenders, though 22 States do. Texas does not grant licenses to people convicted of stalking, though 21 other States do.

What H.R. 38 does, Mr. Speaker, is it subjects every Texan and every El Pasoan whom I represent to the lowest common denominator in the United States. It will make our State less—not more—safe. That is why I oppose H.R. 38, and I ask all my colleagues to join me in doing the same.

Mr. GOODLATTE. Mr. Speaker, I yield myself 15 seconds to point out that the attorney general of the State of Texas has signed a letter, along with 22 other State attorneys general, in support of this legislation and pointing out that authorized permit holders to carry across State lines will not result in an increased risk of crime. Further, strong evidence indicates that concealed carry permit holders actually deter and reduce crime.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CUELLAR), who is the lead Democratic cosponsor of this legislation.

Mr. CUELLAR. Mr. Speaker, I want to thank the gentleman for yielding.

Mr. Speaker, as one of the lead sponsors for the Fix NICS Act of 2017, I rise in support of this legislation which has been combined with the Concealed Carry Reciprocity Act, which is, again, another section that I support, also.

On the Fix NICS Act, I certainly want to thank Senator CORNYN, Representatives CULBERSON, ESTY, COSTELLO, and AGUILAR for their leadership on this particular issue that we have been working on.

A few weeks ago, 26 members of the Sutherland Springs community, which is in my district, were killed by someone who should have never had access

to firearms. The investigation into the shooter revealed that the shooter had a criminal history. The Defense Department and the Air Force missed six times—six times—where the criminal justice process should have reported the history to the NICS database.

As of 2016, the Air Force, which should have entered the Sutherland Springs shooter's criminal information, entered a total of one active record in the NICS record. If the Air Force would have met the minimum obligations, then the gunman never would have been able to legally purchase a firearm. This is why we introduced the Fix NICS Act of 2017.

This legislation ensures that Federal and State authorities comply with existing laws to accurately report relevant criminal history—accurately report these records to the NICS. It also provides consequences for Federal agencies who fail to report the relevant records and ensure that States improve their overall reporting. The Fix NICS Act is an important step to ensure that people like the Sutherland Springs shooter never slip through the cracks of the NICS database again.

As to the reciprocity part of it, again, I know that both sides have spoken on that, but, again, as a supporter of the Second Amendment, I believe that the Second Amendment doesn't stop at political State lines. It is part of the U.S. Constitution and should apply across.

So, again, I rise in support of this legislation, and I ask my colleagues to support this bill.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. THOMPSON), who is the chairman of the Gun Violence Prevention Task Force.

Mr. THOMPSON of California. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to this dangerous bill. I asked my local law enforcement what they thought of folks from out of State who don't meet our local requirements coming into our communities with loaded concealed firearms. These are the folks who are on the front lines of fighting gun violence, and we should listen to what they have to say.

Our Sonoma County sheriff opposes this bill and says it would negatively affect our community and put citizens and his deputies in greater danger.

The chief of police from my hometown in St. Helena said: As a lifelong proponent of the ability to own, possess, and carry firearms within the provisions of the law, I am wholeheartedly against H.R. 38.

Like many of us, he asks: How long will it take before someone who can't meet the legal requirements to concealed carry in California goes to some other State with little or no standards and gets a permit from that State?

Our chief of police in Martinez opposes this bill and says that it is a race to the bottom.

Overwhelmingly, law enforcement in my district strongly oppose this bill. Moreover, there is a reason no major law enforcement organizations have come out in support of this bill. It is dangerous, and it is unnecessary.

I think my colleagues should stand with law enforcement—the people that keep us and our families safe—and oppose this bill. Every example that was given from my friends across the aisle doesn't pertain to this bill. They talk about, in their States, concealed carry. Texas was the last one. In Texas, there is a standard you have to meet to get a concealed carry permit.

If this bill passes, you erase that standard. Somebody from out of State who is a violent criminal can come in with a loaded concealed firearm in the State of Texas. Someone who is a criminal in the State of Texas, where there are rules, can go to another State, get a concealed carry permit, and bring that loaded, concealed firearm into the State of Texas. This is bad policy, and it should be opposed.

