

able to finish its work even then. Truly, this has been a do-nothing Congress.

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

Mr. LINDER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### STAND UP FOR THE SANCTITY OF MARRIAGE

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Mr. Speaker, I rise today to commend this House for having the courage to protect the sanctity of marriage.

In today's society, we find ourselves constantly fending off attacks aimed at the foundation of our Nation. Whether it is those that would take "in God we trust" off of our currency or "one Nation under God" out of our Pledge, we must stand up for the basic tenets on which this Nation was founded.

This week, Mr. Speaker, we continue our fight to defend one of the most basic institutions of our Nation: the traditional family.

It is true that the recognition of the family unit has traditionally been a State issue; but with the recent onslaught against the traditional family in our Nation, I believe it is now time for the Federal Government to act decisively.

As a cosponsor of H.J. Res. 106, I encourage my colleagues to stand up in defense of the traditional family and in defense of traditional marriage between one man and one woman.

#### PROVIDING FOR CONSIDERATION OF H.R. 3193, DISTRICT OF COLUMBIA PERSONAL PROTECTION ACT

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 803 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 803

*Resolved*, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3193) to restore second amendment rights in the District of Columbia. The bill shall be considered as read for amendment. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Govern-

ment Reform; and (2) one motion to recommend with or without instructions.

The SPEAKER pro tempore (Mr. ISAKSON). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 803 is a closed rule providing for the consideration of H.R. 3193, the District of Columbia Personal Protection Act. The rule provides 1 hour of debate in the House, equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform.

The rule waives all points of order against consideration of the bill, and provides that the amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. Finally, the rule provides one motion to recommend, with or without instructions.

Mr. Speaker, H.R. 3193 is a bipartisan measure sponsored by the gentleman from Indiana (Mr. SOUDER). The bill has 228 cosponsors from across the country, including 44 Democrats.

The bill simply permits law-abiding citizens of the District of Columbia to own firearms, a right currently denied them by act of the D.C. City Council. The Nation's capital has the toughest laws and regulations in the country prohibiting gun ownership by citizens. This bill would repeal the most onerous of those laws, thereby permitting individuals to protect themselves and their families in their own homes and otherwise enjoy privileges of gun ownership comparable to those enjoyed by most American citizens.

This bill would not affect any laws currently aimed at criminals and would place strict penalties on criminals who use guns to commit crimes. In addition, all penalties are doubled for illegal possession of a firearm in a "gun-free zone" within 1,000 feet of a school, day care center, college, or various youth facilities such as swimming pools and video arcades. Possession or use of a firearm while committing a crime of violence would remain punishable by up to 30 years in prison with a minimum 5 years served before eligibility for parole or probation.

Mr. Speaker, some have suggested that passage of H.R. 3193 may lead to an increase in violent crime, but I have to say that the facts suggest otherwise. Before the D.C. City Council imposed a handgun and home-defense ban in 1976, D.C.'s homicide rate had been declining. After the ban was instituted, how-

ever, D.C.'s homicide rate rose by more than 200 percent by 1991, while during the same period, the national homicide rate rose by just 12 percent. It is clear that this misguided and overly restrictive gun ban has not only failed to decrease violent crime in the District of Columbia, but it may have contributed to its increase. We have a chance today to do something about that.

So accordingly, Mr. Speaker, I urge my colleagues to support both the rule and the underlying bill.

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

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Washington for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the so-called District of Columbia Personal Protection Act and to this closed rule.

Mr. Speaker, today the Republican leadership is, once again, letting the American people down by considering the wrong bill at the wrong time under the wrong circumstances. Once again, we are considering legislation in the shadow of the November elections. With 5 weeks to go until Election Day, the Republican leadership has put the country's agenda on hold in order to force an unnecessary vote on a bad and stupid bill. Once again, the Republican leadership is catering to the special interests at the expense of the public good; and once again, the Republican leadership is squandering the House's very limited time with this foolish, misguided, election-year legislation.

Mr. Speaker, we are just one day away from the end of the fiscal year, and only one, and I repeat, one, appropriation bill has been sent to the White House. Not only are the remaining 12 appropriations bills left on the table, not only has the House failed to complete consideration of all of the appropriations bills, but the Republican leadership, which controls both Houses of Congress, cannot even agree upon a budget.

Mr. Speaker, the Republican leadership cannot get its act together on the highway bill, a bill that would create thousands of good-paying jobs. The Republican leadership cannot find the time to work on a bill to increase the minimum wage, even though wages are stagnant and over 4 million Americans have fallen out of the middle class and into poverty since George Bush became President. And the Republican leadership cannot even get its act together on the Department of Defense authorization or the FSC/ETI bill, each of which has languished in conference for months.

Mr. Speaker, as the House takes up this frivolous legislation today, the Republican leadership has yet to act on the recommendations of the 9/11 Commission report.

□ 1045

Although the other body is working on legislation to implement the 9/11 report and the Democratic leader of this

House has introduced legislation that addresses the report's recommendations, here we are today wasting precious time that could be used to debate the 9/11 report's recommendations. Will it take another September 11 anniversary before the Republican leadership will act? Will we see the Republican leaders' bill before the election? Will we have to wait until after November for the necessary reforms that will help make our country and our citizens safer against terror?

Mr. Speaker, if the American people want real leadership on real issues facing the Nation, they certainly should not look to this House of Representatives. Under this Republican leadership, this House has become a place where trivial issues are debated casually, and serious and important ones not at all.

In fact, today, we are debating H.R. 3193, a bill that would overturn Washington, D.C.'s laws and restrictions on the possession of firearms. Among its provisions, H.R. 3193 repeals the District's ban on semi-automatic assault weapons, its gun registration requirements and its ban on cop-killer ammunition.

That is right, Mr. Speaker, this bill puts cop-killer ammunition on the streets of our Nation's capital. Simply put, this legislation makes the Nation's capital a more dangerous place to be a police officer.

As D.C. Mayor Anthony Williams wrote to the congressional leadership, "It is unthinkable that, while the Nation's capital is under alert, Congress should take action to expose more than half a million residents, almost 200,000 Federal workers and 20 million tourists to greater danger."

It is unthinkable, Mr. Speaker, to put our officers at greater risk at a time when Capitol Police expect \$20 million in additional unbudgeted expenditures to secure the Capitol Building for this year. The last thing they need to hear is that semi-automatic weapons can now be carried on the National Mall or cop-killer bullets are legal in the District of Columbia.

While the bill changes the law to allow District of Columbia residents to carry pistols, open or concealed, in their homes and places of business, it does not repeal another District of Columbia gun law. The law we will not repeal today is the provision outlawing people carrying or having readily access to firearms "upon the United States grounds or within the Capitol Buildings."

So we will vote to approve guns in another person's workplace in the District but not in our offices.

It is unthinkable that only 2 years after the Washington area was terrorized by snipers who killed ten people in the region and while the Nation's capital is still under terrorist alert, Congress would take action to expose more than half a million District residents, almost 200,000 Federal workers and 20 million tourists to greater danger.

This bill will make the District of Columbia a more dangerous place to live, to work and to study.

Although Members of this body may disagree on gun issues, surely, we can all agree that the citizens of the District of Columbia should not have to face fully-loaded assault weapons on their streets, in their neighborhoods and around their schools.

But, Mr. Speaker, this bill and this rule did not have to be so lousy. Last night, the Committee on Rules had the chance to make this a better bill and a better process. Instead, the leadership of the Committee on Rules decided to pass a rule that makes a mockery of the deliberative process Congress is supposed to follow when we consider bills.

First of all, the Republican leadership brought this bill to the floor without consideration by the committee of jurisdiction, the Committee on Government Reform. Then, last night, when members from both parties brought amendments to our committee, the Committee on Rules rejected them all. The rule does not make in order the gentlewoman from California's (Mrs. BONO) and the gentlewoman from New York's (Mrs. MCCARTHY) amendment addressing the fact that this bill repeals the ban on cop-killer bullets. This closed rule guarantees that this bill would emerge from this House with no real debate or consideration. This House floor has become a "legislation-free zone."

