

FEDERAL LAW ENFORCEMENT SELF-DEFENSE AND
PROTECTION ACT OF 2015

MAY 10, 2016.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. GOODLATTE, from the Committee on the Judiciary,
submitted the following

R E P O R T

[To accompany H.R. 2137]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 2137) to ensure Federal law enforcement officers remain able to ensure their own safety, and the safety of their families, during a covered furlough, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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Purpose and Summary

H.R. 2137 grants covered Federal law enforcement officers the same rights to carry a government-issued firearm during a covered furlough as they had before such furlough was in effect.

Background and Need for the Legislation

Because Federal law enforcement officers face potentially dangerous situations on a daily basis whether on duty or off duty, they are permitted to carry their government-issued firearms on their persons even when they are not on duty. However, during the 2013 government shutdown, at least three Federal agencies forbid their law enforcement officers from carrying their government-issued firearms or credentials during the furlough. This decision potentially endangered these officers' lives by putting them at an unnecessary risk. Further, it prevented these highly trained officers from being prepared to respond to a critical incident or threat.

The Federal Law Enforcement Self-Defense and Protection Act will ensure that officers are able to defend and protect themselves on and off-duty by allowing all covered Federal law enforcement officers to continue to carry their government-issued firearms during a furlough or government shutdown.

Hearings

The Committee on the Judiciary held no hearings on H.R. 2137.

Committee Consideration

On April 27, 2016, the Committee met in open session and ordered the bill H.R. 2137 favorably reported without amendment, by voice vote, a quorum being present.

Committee Votes

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that there were no recorded votes during the Committee's consideration of H.R. 2137.

Committee Oversight Findings

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

New Budget Authority and Tax Expenditures

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

Congressional Budget Office Cost Estimate

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 2137, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 6, 2016.

Hon. BOB GOODLATTE, CHAIRMAN,
*Committee on the Judiciary,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2137, the “Federal Law Enforcement Self-Defense and Protection Act of 2015.”

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz, who can be reached at 226–2860.

Sincerely,

KEITH HALL,
DIRECTOR.

Enclosure

cc: Honorable John Conyers, Jr.
Ranking Member

**H.R. 2137—Federal Law Enforcement Self-Defense and
Protection Act of 2015.**

As ordered reported by the House Committee on the Judiciary
on April 27, 2016.

H.R. 2137 would authorize Federal law enforcement officers to carry firearms during periods when they are subject to a government furlough. CBO estimates that implementing the bill would have no significant cost to the Federal Government. Because enacting the legislation would not affect direct spending or revenues, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 2137 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 2137 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of State, local, or tribal governments.

The CBO staff contact for this estimate is Mark Grabowicz. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

Duplication of Federal Programs

No provision of H.R. 2137 establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

Disclosure of Directed Rule Makings

The Committee estimates that H.R. 2137 specifically directs to be completed no specific rule makings within the meaning of 5 U.S.C. § 551.

Performance Goals and Objectives

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 2137 grants covered Federal law enforcement officers the same rights to carry a government-issued firearm during a covered furlough as they had before such furlough was in effect.

Advisory on Earmarks

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 2137 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of Rule XXI.

Section-by-Section Analysis

The following discussion describes the bill as reported by the Committee.

Section 1. Short Title. This section cites the short title of the bill as the “Federal Law Enforcement Self-Defense and Protection Act of 2015.”

Section 2. Findings. This section lists the congressional findings.

Section 3. Definitions. This section defines: (1) “covered Federal law enforcement officer” to mean any agency employee who has the authority to make arrests or apprehensions for or prosecute violations of Federal law and who, on the day before the applicable covered furlough begins, is authorized by the agency to carry a firearm in the course of official duties; and (2) “covered furlough” to mean a planned event by an agency during which employees are involuntarily furloughed due to downsizing, reduced funding, lack of work, or any budget situation, including a lapse in appropriations.

Section 4. Protecting Federal law enforcement officers who are subjected to a covered furlough. This section grants covered Federal law enforcement officers the same rights to carry a government-issued firearm during a covered furlough as they had before such furlough was in effect.