Mr. GOODLATTE. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. DUNN).

Mr. DUNN. Mr. Speaker, I rise today in support of H.R. 38, the Concealed Carry Reciprocity Act. This common-sense legislation ensures that our Second Amendment rights don't end when we cross State lines.

We are all aware of the story of Shaneen Allen, a mother of three who was pulled over in New Jersey after committing a minor traffic violation. She told the police legally that she had a handgun on her person and a concealed carry permit. She was unaware that the permit was not transferable to New Jersey, and she had no prior criminal record. Nonetheless, she spent 40 days in a jail cell.

Americans like Shaneen are exposed to real risks of accidentally breaking the law of another State simply by exercising their constitutional right. This bill ensures that valid concealed carry permits from one State are valid in all other States.

□ 1545

It creates legal protections for law-abiding gun owners against States that violate this statute.

Mr. Speaker, I encourage my colleagues to support this important legislation and to show the American people the Second Amendment is safe with us.

Mr. NADLER. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from New York has 6 minutes remaining.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, we have a gun violence epidemic in this country.

It is glaringly obvious to anyone paying attention that our Federal gun safety laws are pathetically weak and in major need of improvement.

So what is this House doing about it?

Working to pass a bill that completely undermines gun safety laws and puts more guns on the street and more lives at risk.

Believe me, if more guns made this country safer, we would be the safest country on Earth. We are far from it.

Under this bill, someone who couldn't get a concealed carry permit in New York would now be able to carry concealed guns into New York State or any State, as long as they have a permit from another State. This completely eviscerates State-level gun safety laws and puts us all at the mercy of the weakest gun safety laws in the country.

This bill is opposed by major law enforcement organizations across this country. I urge this body to listen to their advice and vote against this reckless assault on State and local gun safety laws.

Mr. GOODLATTE. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. BUDD).

Mr. BUDD. Mr. Speaker, I rise today in support of Mr. HUDSON's Concealed Carry Reciprocity Act.

As things stand, each State currently determines its own concealed carry reciprocity laws. Some States don't recognize concealed carry permits from other States. This forces lawful gun owners to sometimes surrender their Second Amendment rights when they are traveling.

The current system has created accidental criminals, ruined lives, and punished gun owners simply because they fell victim to complexity and uncertainty in the law.

My colleague's bill addresses this problem by bringing much-needed clarity to the system. H.R. 38 is a simple proposal, but a necessary one. If enacted, it will allow lawful gun owners to carry their firearm into other States that allow concealed carry. This interstate recognition of concealed carry would be very similar to a driver's license.

H.R. 38 would not create national standards for concealed carry or take away a State's right to govern their own concealed carry laws, like some might claim. No. This bill simply uses Congress' 14th Amendment power to protect people's constitutional rights from State abuse.

Samuel Adams said: "The Constitution shall never be construed . . . to prevent the people of the United States who are peaceable citizens from keeping their own arms."

This powerful line from Mr. Adams sums up my feelings on this bill much better than I can.

I thank Mr. HUDSON for his steadfast leadership on this issue.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Mrs. DEMINGS).

Mrs. DEMINGS. Mr. Speaker, one of my colleagues on the other side of the aisle from Florida talked about the 1.7 million concealed weapons permits

that are issued in Florida. Let me make it quite clear that those permits are issued to Floridians for Floridians, not to any person from any State at any time who wants to bring a gun into Florida.

Different from my colleague, Mr. Speaker, I rise today to advocate for the safety of every American and for the safety of our first responders, who are entrusted with that awesome responsibility.

As Members of Congress, our question should be: What can we all do to make living in America safer?

Every day, law enforcement officers risk their lives to keep our communities safe. Last week, I was honored that the House passed the Law Enforcement Mental Health and Wellness Act unanimously. Police officers have a tough job, and I think we can all agree on this point: the job is getting tougher.

Mr. Speaker, we must ask ourselves: Why would any Member, Republican or Democrat, support this legislation that would make a police officer's job harder, more dangerous, and open our officers up to personal liability for simply doing their jobs?