Mr. Speaker, this issue is about more than guns. This issue is about how the residents of Washington, D.C., are treated. Mr. Speaker, I do not believe that the Members of Congress from Indiana or Texas or Massachusetts have a monopoly on wisdom when it comes to local laws, and I would not presume to impose on the citizens and elected officials of the District of Columbia something that would never, never, never be allowed or accepted by my own city council or State legislature.

Mr. Speaker, not one constituent of any voting Member of Congress will benefit by today's action. As the Fort Wayne Journal Gazette stated in an editorial published just last week on September 21, 2004, "This page believes Washington should be able to set its own gun-control laws but acknowledges that honest people can disagree regarding the city's second amendment rights. But there is little doubt that, right now, Souder's bill is simply a waste of Congress' time and does nothing to improve good government or help his constituents in Indiana."

Mr. Speaker, let us follow what the Fort Wayne Journal Gazette wrote and address the real needs of our constituents.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Speaker, I thank the gentleman for the time.

I just wanted to speak on another issue, if I can just for a minute. An earlier speaker mentioned the FBI and funding, and I just wanted to make sure the record, since the CONGRESSIONAL RECORD is supposed to be a factual document, to let the Members know on both sides, since September 11, 2001, the Committee on Appropriations has supported the FBI's transformation, increasing the FBI's budget nearly 50 percent from \$3.1 billion in fiscal year 2000 to \$4.6 billion in fiscal year 2004.

These funding increases have allowed the FBI to increase the number of Joint Terrorism Task Forces to 100; create the Office of Intelligence; create the Terrorist Threat Integration Center, which the administration has done with FBI, CIA, Homeland Security, who meet together every day; the Foreign Terrorist Tracking Task Force; and the Terrorist Screening Center; hire thousands of new agents and analysts and support staff, including 620 additional linguists; create new training programs for agents and analysts; and upgrade the technology capabilities.

We have National Academy of Public Administration looking at the reformation of the FBI. The General Accounting Office, the Congressional Research Service, and the 9/11 Commission in its report referenced the work of the House Committee on Appropriations. It must have been a misunderstanding, but I just want the Members to know that, as we look in the record, this Congress, both sides, and this administration have increased the FBI budget by dramatic numbers.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Speaker, I never could have thought I would see it, a House that is run by a conservative majority that is bent on imposing its will on the minority.

We have seen it many times, but, Mr. Speaker, it is so interesting to see that, this morning, we are taking up an issue, we are enforcing our will upon the people of this District of Columbia. Whereas, we would not even allow any other State or this Congress to dictate its will against the interests of our own local communities, we are prepared to do that to the District of Columbia.

It should not be any surprise, I suppose, to our delegate, the gentlewoman from the District of Columbia (Ms. NORTON). She has seen it too many times where she represents a populace here in Washington, D.C., that does not have the vote, does not have the vote here in the Halls of Congress. It does have a vote, however, on the local management of the city, not until today.

Today, the Congress says, not only will you not have a vote in the Halls of the Congress, not only as United States citizens will you be denied the right to vote, but you will also be denied in your own local government to decide what is in the best interests of your people.

We look at Washington, D.C., and see one of the most murderous capitals in this country, where every single day mothers worry about whether their children are going to get home at the end of the day, whether their children are going to be killed in drive-by shootings, whether their children are going to be safe.

To the mothers in the District of Columbia, terrorism means drive-by shootings, not Osama bin Laden. To the people of Washington, D.C., terrorism is defined by semi-automatic weapons and unrestricted access to all kinds of guns.

Mr. Speaker, this rule and this bill says terrorism is all right. Terrorism for the people of this city, who now will have to wonder how many guns are staring them down when they go outside every single day of the week, are going to have to wonder, when they see all of the complement of anti-terrorist measures in this town and know that those anti-terrorist measures are for everyone else but them, the inhabitants of Washington, D.C.

Mr. Speaker, this rule and this bill eliminate all of those laws that the people of this city have determined are in their best interest in defending their people, and it says, no, we are going to make you an example to the NRA that, whatever they want, they will get. When it comes to the repeal of the assault weapons ban, not only will this President not have fallen through on his commitment, but furthermore, they will have retreated on their commitment to defend the people of this Capital City and the Capitol Police of this Capital City. They ought to be ashamed of themselves.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Georgia (Mr. LINDER), the vice chairman of the Committee on Rules.

Mr. LINDER. Mr. Speaker, I thank my friend from the Committee on Rules, the gentleman from Washington (Mr. HASTINGS), for the time.

Mr. Speaker, I rise in support of H. Res. 803, a closed rule that provides for the consideration of H.R. 3193, the District of Columbia Personal Protection Act. This is an appropriate rule that will allow the House to work its will on the underlying legislation, and I urge my colleagues in the House to join me in voting for its approval.

Mr. Speaker, I can certainly appreciate the position of those who oppose the underlying legislation. As a consistent proponent of home rule, I believe that the Federal Government should be limited in its influence over State and local laws.

The crux of this debate, however, is not whether the Congress has the authority to repeal the District's prohibition of owning firearms. The Founders were explicit in their desire for congressional oversight and responsibility in the affairs and laws of the District of Columbia.

The heart of the matter before us today is whether the District of Colum-

bia should continue to prevent its citizens from exercising their full rights under the Constitution. We do not get to pick and choose our amendments, and the second amendment was written with just as much force and meaning as the first and the fifth and the tenth.

In 1975, the District's government enacted measures to prevent citizens from owning certain firearms in an ill-advised effort to reduce its violent crime rate. My colleagues have just heard about that from the previous speaker. As many of my colleagues can attest, however, the District, despite these laws, continues to be known across the country as the "murder capital."

It is beyond me to understand how we can stand here in the well of this House and say this is the most violent city in the Nation, this is the murder capital of the world, people are being gunned down, please do not change anything; leave it as it is. Does it ever strike anybody that, perhaps, perhaps, there would be less violence if the bad guys who do get guns, who have guns, would think for a moment that the people they are approaching might have guns, too?

This is not the kind of wild west life we want to live, but it is a fact of life that, in those areas where we have concealed-carry laws, there is less violent gun crime because the bad guys who have an easy time getting guns are concerned that maybe they are approaching someone who has one, too. There are some nations or some jurisdictions in this Nation that actually require people to keep guns in their houses, and it is an uncomfortable fact for those who would like to get rid of guns, but it is a fact.

□ 1100

They have less crime. They have far less crime.

So, Mr. Speaker, I urge my colleagues to support this rule and support the underlying law.

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

Mr. Speaker, I am a little bit baffled by the previous speaker to imply that somehow the passage of this bill would make the residents of D.C. safer. If this bill is enacted, the following weapons would be lawful to possess:

The AK-47, the Israeli Semiautomatic Uzi Carbine, the Bushmaster X-15, which was used by the D.C. area snipers to kill 10 people in 2002; the Barrett M82 A-1 50-caliber sniper weapon, which has the range of about 1 mile and is used by U.S. troops in Iraq and Afghanistan and worldwide to penetrate bunkers, to disable armored personnel carriers, and to take down enemy aircraft. This bill would allow fully-loaded assault weapons to be carried in public. This bill would allow armor-piercing ammunition, including cop-killing bullets. This bill would eliminate the District's registration program even for assault weapons. This bill would allow individuals to carry

concealed hand guns in their places of business and property.

Mr. Speaker, I cannot believe that anybody can say with a straight face that this will make the residents of D.C. and this country safer.

Mr. Speaker, I yield 10 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, when this law was first introduced, it was simply regarded as another absurd piece of legislation. There are lots of them during a session of Congress. When we moved toward a vote on this law, it left the realm of the absurd and entered the realm of the truly reckless, particularly reckless and callous at a time when 16 of our children are dead from guns in this city, far more than in any recent year; and at a time when, to their credit, the mayor of the city and the police chief of the city have reduced adult homicides by 25 percent.