This reckless piece of legislation would allow persons from outside your State to bring their firearms anywhere, including school zones, without applying the guidelines, laws, restrictions, or oversight of your State.

Mr. Speaker, I want you to envision this situation from the perspective of a law enforcement officer. An out-of-state, armed individual is stopped by that officer. Maybe that individual's license is legitimate, maybe it is not. The officer is on the side of the road, facing an armed individual, trying to figure out whether the individual's permit is authentic, which the officer is obligated to do.

If the permit is fake, failing to stop that individual puts the community at risk. If the permit is real, stopping the individual has opened the officer up to potential personal liability.

In the last year, I have heard my colleagues on the other side talk about how we should better empower States to decide what is in their own best interest.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. NADLER. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from Florida.

Mrs. DEMINGS. Mr. Speaker, this legislation strips individual States of their power and puts our public safety officers in legal and personal jeopardy.

Supporting this legislation is reckless and irresponsible. As a former chief of police, I urge my colleagues to vote "no" on H.R. 38.

Mr. GOODLATTE. Mr. Speaker, may I inquire how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from Virginia has 2½ minutes remaining. The gentleman from New York has 2½ minutes remaining.

Mr. GOODLATTE. Mr. Speaker, I yield 1½ minutes to the gentleman from Maine (Mr. POLIQUIN).

Mr. POLIQUIN. Mr. Speaker, for generations, Maine families have enjoyed the great outdoors. That means hunting, fishing, camping, and hiking. That is part of who we are as a people. That is part of our way of life.

Part of that way of life is responsibly and lawfully owning firearms. We are comfortable with them. We have been for generations.

Mr. Speaker, Mr. HUDSON's bill, the Concealed Carry Reciprocity Act of 2017, is a commonsense fix to a patchwork of State laws that will confuse, and do confuse, law-abiding Americans who have valid concealed carry permits issued by their own States when they want to travel to or through other States that have different concealed carry laws.

I want to make this very clear: H.R. 38 does not allow travel as long as the holder of a concealed carry license does not obey the laws of the States that he or she is traveling to. I read directly, Mr. Speaker, from the statute: "This bill shall not be construed to supersede or limit the laws of any State."

So the other side of the aisle just needs to make sure they get this exactly right, because they have not been correct on this fact.

Mr. Speaker, Mr. HUDSON's bill actually additionally strengthens existing regulations by requiring Federal Government agencies to promptly and accurately require a reporting to the FBI someone who is mentally ill, someone who has committed a serious crime, or someone who is in the country illegally and should not have a firearm.

This bill is a commonsense bill that will help law-abiding Americans enjoy their Second Amendment right, their outdoor sporting activities, and help keep our families safer.

Mr. NADLER. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from New York has 2½ minutes remaining.

Mr. NADLER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this bill is advanced I am not sure in the name of what, but what it is going to do is make us less safe and to overrule all our States.

Under this bill, someone who lives in New York could go to another State—doesn't even have to go to another State; just apply to the other State, get a concealed carry permit from that State, never set foot in that State, and then use it in New York; thus, overruling New York's laws.

We have heard it said that this bill is necessary to protect the Second Amendment constitutional rights of gun owners. But the fact is, there is no Second Amendment constitutional right for concealed carry.

In the District of Columbia v. Heller case in which the Supreme Court said that the Second Amendment established a personal right, Justice Scalia's

opinion held that the Second Amendment was not unlimited, a variety of gun regulations were entirely consistent with the Constitution, and he said:

The majority of American courts to consider the question have held that prohibitions on carrying concealed weapons were lawful under the Second Amendment for State analogues.

So the Second Amendment argument is simply wrong or disingenuous.

But let me say also that we are living in an epidemic of gun violence. 33,000 Americans are killed every year, and 30,000 more every year. No other country approaches this. No country—other than those at war—in peacetime has more than 300 or 400, or even 100 or 72, and we have 33,000. It is not because of mental illness. It is because of the presence of large numbers of gun.

A 2017 Stanford University study found a direct correlation with the most permissive concealed carry laws and violent crime. General studies have shown a direct correlation of the presence of the number of guns and murder rates by guns.

So this is a bill that is a death sentence for many Americans. That is what this bill is. It is a death sentence without trial for many Americans by increasing the danger of guns by overruling States that fear and that we don't want concealed weapons on the New York City subway or the Chicago metro or other places of great concentrations of people.

But no, we, in our wisdom, are going to say the States with the least restrictive, perhaps most rural, maybe sensible restrictions for them, will impose those restrictions on other States.

It is wrong. It is a death sentence for many Americans. It ought not pass.

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

Mr. GOODLATTE. Mr. Speaker, I yield the balance of my time to the gentleman from Arizona (Mr. SCHWEIKERT) for the purpose of closing the argument.

Mr. SCHWEIKERT. Mr. Speaker, we all have subjects that we find fascinating.

For 25 years, I have actually kept files of abstracts on this because I actually participated in writing Arizona's 1993 concealed carry law.

I desperately wish this was an intellectually honest conversation about the data, because we all want our communities and families to be safer. I believe I can show you the statistical abstract data.

In States like Arizona, adjusted for population, the violent use of firearms is almost one-half of what it was before the adoption of our concealed carry law.

Now, was concealed carry responsible for that?

Of course, not. But it is a factor. Some of it is mental health, some of it is law enforcement, some of it is incarceration. It is complicated. But if you actually look at these data abstracts of

crime statistics in the United States on the misuse of firearms, it turns out that States that have adopted concealed carry compared to States that have gone other directions, States that adopted have gotten safer.

There is actually some brilliant articles when you compare Florida and Illinois: big, populated, demographically complex States. Florida has gotten dramatically safer. Illinois has not.

If you really love our families, love our communities, this needs to be an intellectually sound discussion of what factors make us safer as a society. I believe this bill leads us in that direction.

Mr. GOODLATTE. Mr. Speaker, I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I oppose H.R. 38, the Concealed Carry Reciprocity Act.

While I am opposed to restricting law abiding citizens' access to firearms, I feel that this bill does not adequately address many of the requirements that states have instituted in passing their own concealed carry laws.

I am a big supporter of concealed carry and was the lead author of a bill in 1991 in the State Senate to create local concealed carry. The way this bill is written would strip many protections that are currently afforded to Texans.

Texas has many requirements for a person to be able to get that license including live-fire training. As a state, we also bar convicted domestic abusers and those convicted of violent crimes and stalking. Under this bill, an individual who had committed those crimes could conceal carry their weapon in Texas if they got their permit from a neighboring state that lacked these requirements for concealed carry like Mississippi. It is for these reasons that I do not support this bill as it is currently written.

If we are going to create a federal reciprocity standard for concealed carry it should be a standard that takes into account many of the protections individual states have created. I would proudly vote in support of a bill that addressed these standing issues.

The SPEAKER pro tempore (Mr. BOST). All time for debate has expired.

Pursuant to House Resolution 645, the previous question is ordered on the bill, as amended.

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.

□ 1600

MOTION TO RECOMMIT

Mr. THOMPSON of California. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. THOMPSON of California. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Thompson of California moves to recommit the bill H.R. 38 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendments:

Page 1, line 13, strike "(a)" and insert "(a)(1)".

Page 2, line 10, strike "(1)" and insert "(A)".

Page 2, line 13, strike "(2)" and insert "(B)".

Page 2, after line 15, insert the following:

"(2)(A) A person who has been convicted of a violent crime within the preceding three years may not possess or carry a concealed handgun under this section in a State that by law prohibits a person from doing so on the basis of a conviction for such offense.

"(B) For purposes of subparagraph (A), the term 'violent crime' means any offense that involves injury or the threat of injury to the person of another.

"(C) What constitutes a conviction of such a crime shall be determined in accordance with the law of the jurisdiction in which the proceedings were held. Any conviction which has been expunged, or set aside or for which a person has been pardoned or has had civil rights restored shall not be considered a conviction for purposes of this paragraph, unless such pardon, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms."

Mr. THOMPSON of California (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California is recognized for 5 minutes in support of his motion.