I am on the floor this morning largely because this repeal will largely affect kids in the District of Columbia, and I cannot believe that that is the will of the great majority of the people of this House. There could not be a more wrong time or a more wrong place, a more wrong city, a more wrong region. This region still has not recovered from the sniper attack of 2002, which left 10 people in Maryland, Virginia and the District of Columbia dead, 5 more injured from a Bushmaster assault weapon that would now be legal to have in your homes, to have in your businesses, to have in your workplaces in the District of Columbia, in the Nation's Capital, which is now under an orange alert.

This bill did not move anywhere, Mr. Speaker. It was referred to the Committee on Government Reform, on which the gentleman from Indiana (Mr. SOUDER) and I both serve. He is the primary sponsor of this bill. There was no interest in the committee in this bill. The committee is deep into matters affecting Iraq and Homeland Security and Federal reorganization in the DOD, in the Department of Homeland Security, and even in the Subcommittee on Criminal Justice, Drug Policy and Human Resources, which I am pleased to serve on with the gentleman from Indiana (Mr. SOUDER).

Of course, this bill had to leap over every subcommittee and leap over the committee, because it never got a hearing, because there was no interest and there was no view that this is the kind of bill, particularly after 9/11, that any self-respecting Member of Congress would want to bring to the floor of the House. Yet here it has come, courtesy of the leadership of this House.

Moreover, this matter was considered a settled matter, if ever any matter is. The one group of local matters most prized as local in our country are criminal justice matters. And this matter has been settled by the people who

will be overwhelmingly affected if you vote for repeal today. It has been settled by the people of the District of Columbia, who alone have the right to make decisions as to how to safeguard their lives.

Thank you very much, you of the paternalistic variety who are going to tell us how to safeguard our lives. I am not going to tell you I do not expect you to tell my mayor, I do not expect you to tell my unanimous city council, I do not expect you to tell me, that is to say, if you still believe this is a Federal Government and you believe that we are as much citizens of the United States as you are, and we are.

When this bill came to the floor, with no opportunity to make any changes, of course, the only thing you can do is to go to the Committee on Rules. There we found a hostile attitude toward amendments, except amendments from one Member. Members came forward from both sides. This is a matter of compelling interest to the entire country. And the only Member to in fact get an amendment in order was the sponsor of the bill. He happens to be a Republican. No partisanship there, of course.

Actually, that fact, the one amendment coming from the gentleman from Indiana (Mr. SOUDER), the sponsor, is the front end of the partisanship of this bill. This bill is not about whether it will pass or fail. It comes a month before election, for reasons that the Members have not even tried to deny: Close to the election, let us hold up the Democrats, especially the Democrats from rural areas, from southern areas, from western areas. Let us dare them to vote for home rule, as they usually do. Let us take them down with NRA ads if they do. Everybody gets it. That is the only reason Democrats are on this bill. They saw Democrats taken out by NRA distortions of their positions on weapons just a few years ago.

The Souder amendment is really an amendment to wipe the red off the sponsor's face because he had sent a Dear Colleague, advising that a previous Dear Colleague saying that the bill would allow fully-loaded assault weapons to be carried in public was a matter of scare tactics. I can understand why the gentleman from Indiana made the mistake. It is not his law, it is not his business, he does not know what he is talking about, and he made the kind of mistake I would make if I tried to mess in the business of his jurisdiction. I am not familiar with what they do. He made a straight-out error. He said, oh, no, we were wrong; he was right.

Then, of course, he comes forward with an amendment, which is a mea culpa that admits that he was wrong. Actually, his amendment does not help very much, because it assumes an assault weapon, a Bushmaster, a loaded handgun which you could keep in your home, in your business, that somehow they are going to be contained in your homes, in your businesses, in your

workplaces. Everybody knows that once you have a gun there, it stays there. That is, unless you have the experience of running the District of Columbia or living in the District of Columbia. And as our police chief says, there would be a moment, a moment in time before weapons in people's homes would find their way to the streets to settle domestic violence matters, acquaintance quarrels, kids settling matters among themselves.

And, Mr. Speaker, we have even seen some of that when guns have gotten into kids' hands. We know what would happen with those guns because we live here and we know our people. They would make their way into Ward Six, where I live, which is close to the Capitol, and they would surely make their way to the streets in the poorest wards of the city, across the Anacostia River, where most of the killings of residents, and particularly of children, have taken place.

The gentleman from Indiana (Mr. SOUDER) does not know any better, and I can forgive him that. What I cannot forgive him is introducing and pressing this bill at a time when we have child killings at a record we have not seen in many years. Why in the world would anybody want to make laws for somebody else's jurisdiction?

So I said, well, if I could do only one amendment, what would I do? Because I knew that you would not want to put in a great many amendments to a bill that was being put forward for transparently political reasons. And I said, I know the one I would do, because I know what I have heard from my police chief. I would put in an amendment to say at least if you are going to have ammunition, let there be no cop killers' ammunition. And I came forward with an amendment that was aimed chiefly at doing whatever little we could do to protect our police officers and our children, the two categories of people most vulnerable because they are the disproportionate victims.

This amendment, however, like every Democratic amendment, was not made in order. I think it goes without saying that most Members would prefer not to have armor-piercing incendiary ammunition floating around their districts. The fact is that the kind of ammunition that my amendment would bar are not barred by Federal law. In fact, Congress, in fiscal year 2001, fiscal year 2002, and fiscal year 2003, in the DOD appropriation, actually added to the appropriation language that barred armor-piercing incendiary ammunition being transferred from DOD to private parties.

In the name of my children and police officers, I thought maybe they will throw me this sop. There are no sops to be thrown here. This bill not only is brought forward for political purposes, this bill is brought forward in callous disregard of these children. Their parents have been to the Hill, begging to have this vote rescinded. Our mayor, our new superintendent of schools, and

our police chief were here yesterday to say this is exactly what we do not need.

I ask you to respect the people who know best, the people who will have to pay the price, the people who have had to go to the funerals. I ask you to defeat this bill.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank the gentleman from Washington State, the distinguished member of the Committee on Rules, for yielding me this time, and I want to thank my colleague, the gentleman from Indiana (Mr. SOUDER), for introducing legislation to restore our constitutionally protected right to keep and bear arms in the District of Columbia. H.R. 3193, the District of Columbia Personal Protection Act, would eliminate penalties for the legal possession of a firearm, and it would permit the storage of legal firearms in an individual's home or place of business.

This debate is fundamental in its nature. Americans should have the right to defend themselves against a violent assault. They should have the right to protect their own lives. In 2002, the District of Columbia earned the rare distinction of being the murder capital of America for 14 out of 15 years, yet all handguns have been banned in the District since 1976. This simple fact shows that firearm bans do not work to decrease crime. D.C. laws should not make it a criminal offense to possess a firearm and self-defense in one's own home or business.

Mr. Speaker, the Washington Times reported on December 14, 1994, that Rebecca Griffin heard her daughter screaming one night, only to find her bound and gagged by two potential kidnappers. With one carrying a knife, she was quick to end the attack after retrieving her 32-caliber revolver from the basement. Although her daughter was left cut and bleeding, by using a firearm to protect her family in her own home, she saved her daughter from abduction and, yes, possibly death.

It is interesting to note that crime was on the decline in Washington, D.C., before the gun ban was imposed. Yet in only the first 15 years of the ban, from 1976 to 1991, the homicide rate increased by more than 200 percent while the rest of the United States had only a 12 percent increase.

When Congress chose to delegate home rule in the 1970s, it specified that legislation by the District must be consistent with the Constitution of the United States, and I hope that the gentleman from Rhode Island and the gentlewoman from the District of Columbia, who previously spoke about the rights of D.C. citizens, are listening. However, the District of Columbia consistently violates the second amendment right to keep and bear arms. It violates the right to self-defense.

Mr. Speaker, I ask my colleagues to pass the rule for the District of Columbia Personal Protection Act and to restore second amendment rights to the law-abiding citizens of our Nation's Capital.

Mr. MCGOVERN. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore (Mr. LATHAM). The gentleman from Massachusetts (Mr. MCGOVERN) has 8 minutes remaining and the gentleman from Washington (Mr. HASTINGS) has 20 minutes remaining.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. SULLIVAN).