Mr. THOMPSON of California. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill nor send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, next week will be the fifth anniversary of the hideous mass murder at Sandy Hook Elementary, where 20 kids and six educators were slaughtered in their classroom.

This year, we have witnessed two of the worst mass shootings in recent American history: in Las Vegas, Nevada, and in Sutherland Springs, Texas. Every day more than 30 people are killed by someone using a gun. This should be a call to action for everyone to work together to help prevent gun violence. That is why 90 percent of Americans support strengthening our gun laws, not weakening them.

Let's be clear about what this Congress is going to do today. Instead of taking serious action on bump stocks or expanding background checks, the majority party is undermining the very laws that work to prevent gun violence.

For example, some States allow people who have been convicted of some violent crimes to carry a loaded, concealed firearm.

Thirty States and the District of Columbia currently deny permits to people convicted of those violent crimes, such as assault and battery, threatening, or crimes committed with a weapon. So if you are from any of these States—Alaska, California, Connecticut, Delaware, Florida, Hawaii, Illinois, Iowa, Kentucky, Louisiana,

Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Texas, Utah, Virginia, West Virginia, or the District of Columbia—a vote for this underlying bill is a vote to undermine your own State gun violence prevention policy, because this bill says that, even if your State prohibits its own residents who have been convicted of certain violent crimes, you can't prohibit someone from another State with the same criminal record from carrying a loaded, concealed firearm if their State allows it.

This motion to recommit would state that a person who has been convicted of a violent crime within the preceding 3 years may not possess or carry a concealed handgun in a State that prohibits a person from doing so on the basis of a conviction for that very same offense. This would be people convicted of crimes such as resisting arrest, assault, permitting sexual abuse of a minor, aggravated assault, or violation of a criminal sexual assault protection order—all violent crimes.

An “aye” vote on this motion to recommit is a pro-States’ rights, pro-Second Amendment, and anticriminal vote.

I am a gun owner. I have been all of my life. I am not opposed to concealed carry, but I am opposed to violent criminals having guns, and Members should be, too.

Mr. Speaker, I urge Members to support this motion to recommit; and if they vote against it, they are voting to allow violent criminals, convicted criminals, to carry loaded, concealed firearms in their community, in their State, and in their district. That is wrong. We should prohibit that from happening.

It is a real easy fix. It could have been fixed in committee. It could have been fixed in committee. They could have taken care of the concerns that they have with the restrictions on concealed carry, and they could have stopped criminals, convicted criminals, from carrying loaded, concealed firearms. But the committee didn't do it.

We have a chance now. It is the last chance to do it before this bill comes to a vote. I urge my friends on both sides of the aisle to vote for this motion to recommit.

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

Mr. GOODLATTE. Mr. Speaker, I claim the time in opposition to the motion to recommit.

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

Mr. GOODLATTE. Mr. Speaker, with this motion to recommit, my colleagues on the other side of the aisle are trying in vain to hamper the passage of this important legislation. H.R. 38 seeks to allow law-abiding citizens the ability to exercise their Second Amendment right when they cross State lines.

The Supreme Court held in *District of Columbia v. Heller* that the Second Amendment protects an individual's right to possess a firearm unconnected with service in a militia and to use that firearm for traditionally lawful purposes, such as self-defense. Further, the Court concluded that the Second Amendment guarantees the individual right to possess and carry weapons in case of confrontation, and that central to this right is the “inherent right of self-defense.”

Additionally, in *McDonnell v. City of Chicago*, the Supreme Court ruled that the right of an individual to “keep and bear arms,” as protected under the Second Amendment, is incorporated by the Due Process Clause of the 14th Amendment against the States.

An individual's Second Amendment right is no different than the First Amendment's protections on speech and free exercise of religious expression and the Fourth Amendment's prohibition against unreasonable search and seizure or the Eighth Amendment's prohibition of cruel and unusual punishment.

Can you imagine my colleagues' outcries if any of the aforementioned rights stopped at their State's borders? Believe me, I can. They would be loud and boisterous about it, and justifiably so. Despite that fact, here they are trying to derail a bill that affords the Second Amendment the same respect.

Now, this motion to recommit attempts to extend the law, the Federal law, which already bars people from having firearms if they have been convicted of a felony or misdemeanor domestic violence crimes, by saying any violent crime be covered. And they define violent crime by saying it means “any offense that involves injury or the threat of injury to the person of another.”

Well, in my State of Virginia and in most other States, it is up to the police officer in a traffic accident, if you rear-end somebody and you injure them, whether or not you are simply charged with a traffic offense or you are charged with a criminal offense. That should not be the basis of denying somebody their Second Amendment rights under the United States Constitution.

Mr. Speaker, I urge my colleagues to oppose this motion to recommit and support the underlying bill, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. THOMPSON of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX,

this 15-minute vote on the motion to recommit will be followed by 5-minute votes on:

Passage of the bill, if ordered; and

The motion to suspend the rules and agree to H. Con. Res. 90.

The vote was taken by electronic device, and there were—yeas 190, nays 236, not voting 6, as follows:

[Roll No. 662]

YEAS—190

Adams	Gabbard	Napolitano
Aguilar	Gallego	Neal
Barragán	Garamendi	Nolan
Bass	Gomez	Norcross
Beatty	Gonzalez (TX)	O'Halleran
Bera	Gottheimer	O'Rourke
Beyer	Green, Al	Pallone
Bishop (GA)	Green, Gene	Panetta
Blum	Grijalva	Pascarell
Blumenauer	Gutiérrez	Payne
Blunt Rochester	Hanabusa	Pelosi
Bonamici	Hastings	Perlmutter
Boyle, Brendan	Heck	Peters
F.	Higgins (NY)	Pingree
Brady (PA)	Himes	Polis
Brown (MD)	Hoyer	Price (NC)
Bustos	Huffman	Quigley
Butterfield	Jackson Lee	Raskin
Capuano	Jayapal	Rice (NY)
Carbajal	Jeffries	Richmond
Cárdenas	Johnson (GA)	Rosen
Carson (IN)	Johnson, E. B.	Roybal-Allard
Cartwright	Ruiz	Ruiz
Castor (FL)	Kaptur	Ruppersberger
Castro (TX)	Keating	Rush
Chu, Judy	Kelly (IL)	Ryan (OH)
Ciulline	Khanna	Sánchez
Clark (MA)	Kihuen	Sarbanes
Clarke (NY)	Kildee	Schakowsky
Clay	Kilmer	Schiff
Cleaver	Kind	Schneider
Clyburn	Krishnamoorthi	Schrader
Cohen	Kuster (NH)	Scott (VA)
Connolly	Langevin	Scott, David
Cooper	Larsen (WA)	Serrano
Correa	Larson (CT)	Sewell (AL)
Costa	Lawrence	Shea-Porter
Courtney	Lawson (FL)	Sherman
Crist	Lee	Sinema
Crowley	Levin	Sires
Cuellar	Lewis (GA)	Slaughter
Cummings	Lieu, Ted	Smith (WA)
Davis (CA)	Lipinski	Soto
Davis, Danny	Loebach	Speier
DeFazio	Lofgren	Swalwell (CA)
DeGette	Lowenthal	Takano
Delaney	Lowe	Thompson (CA)
DeLauro	Lujan Grisham,	Thompson (MS)
DelBene	M.	Titus
Demings	Luján, Ben Ray	Tonko
DeSaulnier	Lynch	Torres
Deutch	Maloney,	Tsongas
Dingell	Carolyn B.	Vargas
Doggett	Maloney, Sean	Veasey
Doyle, Michael	Matsui	Vela
F.	McCollum	Velázquez
Ellison	McEachin	Visclosky
Engel	McGovern	Walz
Eshoo	McNerney	Wasserman
Espallat	Meeks	Schultz
Esty (CT)	Meng	Waters, Maxine
Evans	Moore	Watson Coleman
Foster	Moulton	Welch
Frankel (FL)	Murphy (FL)	Wilson (FL)
Fudge	Nadler	Yarmuth