□ 1115

Mr. SULLIVAN. Mr. Speaker, I rise in strong support of H.R. 3193, the District of Columbia Personal Protection Act. This is a commonsense piece of legislation that will rightfully restore the second amendment rights of Americans living in the District of Columbia.

Mr. Speaker, I know there are Members of this House who support gun control. The issue today, however, is not gun control but it is self-defense. The right to be able to protect yourself and your family is always important, but the right to do so in your home is the most important of all.

In America, we consider the home a special place and give greater weight to people's liberties in the home. The faulty bureaucratic logic of allowing District of Columbia residents to defend themselves is refuted by common sense. D.C. has some of the strongest gun laws in the Nation, and yet the recent FBI figures show that the District has regained its former title as the murder capital of the Nation for 14 of the last 15 years. Common sense and the love of life and liberty tells us that D.C. residents should have the right to defend themselves in their own home.

According to the FBI, the street and highway robbery rate has decreased by 59 percent, which is a greater decrease than other types of robbery, so the theory that gun-related street crimes will increase because of this bill is not supported by the facts nor by common sense. That leaves with us only one question really: Are law-abiding residents of this city entitled to the same rights as other Americans? I think our answer can be nothing other than a resounding yes.

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

Mr. Speaker, I include for the RECORD a letter from Mayor Anthony Williams and a letter from the Chief of Police, Charles Ramsey, in strong opposition to this legislation.

We have heard from the gentleman from Oklahoma and we have heard from the gentleman from Georgia who think they know everything about what the people of the District of Columbia need and deserve; how about listening to the mayor of this city and to the police chief of this city who say this is a bad bill which will make the streets of this city more dangerous?

Washington, DC, September 16, 2004.

Hon. TOM DELAY,  
Majority Leader, House of Representatives,  
Cannon House Office Building, Washington,  
DC.

DEAR REPRESENTATIVE DELAY: Princess Hansen. James Richardson. Chelsea Cromartie. Myesha Lowe. These are the names of four children who will never see adulthood. These are the names of four children whose parents are devastated by grief. These are the names of four children out of 14 who were killed by illegal guns in the District since January.

On behalf of the residents of the nation's capital, I am writing to express strong displeasure upon learning that federal legislation to repeal the city's gun control laws could shortly come to a vote in the House of Representatives. The District of Columbia Personal Protection Act of 2004 is not just a step back in our efforts to control crime—it is a couple of football fields back.

I take sharp exception to this wholly inappropriate intrusion into what is clearly a local matter. On behalf of the residents of the District of Columbia, I urgently ask you to take no further action on this legislation. It is unthinkable that while the nation's capital is under alert, Congress would take action to expose more than a half a million District residents, almost 200,000 federal workers and 20 million tourists to greater danger.

The District of Columbia has been governed by an elected Mayor and thirteen elected Council members since 1975. During the Council's first legislative session in 1976, the District passed legislation that restricted the possession, use and transfer of handguns and semiautomatic weapons. The courts have upheld the constitutionality of this law and no bill has been passed in the District to water down our gun-control laws since.

District leaders have enacted gun safety legislation based on our citizens' view that any increase in the number of guns in the District increases the likelihood that crimes will be committed with those guns. We have made significant progress in reducing crime, although we still have work to do. This year alone, District residents have witnessed a 24 percent reduction in homicides and a 13 percent decrease in overall crime. There is no way to argue that lifting our weapons bans will not jeopardize this progress. My administration has worked very hard to produce these results and I ask you to respect our efforts by leaving one of our most important anti-crime tools in place. My greatest frustration is that in spite of the significant reduction in homicides, 14 children, the largest number in five years, have been killed by guns this year. These killings, some by children, are reason enough to do no more harm by allowing more guns in our city.

Our residents know all too well the human costs exacted by guns and violence. Eighty percent of all homicides in the District last year were committed with guns, all of which were brought into the city illegally. Because of the porous nature of our borders, we can never rely on laws alone to keep guns out of our city, but these laws are indispensable local tools to combat crime. Our ability to reduce homicides would be severely compromised if—in addition to confiscating guns brought in from other jurisdictions—we were required to combat gun violence from weapons maintained, carried and bought within the District.

We are taking aggressive measures to further reduce homicides and violent crime in the city by increasing the number of sworn officers to 3,800, restructuring our Patrol Service Areas, strengthening our investigative capacity, and improving 911 response times.

For Princess Hansen. For James Richardson. For Chelsea Cromartie. For Myesha Lowe. I implore you to take no further action on the District of Columbia Personal Protection Act of 2004. The citizens of the District of Columbia want nothing more than other American citizens would demand and get—the right to make our own decisions about our public safety.

Sincerely yours,

ANTHONY A. WILLIAMS,  
Mayor.

Washington, DC, February 25, 2004.

Hon. ELEANOR HOLMES NORTON,  
House of Representatives, Rayburn House Office  
Building, Washington, DC.

DEAR CONGRESSMAN NORTON: I am writing to express my strong opposition to any efforts in Congress to eliminate or weaken current laws regulating handgun ownership and possession in the District of Columbia.

As a law enforcement officer with more than 35 years of experience, I know firsthand the devastation of handgun violence in our urban neighborhoods. One need look no farther than Ballou and Anacostia Senior High Schools in Southeast DC for recent examples of gun tragedies: two young student-athletes gunned down this school year, either inside or just outside their school building. Like these two killings, nearly 80 percent of the homicides in the District of Columbia are committed with a firearm, not to mention countless assaults, robberies and other crimes of violence.

The District is facing nothing short of a crisis when it comes to gun crime and gun violence. Every day, our residents—and our police officers—are confronted by far too many firearms, that are easily accessible to far too many people—including young people—who should not possess them. Last year alone, Metropolitan Police officers recovered nearly 2,000 firearms, and we are on track to increase that total this year. To somehow suggest that the District would be safer by introducing even more lethal firepower into our city is pure folly. To reduce crime and prevent more senseless tragedies like the recent killings at Anacostia and Ballou, we need fewer—not more—weapons on our streets. And we need to have strong laws that allow our police officers to identify and arrest criminals who carry guns in our city.

I appreciate your strong support of DC's gun laws, and I stand ready to assist in working to retain and, if necessary, strengthen those laws. You know, as I do, that tough and sensible gun laws help make our communities—and our police officers—safe. The District of Columbia cannot afford to go backwards when it comes to combating gun violence.

Sincerely,

CHARLES H. RAMSEY,  
Chief of Police.

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I rise in opposition to the rule; and more importantly, I rise in opposition to the underlying bill. When I looked at this bill, I was compelled to ask the question of the supporters of this legislation: What were they thinking?

Number one, we need less guns in the District of Columbia, not more guns.

Mr. Speaker, I represent the suburban districts in Prince George's County and Montgomery County, Maryland, just outside of Washington, D.C. The gun violence in D.C. bleeds over, excuse the expression, into our communities

so I have a great concern that we not have more violence and more guns.

Let me talk for a moment about the question of rights and the rights of D.C. citizens. My colleagues on the other side who are sponsoring this legislation are the same folks who are saying we have to have democracy in Iraq, we need to let the Iraqis decide. They would have the Iraqis decide their fate, but they will not let the citizens of the District of Columbia decide their fate. That does not make sense.

The citizens of the District of Columbia have not asked for this bill. The mayor is opposed to it, the police chief is opposed to it, the elected Representative is opposed to it. That is the democratic position, that the citizens of the District of Columbia, under the concept of home rule, should be allowed to make this decision, not people from Indiana and Georgia.

It is appalling to think that this measure would repeal the District of Columbia's ban on the sale and possession of handguns and semiautomatic weapons and eliminates criminal penalties for possessing unregistered handguns.

Earlier a gentleman talked about the facts. Let us talk about the reality. The reality is that most if not all of these young people did not die as a result of burglaries in their home, they died on the streets. They died on the streets as a result of handgun violence, not as a result of handguns purchased in the District of Columbia, but from Virginia and Maryland and other places.

That is the problem we have here. There are already too many handguns, too many semiautomatic weapons, too much street crime, and the sponsor of this measure would allow for more.

It is very interesting, we are in a period in which there is a great deal of concern about terrorism. And of course here in the capital, we are greatly concerned for obvious reasons. Why would we want more handguns in the possession of individuals in the District of Columbia that might pose a terrorist threat, or semiautomatic weapons in the hands of the people of District of Columbia who might pose a terrorist threat? It just does not make any sense. What were they thinking?

Under this bill, if a crime is committed and the weapon is found because they eliminate the registration process, detectives could not determine whose gun it was. It just does not make any sense.

And then how could people in this body forget the fact that on July 24, 1998, a gunman came into this Capitol and fired a handgun, killing Jacob Chestnut, a United States Capitol Police Officer, and Special Agent John Gibson? How can we forget the effects of handgun use, not to mention the handgun that was used to shoot at President Ronald Reagan?

The issue is not well, there is crime in the District of Columbia; yes, that is true. There is crime in every city. The issue is, do we want more crime and more violence as weapons are more

readily available under this bill? Again, it just does not make any sense. Let me tell Members about the reality of what actually happens. Thieves not only break into homes for cash and jewelry, they also break into homes for weapons, weapons that can be fenced and transferred and sold through other means, and those same weapons that exist in the homes are also the weapons that are used to commit crimes.

So while the gentleman presents one anecdote of somebody who protected their family with a handgun, there is a lot more information about people who were victimized on the streets by handguns and semiautomatic weapons.

My colleague from the District of Columbia made an impassioned plea on behalf of young people, all under the age of 17, who were the victims of gun violence. I join her in that plea. Let us have some common sense, let us defeat this rule and then defeat the underlying bill.

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

Mr. Speaker, let me begin by reading a "Dear Colleague" letter from the gentleman from California (Mr. WAXMAN), the ranking member, and the gentleman from Virginia (Chairman TOM DAVIS) entitled Please "Oppose H.R. 3193."

They write, "We are writing to urge you to oppose H.R. 3193, a bill that would make Washington, D.C. less safe. H.R. 3193 falls within the jurisdiction of the Committee on Government Reform, but was not considered by the committee."

They say this bill "repeals the D.C. laws that restrict the possession of firearms in the District of Columbia. Among the laws repealed are the ban on semiautomatic assault weapons, the ban on armor-piercing ammunition, and the gun registration requirements. Although one can debate the merits of some of D.C.'s gun laws, no one should question the importance of keeping fully-loaded assault weapons off the streets of the Nation's Capital city."

"Another problem with H.R. 3193 is its impact on home rule for the District of Columbia. Congress would never act to repeal the gun laws for communities in Northern Virginia or Southern California. Whether we agree or disagree with the District's laws, we should accord the mayor and District city council that same respect."

"Please join us in voting no on H.R. 3193." This letter was signed by the gentleman from Virginia (Chairman DAVIS) and the gentleman from California (Mr. WAXMAN).

A number of speakers have said D.C.'s gun laws violate the second amendment. They do not violate the second amendment. In a recent NRA-inspired lawsuit, D.C. citizens challenged the constitutionality of the city's gun laws. In a decision styled *Seegers v. Ashcroft*, a D.C. Federal court judge found that the D.C. gun laws did not violate the plaintiff's second amendment rights. In fact, because the second amendment specifically applies to State militias, the court held

that the amendment cannot apply to the District of Columbia, which is not a State.

Mr. Speaker, this body considered this issue in 1999 when the gentleman from Virginia (Mr. GOODE) offered this repeal as an amendment to the gun show bill. That amendment was defeated by a vote of 175-250. This House has already spoken. Members defeated that awful idea then, and I hope they will defeat it again today when this bill comes to the floor.

I hope Members of this House will stand up to the NRA and will do the right thing, will do the right thing by the citizens of this city. How anybody can make the case that making more military-style assault weapons available on the streets of D.C. somehow is going to decrease crime is beyond me. It makes no sense at all.

This is an arrogant bill, where people who have no idea what is going on in this city are imposing their will on the people of the District of Columbia.

Mr. Speaker, I include for the RECORD two editorials, one from the Journal Gazette of Fort Wayne, Indiana, entitled "Where Are Souder's Priorities" and the other from "The Decatur Daily Democrat" entitled "Souder's Contempt."

I wish the gentleman who introduced this bill would have paid attention to the editorials from his home newspapers. They are right. D.C. has a right to determine its fate on these gun laws. Congress has no business repealing what the local leaders and legislators in D.C. have decided. I hope all Member of Congress do the right thing, will stand up for our kids, will stand up for our police. All of the police officers, the police chief, the police associations, are all against this bill. Let us do the right thing and defeat this bill.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON GOVERNMENT REFORM,  
Washington, DC, September 27, 2004.

#### PLEASE OPPOSE H.R. 3193

DEAR COLLEAGUE: We are writing to urge you to oppose H.R. 3193, a bill that would make Washington, D.C., less safe. H.R. 3193 falls within the jurisdiction of the Government Reform Committee, but was not considered by the Committee.

H.R. 3193 repeals the D.C. laws that restrict the possession of firearms in the District of Columbia. Among the laws repealed are the ban on semiautomatic assault weapons, the ban on armor-piercing ("cop-killer") ammunition, and the gun registration requirements. Although one can debate the merits of some of D.C.'s gun laws, no one should question the importance of keeping fully loaded assault weapons off the streets of the nation's capital city.

Another problem with H.R. 3193 is its impact on home rule for the District. Congress would never act to repeal the gun laws for communities in Northern Virginia or Southern California. Whether we agree or disagree with the District's laws, we should accord the Mayor and the D.C. City Council the same respect.

Please join us in voting "No" on H.R. 3193.  
Sincerely,

TOM DAVIS,



*Chairman.*  
HENRY A. WAXMAN,  
*Ranking Member.*  
*Minority*

[From the Journal Gazette, Sept. 21, 2004]

# EDITORIAL: WHERE ARE SOUDER'S PRIORITIES?

Northeast Indiana residents have good reason to question where Congressman Mark Souder's priorities lie.

Souder has been receiving national exposure, not for anything he's doing for his constituents but for his attempts to use the Federal government to overturn a local government decision.

Our congressman believes people in Washington D.C., should be able to carry assault rifles and handguns.

He believes that Washington police should not be able to jail anyone for having unregistered weapons.

He believes District of Columbia workers should face no criminal penalties for carrying a gun to work.

The District of Columbia has banned handguns, but Souder thinks the Federal government should step in and overturn this local decision because Souder knows what's better for residents of the District of Columbia than they do.

Congressional leaders have placed a priority on Souder's bill—cynically called the District of Columbia Personal Protection Act—mostly to force House Democrats to cast a vote on a gun control issue before Nov. 2.

This misplaced priority comes days before the fiscal year will begin with 12 of the 13 spending bills needed to keep the government running yet to be approved.

Many political observers believe Souder's legislation has little chance in the U.S. Senate, making the D.C. gun bill an exercise in political gamesmanship.

Souder must need the diversion, coming at the end of Congress' longest summer vacation since Harry Truman was in the White House.

In a statement that has become sadly characteristic of our congressman, Souder compared gun control to owning slaves, telling the Washington Post, "The fact is, we didn't allow the District to have home rule on the selling of slaves, either."

Souder's bill earned him attention in the Post and in the Sunday New York Times shortly after receiving some publicity in U.S. News & World Report for his action on another issue of vital importance to Hoosiers—lighthouses.

Souder railed against a North Carolina congressman for wanting the Homeland Security Department to audit the group that operates the North Carolina Currituck Beach Lighthouse.

During an unrelated hearing, Souder blasted the efforts as "one of the biggest travesties of justice I have ever seen."

Perhaps Souder is unaware of the 14 children who have been gunned down in Washington this year.

Perhaps he is unaware that the handgun ban helped D.C. police take nearly 2,000 guns away from criminal suspects last year and more than 1,300 so far this year.

Perhaps his beloved lighthouses and efforts to embarrass Democrats have become too important.