NAYS—236

Abraham	Black	Cheney
Aderholt	Blackburn	Coffman
Allen	Bost	Cole
Amash	Brady (TX)	Collins (GA)
Amodei	Brat	Collins (NY)
Arrington	Brooks (AL)	Comer
Babin	Brooks (IN)	Comstock
Bacon	Buchanan	Conaway
Banks (IN)	Buck	Cook
Barletta	Bucshon	Costello (PA)
Barr	Budd	Cramer
Barton	Burgess	Crawford
Bergman	Byrne	Culberson
Biggs	Calvert	Curbelo (FL)
Bilirakis	Carter (GA)	Curtis
Bishop (MI)	Carter (TX)	Davidson
Bishop (UT)	Chabot	Davis, Rodney

Denham Kelly (MS)
 Dent Kelly (PA)
 DeSantis King (IA)
 DesJarlais King (NY)
 Diaz-Balart Kinzinger
 Donovan Knight
 Duffy Kustoff (TN)
 Duncan (SC) Labrador
 Duncan (TN) LaHood
 Dunn LaMalfa
 Emmer Lamborn
 Estes (KS) Lance
 Farenthold Latta
 Faso Lewis (MN)
 Ferguson LoBiondo
 Fitzpatrick Long
 Fleischmann Loudermilk
 Flores Love
 Fortenberry Lucas
 Foxx Luetkemeyer
 Franks (AZ) MacArthur
 Frelinghuysen Marchant
 Gaetz Marino
 Gallagher Marshall
 Garrett Massie
 Gianforte Mast
 Gibbs McCarthy
 Gohmert McCaul
 Goodlatte McClintock
 Gosar McHenry
 Gowdy McKinley
 Granger McMorris
 Graves (GA) Rodgers
 Graves (LA) McSally
 Graves (MO) Meadows
 Griffith Meehan
 Grothman Messer
 Guthrie Mitchell
 Handel Moolenaar
 Harper Mooney (WV)
 Harris Mullin
 Hartzler Newhouse
 Hensarling Noem
 Herrera Beutler Norman
 Hice, Jody B. Nunes
 Higgins (LA) Olson
 Hill Palazzo
 Holding Palmer
 Hollingsworth Paulsen
 Hudson Pearce
 Huizenga Perry
 Hultgren Peterson
 Hunter Pittenger
 Hurd Poe (TX)
 Issa Poliquin
 Jenkins (KS) Posey
 Jenkins (WV) Ratcliffe
 Johnson (LA) Reed
 Johnson (OH) Reichert
 Johnson, Sam Renacci
 Jordan Roby
 Joyce (OH) Roe (TN)
 Katko Rogers (AL)

NOT VOTING—6

Bridenstine Kennedy
 Brownley (CA) Pocan

□ 1634

Messrs. COSTELLO of Pennsylvania, BISHOP of Michigan, Ms. GRANGER, Messrs. RUTHERFORD, and HARRIS changed their vote from “yea” to “nay.”

Messrs. BLUMENAUER and BLUM changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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. NADLER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 231, noes 198, not voting 4, as follows:

[Roll No. 663]

AYES—231

Abraham Gowdy
 Aderholt Granger
 Allen Graves (GA)
 Amodei Graves (LA)
 Arrington Graves (MO)
 Russell Griffith
 Bacon Grothman
 Banks (IN) Guthrie
 Barletta Handel
 Barr Harper
 Barton Harris
 Bergman Hartzler
 Biggs Hensarling
 Herrera Beutler Renacci
 Hice, Jody B. Rice (SC)
 Higgins (LA) Roby
 Hill Roe (TN)
 Holding Rogers (AL)
 Hollingsworth Rogers (KY)
 Hudson Rohrabacher
 Huizenga Rokita
 Hultgren Rooney, Francis
 Hunter Rooney, Thomas
 Hurd J.
 Issa Ross
 Jenkins (KS) Rothfus
 Jenkins (WV) Rouzer
 Johnson (LA) Royce (CA)
 Johnson (OH) Russell
 Johnson, Sam Rutherford
 Jones Ryan (WI)
 Jordan Sanford
 Joyce (OH) Scalise
 Katko Schrader
 Kelly (MS) Schweikert
 Kelly (PA) Scott, Austin
 Kind Kelly (PA)
 King (IA) Kind
 Kinzinger King (IA)
 Knight Kinzinger
 Kustoff (TN) Knight
 Labrador Kustoff (TN)
 LaHood LaMalfa
 LaMalfa Lamborn
 Lamborn Latta
 Lance Lewis (MN)
 Latta LoBiondo
 Long Loudermilk
 Loudermilk Love
 Love Lucas
 Lucas Luetkemeyer
 Luetkemeyer MacArthur
 Marchant Marchant
 Marino Marshall
 Marshall Mast
 Mast McCarthy
 McCarthy McCaul
 McClintock McClintock
 McHenry McHenry
 McKinley McKinley
 McMorris McMorris
 Rodgers McSally
 Meadows Meadows
 Meehan Meehan
 Messer Messer
 Mitchell Mitchell
 Moolenaar Moolenaar
 Mooney (WV) Mooney (WV)
 Mullin Mullin
 Newhouse Newhouse
 Noem Noem
 Norman Norman
 Nunes Nunes
 Olson Olson
 Palazzo Palazzo