This page believes Washington should be able to set its own gun-control laws but acknowledges that honest people can disagree regarding the city's Second Amendment rights. But there is little doubt that right now, Souder's bill is simply a waste of Congress' time and does nothing to improve good government or help his constituents in Indiana.

[From the Decatur Daily Democrat, Sept. 20, 2004.]

## SOUDER'S CONTEMPT

Rep. Mark Edward Souder is about as interested in the hopes, fears and aspirations of District of Columbia residents as a rock along the Maumee River in his northeast Indiana congressional district.

What does engage the Republican congressman's enthusiasm is the prospect of forcing House Democrats to vote on a gun control law in a hotly contested election year. That helps explain why Souder is pressing for a vote in his bill, which would remove the District's stringent ban on handguns, lift a restriction against semiautomatic weapons, end registration requirements for ammunition and other firearms, and cancel criminal penalties for possessing unregistered firearms and carrying a handgun in one's home or workplace.

Wasting no opportunity to thumb their noses at D.C. residents who strongly support the handgun bans—and to ingratiate themselves with gun rights groups—House Republican leaders have promised Souder a vote before the Nov. 2 election. A more contemptible display of cynicism would be hard to find.

Souder maintains that his bill is not an incursion on home rule but rather is based on the Second Amendment's guarantee of gun rights. He's wrong, of course. The District's authority to enact gun control laws has been successfully challenged in court. Likewise, if Congress adopts language that denies the city's elected leaders "authority to enact laws or regulations that discourage or eliminate the private ownership or use of firearms"—as proposed by Souder—what is that but a restriction on the city's self-governing powers? Besides, the District is hardly unique: Seven states also have their own bans on assault weapons. But it's not the Constitution that is at issue. Souder and the House GOP leadership are out to put Democrats on the defensive, especially those in competitive congressional races where the gun lobby might hold sway.

It matters not a bit to Souder and his gun allies that the D.C. police department has its hands full trying to keep deadly weapons off the streets. Last year D.C. police recovered 1,982 firearms from criminal suspects. As of Sept. 8, D.C. cops had already recovered 1,385 guns this year. Justifiable concerns that repeal of the city's gun laws would worsen violence on D.C. streets have fallen on deaf ears in the U.S. Capitol. House Republicans, if they have their way, would just as soon turn the nation's capital into a free-fire zone—and for cheap political reasons.

It is small comfort to observe, as some have, that the Souder bill would have dim prospects in the Senate this year. This offensive and opportunistic bill should not be allowed to see the light of day in the House of Representatives. But to say that is to hope that respect for the rights of District residents would rank above lust for partisan advantage.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 8 minutes to the gentleman from Indiana (Mr. SOUDER), the sponsor of this measure.

Mr. SOUDER. Mr. Speaker, first I would like to thank the gentleman from Washington (Mr. HASTINGS) for bringing up a very good rule today. I rise in support of this rule, and would like to alert all of my colleagues, the vote for a rule is a vote for allowing debate on restoring the second amendment rights to the District of Columbia residents.

Members have heard much of the debate today that citizens are prevented from owning a handgun at all. My bill says even if citizens have a gun, let me first state this, even if you have a gun, you store a rifle or shotgun, you are prohibited from using them to defend your own life, family, and home. District law threatens honest people with imprisonment if they unlock, assemble, or load their guns even when under attack.

For this reason, I am bringing before the House a bill that this rule would make in order that would restore the second amendment rights of D.C. citizens. I think it is important to note that my bill would not repeal any provision of D.C. law that bans gun possession by criminals or that punishes violent crime.

The rule also makes two important changes to my bill which would clarify the original intent. There has been a misrepresentation in "Dear Colleagues" to this House that said we would allow concealed and open carrying of any firearm, loaded or unloaded, outside the owner's property. It did not. It said three times in the bill, property, home, business or other land, but this clarifies it. It also strengthens D.C. code by providing a more complete set of exemptions based on Maryland law to allow citizens to transport unloaded, cased firearms to and from lawful activities, such as hunting, target shooting, and firearm safety training.

I want to address a number of the things that have come up during debate. One is if someone has a gun in their home, could someone go in and rob? Of course they could. They can now. It is just the person defending their home cannot defend their home, but it is not loaded, it has to be encased and cannot be used. But if someone wants to steal the guns, they can do that now.

What happens if they go on the street with an illegal gun? Guess what; they are doing that now. That penalty stays in effect. If somebody steals the gun or goes off their property with the gun, it is already against the law. It will still be against the law, and all Members are arguing is the ineffectiveness of the law.

For years in the United States we have heard this rumor that if we ban guns, only the criminals would have guns. In D.C. that seems to have come true, because now what we are arguing is that people who follow the law are somehow going to turn into criminals. The people who are criminals are already making Washington, D.C. the murder capital of the United States 14 of the last 15 years. How can it get worse?

What we are doing is letting the people who are in the homes, as people have written in and stated, that when they told, even though the gun was illegal, when they said they had a gun inside, people left the attacking of their homes. This should increase property values in Washington, D.C. It

should make people safer, and I think it is the right thing to do.

Another subject that came up was the so-called AK-47s and Uzis. They are constantly mentioned, but they are not legal to import now. Even though the assault weapon ban has expired, those and other foreign-made guns were prohibited under the Federal Firearm Importation Act in 1989, and they will still remain prohibited.

□ 1130

We heard about so-called "cop killer bullets." The fact is on the armor piercing ammunition bill, there was a bill passed in 1986 when the Democrats controlled this House. After several years of debate and discussion, Congress prohibited certain kinds of bullets that could be used in a handgun and which were capable of defeating the kinds of bullet-resistant vests that police officers wear for protection. Some wanted to ban all ammunition. That was defeated. It came up again.

In 1997, a study conducted by the Bureau of Alcohol, Tobacco and Firearms found that existing laws are working and no additional legislation regarding such laws is necessary. The study also found that no law enforcement officer had ever been killed or even injured because of these so-called bullets penetrating a bullet-resistant vest. It urged Congress to avoid any experimentation with police officer lives that could conceivably lead to numerous additional officer fatalities.

The problem here is all we are doing is making D.C. in conformance with the rest of the United States, which is a constitutional right to bear arms, and this rule would go forth and do that.

I include for printing in the CONGRESSIONAL RECORD the cosponsors of this bill.

#### COSPONSORS BY DATE OF H.R. 3193

Office	State	First Contact	R or D
Charles Stenholm	TX	5-Sep	D
Max Sandlin	TX	5-Sep	D
Chris John	LA	9-Sep	D
Colin Peterson	MN	10-Sep	D
Jim Matheson	UT	10-Sep	D
Brad Carson	OK	10-Sep	D
Marion Berry	AR	10-Sep	D
Lincoln Davis	TN	10-Sep	D
Jim Turner	TX	10-Sep	D
Bud Cramer	AL	10-Sep	D
Tim Holden	PA	10-Sep	D
Silvestre Reyes	TX	11-Sep	D
Gene Green	TX	11-Sep	D
Michael Michaud	ME	16-Sep	D
Sanford Bishop	GA	17-Sep	D
Jim Marshall	GA	17-Sep	D
Solomon Ortiz	TX	22-Sep	D
Rick Boucher	VA	24-Sep	D
Tim Ryan	OH	25-Sep	D
Mike McIntyre	NC	30-Sep	D
John Tanner	TN	30-Sep	D
Nick Rahall	WV	1-Oct	D
Joe Baca	CA	2-Oct	D
Gene Taylor	MS	2-Oct	D
Chet Edwards	TX	7-Oct	D
Ken Lucas	KY	8-Oct	D
Jerry Costello	IL	8-Oct	D
John Dingell	MI	8-Oct	D
Bart Gordon	TN	8-Oct	D
John Murtha	PA	21-Oct	D
Ciro Rodriguez	TX	23-Oct	D
Bart Stupak	MI	19-Nov	D
Ike Skelton	MO	11-Feb	D
Jim Cooper	TN	23-Feb	D
Alan Mollohan	WV	26-Apr	D
A.B. Chandler	KY	5-May	D
Allen Boyd	FL	4-Jun	D
Paul Kanjorski	PA	17-Jun	D
Leonard Boswell	IA	17-Jun	D

#### COSPONSORS BY DATE OF H.R. 3193—Continued

Office	State	First Contact	R or D
Dennis Cardoza	CA	17-Jun	D
Ted Strickland	OH	20-Jun	D
Mike Ross	AR		D
Stephanie Herseth			D
Earl Pomeroy			D
Jim DeMint	SC	3-Sep	R
Joe Wilson	SC	3-Sep	R
Tim Johnson	IL	3-Sep	R
Dan Burton	IN	4-Sep	R
Ed Schrock	VA	4-Sep	R
Jo Ann Davis	VA	4-Sep	R
Jeb Hensarling	TX	5-Sep	R
John Carter	TX	5-Sep	R
Kevin Brady	TX	5-Sep	R
Pete Sessions	TX	5-Sep	R
David Vitter	LA	9-Sep	R
Dennis Rehberg	MT	9-Sep	R
Lamar Smith	TX	9-Sep	R
Michael Burgess	TX	9-Sep	R
Ralph Hall	TX	9-Sep	R
Randy Neugebauer	TX	9-Sep	R
Sam Johnson	TX	9-Sep	R
Butch Otter	ID	10-Sep	R
Rodney Alexander	LA	10-Sep	R
Chris Cannon	UT	10-Sep	R
Ron Paul	TX	10-Sep	R
Terry Everett	AL	10-Sep	R
Adam Putnam	FL	11-Sep	R
Joe Barton	TX	11-Sep	R
Todd Platts	PA	11-Sep	R
Candice Miller	MI	12-Sep	R
Virgil Goode	VA	12-Sep	R
Barbara Cubin	WY	16-Sep	R
Phil Gingrey	GA	16-Sep	R
John Sullivan	OK	17-Sep	R
Ron Lewis	KY	17-Sep	R
Spencer Bachus	AL	22-Sep	R
John Duncan	TN	23-Sep	R
Marsha Blackburn	TN	23-Sep	R
Bill Janklow	SD	24-Sep	R
Bob Ney	OH	24-Sep	R
Ernest Istook	OK	24-Sep	R
John Mica	FL	24-Sep	R
Nathan Deal	GA	24-Sep	R
Bob Goodlatte	VA	25-Sep	R
Pat Toomey	PA	25-Sep	R
John Doolittle	CA	26-Sep	R
Mac Collins	CA	26-Sep	R
Mike Rogers (AL)	AL	26-Sep	R
Roscoe Bartlett	MD	26-Sep	R
Cass Ballenger	NC	29-Sep	R
Duke Cunningham	CA	29-Sep	R
Jeb Bradley	NH	29-Sep	R
Marilyn Musgrave	CO	29-Sep	R
Roger Wicker	MS	29-Sep	R
Steve King	IA	29-Sep	R
Thaddeus McCotter	MI	29-Sep	R
Wally Herger	CA	29-Sep	R
Chip Pickering	MS	30-Sep	R
Chris Chocola	IN	30-Sep	R
Eric Cantor	VA	30-Sep	R
Ginny Brown-Waite	FL	30-Sep	R
Gresham Barrett	SC	30-Sep	R
Jeff Miller	FL	30-Sep	R
Jim Gibbons	NV	30-Sep	R
Robin Hayes	NC	30-Sep	R
Sam Graves	MO	30-Sep	R
Steve Pearce	NM	30-Sep	R
Tom Feeney	AZ	30-Sep	R
Trent Franks	FL	30-Sep	R
Duncan Hunter	CA	1-Oct	R
Jo Bonner	AL	1-Oct	R
John Hostettler	IN	1-Oct	R
Todd Akin	MO	1-Oct	R
Henry Brown	SC	2-Oct	R
John Boozman	AR	2-Oct	R
John Culberson	TX	3-Oct	R
Roy Blunt	MO	3-Oct	R
John Kline	MN	6-Oct	R
Johnny Isakson	GA	6-Oct	R
Don Young	AK	7-Oct	R
Mike Simpson	ID	7-Oct	R
Rick Renzi	AZ	7-Oct	R
Bill Shuster	PA	8-Oct	R
Mike Pence	IN	8-Oct	R
Todd Tiahrt	KS	8-Oct	R
Donald Manzullo	IL	9-Oct	R
Jack Kingston	GA	9-Oct	R
Philip Crane	IL	9-Oct	R
Charlie Norwood	GA	10-Oct	R
Jim Ryun	KA	10-Oct	R
Richard Baker	LA	14-Oct	R
Rob Bishop	UT	14-Oct	R
Joseph Pitts	PA	15-Oct	R
Lee Terry	NE	15-Oct	R
Mike Rogers (MI)	MI	15-Oct	R
Zach Wamp	TN	17-Oct	R
Jerry Weller	IL	20-Oct	R
Jim McCrery	LA	20-Oct	R
Robert Adairholt	AL	20-Oct	R
Bob Beauprez	CO	21-Oct	R
Henry Bonilla	TX	21-Oct	R
Randy Forbes	VA	21-Oct	R
Thomas Petri	WI	21-Oct	R
Melissa Hart	PA	23-Oct	R
Billy Tauzin	LA	27-Oct	R
Steve Buyer	IN	28-Oct	R
Deborah Pryce	OH	29-Oct	R
Fred Upton	MI	29-Oct	R
Thomas Reynolds	NY	30-Oct	R
William Jenkins	TN	30-Oct	R
Steve Chabot	OH	31-Oct	R

#### COSPONSORS BY DATE OF H.R. 3193—Continued

Office	State	First Contact	R or D
Cliff Stearns	FL	3-Nov	R
William Thornberry	TX	3-Nov	R
Scott Garrett	NJ	5-Nov	R
Ken Calvert	CA	7-Nov	R
Phil English	PA	12-Nov	R
Devin Nunes	CA	18-Nov	R
Max Burns	GA	19-Nov	R
Tom Tancredo	CO	21-Nov	R
Jim Nussle	IA	24-Nov	R
Tom Cole	OK	1-Dec	R
Ric Keller	FL	9-Jan	R
Scott McInnis	CO	22-Jan	R
Walter Jones	NC	26-Jan	R
Sue Myrick	NC	28-Jan	R
Dana Rohrabacher	CA	29-Jan	R
John Peterson	PA	29-Jan	R
Mario Diaz-Balart	FL	29-Jan	R
Paul Ryan	Wisc	4-Feb	R
Joel Hefley	CO	9-Feb	R
Frank Lucas	OK	26-Feb	R
Nick Smith	MI	26-Feb	R
Darrell Issa	CA	9-Mar	R
Gary G. Miller	CA	11-Mar	R
Jeff Flake	AZ	12-Mar	R
Tom Latham	IA	22-Mar	R
Kenny Hulshof	MO	25-Mar	R
Nicholas Lampson	TX	31-Mar	R
Gary Miller	CA	1-Apr	R
Curt Weldon	PA	5-Apr	R
George Radanovich	CA	23-Apr	R
Sherwood Boehlert	NY	23-Apr	R
Charles Taylor	NC	26-Apr	R
Dave Weldon	FL	26-Apr	R
Greg Walden	OR	28-Apr	R
Jo Ann Emerson	MO	28-Apr	R
Shelley M. Capito	WV	4-May	R
Richard Pombo	CA	5-May	R
Harold Rogers	KY	12-May	R
Dave Camp	MI	17-May	R
Katherine Harris	FL	17-May	R
Gil Gutknecht	MN	19-May	R
Jim Gerlach	PA	19-May	R
Mark Kennedy	MN	1-Jun	R
Steven LaTourette	OH	2-Jun	R
Anne Northup	KY	4-Jun	R
Richard Burr	NC	4-Jun	R
Doc Hastings	WA	9-Jun	R
Don Sherwood	PA	9-Jun	R
George Nethercutt	WA	9-Jun	R
Howard McKeon	CA	9-Jun	R
John McHugh	NY	9-Jun	R
John Shimkus	IL	9-Jun	R
Jerry Moran	KS	14-Jun	R
Ed Whitfield	KY	15-Jun	R
Charles Bass	NH	16-Jun	R
John Linder	GA	16-Jun	R
Tom DeLay	TX	16-Jun	R
Ander Crenshaw	FL	17-Jun	R
Ed Royce	CA	17-Jun	R
John Boehner	OH	17-Jun	R
John Sweeney	NY	17-Jun	R
Kay Granger	TX	17-Jun	R
Patrick Tiberi	OH	17-Jun	R
Paul Gillmor	OH	18-Jun	R
Jerry Lewis	CA	20-Jun	R
Joseph Knollenberg	MI	20-Jun	R
Michael Bilirakis	FL	20-Jun	R
Elton Gallegly	CA	22-Jun	R
John Shadegg	AZ	22-Jun	R
Lincoln Diaz-Balart	FL	22-Jun	R
Ileana Ros-Lehtinen	FL	6-Jul	R
Michael Turner	OH	8-Jul	R
Howard Coble	NC	15-Jul	R
Hoekstra		21-Jul	R
Oxley		21-Jul	R
Jim Kolbe			R
Judy Biggert			R
Portman			R
Regula			R

There have been a number of statements made about jurisdiction, process and so on. I was put under a very tough standard and that was that a majority of this Congress had to back my bill before it would be allowed to come to the floor. That is a very tough standard. Then after we achieved that, we were told we had to have a majority of the Committee on Government Reform, which we have, a bipartisan majority of the Committee on Government Reform. The gentleman from Virginia (Mr. TOM DAVIS) has stated openly and consistently that he opposes this bill. At the same time he also made it clear to the Committee on Rules that he understood that a majority of the Committee on Government Reform, a bipartisan majority of the Committee on Government Reform, supported this



bill and that he would approve of the Committee on Rules going ahead, in effect. He would still oppose the bill, still does oppose the bill and always will oppose the bill as he has done because he has been very consistent on this issue.

But there was also a statement made as though we were, "we" being the Republican leadership as well as outside groups, trying to intimidate these poor western Members in the United States who were afraid of ads.

First, the gentlewoman from South Dakota (Ms. HERSETH), the gentleman from North Dakota (Mr. POMEROY), the gentleman from Texas (Mr. EDWARDS), people in tough races, actually believe in gun rights. That is why they are on the bill. It is demeaning to have their colleagues undermine them on the House floor and imply that the only reason they got in the bill was for political purposes. That is things like people from our side would say about people from their side. Their own side should not be saying that. Furthermore, the last I saw, the gentleman from Michigan (Mr. DINGELL), the gentleman from Pennsylvania (Mr. MURTHA), the gentleman from Missouri (Mr. SKELTON), the gentleman from Pennsylvania (Mr. KANJORSKI), the gentleman from Texas (Mr. ORTIZ), the gentleman from Texas (Mr. REYES) are not in tough races and they are not intimidated by outside groups.

This bill has 45 Democratic cosponsors in addition to the majority of the Republican Party. When we talk about bipartisan legislation, this is bipartisan legislation. The D.C. handgun ban has failed. It has failed miserably. This bill is demanded by the people of the United States. They wrote into their Members. Members from both parties got on this bill. This is a good rule, and I hope Members will support and pass this rule and pass the bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, it is unfortunate that I am here today to fight a closed rule on what will be one of the more tragic pieces of legislation that we try to pass through the House of Representatives. We have very important interests that are being ignored by this closed rule.

Guns are disproportionately killing our children in our cities and this law has no basis to be here in front of us today. DC has its own rules regulating purchasing and owning a gun, and we do not need to create legislation to usurp their power and go against their interest.

We are drowned in rhetoric saying that a Member of Congress who does not think handguns should be floating freely on our streets is someone who is anti-gun and wants to take our hunting rifles away. That is not this bill before us. You can keep your hunting rifles, you can keep your loaded guns in your business, but you do need some semblance of order on the street, where a small, innocent mistake encounter can turn into a massive bloodbath once guns are used instead of words.

Right now, DC's local laws do not prevent law abiding citizens from owning a firearm. Since 1976, District residents have registered over 100,000 firearms (mostly rifles and shotguns) with the Metropolitan Police Department (MPD).

Study after study is showing that guns protect very few at home and result in thousands of Americans killed in family and acquaintance quarrels, domestic violence and suicides. Guns obtained legally end up as weapons in domestic or neighborhood quarrels. Is this what we want in our neighborhoods? What is wrong with the mentality that it takes guns to solve problems and make people feel safe?

As a member of the House Select Committee on Homeland Security, we need to be doing everything we can to keep the men and women who protect the nation's capital out of harm's way. The nation's capital is under an orange alert.

Placing more unregulated guns in the streets of DC undermines homeland security measures. Why must we compromise our own homeland security efforts by bringing more handguns to the streets? Where are our priorities?

I have been collaborating with my colleague and good friend from the District of Columbia, Congresswoman ELEANOR HOLMES NORTON. She can echo that DC's current firearm laws are working. 97% of all guns used in crimes in DC originate outside of DC and 59% of traceable guns were first purchased in Maryland and Virginia. In addition, 8% of traceable guns were bought in North Carolina, Florida, Georgia and South Carolina. It is a travesty that her concerns are being ignored, both by the House Rules committee and by the larger body.

As legislators, we must take our role in as decision makers very seriously. This includes knowing when we have overstepped our bounds. Please, listen to the people of DC to hear if they want guns on their streets.

Mr. HASTINGS of Washington. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### REMOVAL OF MEMBER AND APPOINTMENT OF MEMBER TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

THE SPEAKER pro tempore (Mr. LATHAM). Pursuant to clause 11 of rule I, the Chair announces the Speaker's removal of the gentleman from New York (Mr. BOEHLERT) from the Permanent Select Committee on Intelligence and pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of December 8, 2003, appointed the gentleman from Missouri (Mr. BLUNT) to fill the existing vacancy thereon.

#### APPOINTMENT OF CONFEREES ON H.R. 4520, AMERICAN JOBS CREATION ACT OF 2004

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4520) to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and pro-

ductive both at home and abroad, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT CONFEREES OFFERED BY  
MR. NEAL OF MASSACHUSETTS

Mr. NEAL of Massachusetts. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Neal of Massachusetts moves that the managers on the part of the House, on the disagreeing votes of the two Houses to the Senate amendment to H.R. 4520, be instructed as follows:

1. The House conferees shall be instructed to include in the conference report an effective rate reduction for income from production activities in the United States, and such an effective rate reduction—

A) shall be provided in the form of a deduction as in the Senate amendment, and shall not be provided in the form of a corporate rate reduction, as in the House bill,

B) shall be available to all businesses (including farmers, farm co-operatives, subchapter S corporations, and other unincorporated businesses) engaged in U.S. production activity as in the Senate amendment,

C) shall include the provisions of the Senate amendment that adjust the size of the effective rate reduction based on the respective portions of the taxpayer's business in the United States and overseas in order to provide the largest effective rate reduction for businesses that have not moved operations offshore, and

D) shall include the provisions of the Senate amendment (not included in the House bill) that ensure that the rate reduction will not be available for income attributable to cost savings resulting from purchasing imported parts or outsourcing labor overseas.

2. To the maximum extent possible within the scope of conference, the House conferees shall be instructed to not include any increase in tax benefits for the overseas operations of multinationals.

3. The House conferees shall be instructed to develop a conference report that will not increase the federal deficit in either the short or long term. In doing so, the House conferees also shall be instructed:

A. To include in the conference report the provisions of the Senate amendment that eliminate tax benefits for companies that reincorporate overseas, and the provisions of the Senate amendment that restrict corporate tax avoidance transactions, including codification of the economic substance doctrine and the provisions directly targeted at transactions utilized by the Enron corporation, and

B. Shall drop the provision of the House bill that provides for private collection of Federal tax liabilities.

4. The House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees, and the House conferees shall file a conference report consistent with the preceding provisions of this instruction at a time permitting passage before the adjournment before the election.

Mr. NEAL of Massachusetts (during the reading). Mr. Speaker, I ask unanimous consent that the motion to instruct be considered as read and printed in the RECORD.

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