NOES—198

Boyle, Brendan
 F.
 Brady (PA)
 Brown (MD)
 Buck
 Bustos
 Butterfield
 Capuano
 Carbajal
 Cárdenas
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly
 Cooper

Correa
 Costa
 Costello (PA)
 Courtney
 Crist
 Crowley
 Cummings
 Curbelo (FL)
 Davis (CA)
 Davis, Danny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 Demings
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Donovan
 Doyle, Michael
 F.
 Ellison
 Engel
 Eshoo
 Espallat
 Esty (CT)
 Evans
 Fitzpatrick
 Foster
 Frankel (FL)
 Fudge
 Gabbard
 Gallego
 Garamendi
 Gohmert
 Gomez
 Gottheimer
 Green, Al
 Green, Gene
 Grijalva
 Gutierrez
 Hanabusa
 Hastings
 Heck
 Higgins (NY)
 Himes
 Hoyer
 Huffman
 Jackson Lee
 Jayapal
 Jeffries
 Johnson (GA)
 Johnson, E. B.
 Kaptur
 Keating
 Kelly (IL)
 Khanna
 Kihuen
 Kildee
 Kilmer
 King (NY)
 Krishnamoorthi
 Kuster (NH)
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lawson (FL)
 Lee
 Levin
 Lewis (GA)
 Lieu, Ted
 Lipinski
 Loeb sack
 Lofgren
 Lowenthal
 Lowey
 Lujan Grisham,
 M.
 Luján, Ben Ray
 Lynch
 Maloney,
 Carolyn B.
 Maloney, Sean
 Massie
 Matsui
 McCollum
 McEachin
 McGovern
 McNeerney
 Meehan
 Meeks
 Meng
 Moore
 Moulton
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Nolan
 Norcross
 O'Halleran
 O'Rourke
 Pallone
 Panetta
 Pascarell
 Payne
 Pelosi
 Perlmutter
 Peters
 Pingree
 Polis
 Price (NC)
 Quigley
 Raskin
 Rice (NY)
 Richmond
 Ros-Lehtinen
 Rosen
 Roskam
 Roybal-Allard
 Ruiz
 Ruppersberger
 Rush
 Ryan (OH)
 Sánchez
 Sarbanes
 Schakowsky
 Schiff
 Schneider
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Shea-Porter
 Sherman
 Sinema
 Sires
 Slaughter
 Smith (NJ)
 Smith (WA)
 Soto
 Speier
 Suozzi
 Swalley (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tonko
 Torres
 Tsongas
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Welch
 Wilson (FL)
 Yarmuth

NOT VOTING—4

Bridenstine Kennedy
 Brownley (CA) Pocan

□ 1642

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONDEMNING ETHNIC CLEANSING OF ROHINGYA AND CALLING FOR AN END TO ATTACKS IN AND AN IMMEDIATE RESTORATION OF HUMANITARIAN ACCESS TO RAKHINE, BURMA

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 90) condemning ethnic cleansing of the Rohingya and calling for an end to the attacks in and an immediate restoration of humanitarian access to the state of Rakhine in Burma, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr.