

# DISTRICT OF COLUMBIA PERSONAL PROTECTION ACT

Mr. SOUDER. Mr. Speaker, pursuant to House Resolution 803, I call up the bill (H.R. 3193) to restore second amendment rights in the District of Columbia, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 803, the bill is considered read for amendment.

The text of H.R. 3193 is as follows:

H.R. 3193

*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 "District of Columbia Personal Protection Act".

## SEC. 2. CONGRESSIONAL FINDINGS.

Congress finds the following:

(1) The Second Amendment to the United States Constitution provides that the right of the people to keep and bear arms shall not be infringed.

(2) The Second Amendment to the United States Constitution protects the rights of individuals, including those who are not members of a militia or engaged in military service or training, to keep and bear arms.

(3) The law-abiding citizens of the District of Columbia are deprived by local laws of handguns, rifles, and shotguns that are commonly kept by law-abiding persons throughout the rest of the United States for sporting use and for lawful defense of persons, homes, and families.

(4) The District of Columbia has the highest per capita murder rate in the Nation, which may be attributed in part to local laws prohibiting possession of firearms by law-abiding persons who would otherwise be able to defend themselves and their loved ones in their own homes and businesses.

(5) The Federal Gun Control Act of 1968, as amended by the Firearms Owners' Protection Act of 1986, and the Brady Handgun Violence Prevention Act of 1993, provide comprehensive Federal regulations applicable in the District of Columbia as elsewhere. In addition, existing District of Columbia criminal laws punish possession and illegal use of firearms by violent criminals and felons. Consequently, there is no need for local laws which only disarm law-abiding citizens.

(6) Legislation is required to correct the District of Columbia's law in order to restore the rights of its citizens under the Second Amendment to the United States Constitution and thereby enhance public safety.

## SEC. 3. REFORM D.C. COUNCIL'S AUTHORITY TO RESTRICT FIREARMS.

Section 4 of the Act entitled "An Act to prohibit the killing of wild birds and wild animals in the District of Columbia", approved June 30, 1906 (34 Stat. 809; sec. 1-303.43, D.C. Official Code) is amended by adding at the end the following: "This section shall not be construed to permit the Council, the Mayor, or any governmental or regulatory authority of the District of Columbia to prohibit, constructively prohibit, or unduly burden the ability of persons otherwise permitted to possess firearms under Federal law from acquiring, possessing in their homes or businesses, or using for sporting, self-protection or other lawful purposes, any firearm neither prohibited by Federal law nor regulated by the National Firearms Act. The District of Columbia shall not have authority to enact laws or regulations that discourage or eliminate the private ownership or use of firearms."

## SEC. 4. REPEAL D.C. SEMIAUTOMATIC BAN.

Section 101(10) of the Firearms Control Regulations Act of 1975 (sec. 7-2501.01(10), D.C. Official Code) is amended to read as follows:

"(10) Machine gun means any firearm which shoots, is designed to shoot, or can be readily converted or restored to shoot automatically, more than 1 shot by a single function of the trigger."

## SEC. 5. REPEAL REGISTRATION REQUIREMENT.

(a) IN GENERAL.—Section 201(a) of the Firearms Control Regulations Act of 1975 (sec. 7-2502.01(a), D.C. Official Code) is amended by striking "any firearm, unless" and all that follows through paragraph (3) and inserting the following: "any firearm described in subsection (c)."

(b) DESCRIPTION OF FIREARMS REMAINING ILLEGAL.—Section 201 of such Act (sec. 7-2502.01, D.C. Official Code) is amended by adding at the end the following new subsection:

"(c) A firearm described in this subsection is any of the following:

"(1) A sawed-off shotgun.

"(2) A machine gun.

"(3) A short-barreled rifle."

## SEC. 6. REPEAL HANDGUN AMMUNITION BAN.

Section 601 of the Firearms Control Regulations Act of 1975 (sec. 7-2506.01, D.C. Official Code) is repealed.

## SEC. 7. RESTORE RIGHT OF SELF DEFENSE IN THE HOME.

Section 702 of the Firearms Control Regulations Act of 1975 (sec. 7-2507.02, D.C. Official Code) is repealed.

## SEC. 8. ADDITIONAL REPEALS.

Sections 202 through 211 of the Firearms Control Regulations Act of 1975 (secs. 7-2502.02 through 7-2502.11, D.C. Official Code) are repealed.

## SEC. 9. REMOVE CRIMINAL PENALTIES FOR POSSESSION OF UNREGISTERED FIREARMS.

(a) IN GENERAL.—Section 706 of the Firearms Control Regulations Act of 1975 (sec. 7-2507.06, D.C. Official Code) is amended—

(1) by striking "that:" and all that follows through "(1) A" and inserting "that a"; and

(2) by striking paragraph (2).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to violations occurring after the 60-day period which begins on the date of the enactment of this Act.

## SEC. 10. REMOVE CRIMINAL PENALTIES FOR CARRYING A PISTOL IN ONE'S DWELLING OR OTHER PREMISES.

(a) IN GENERAL.—Section 4(a) of the Act of July 8, 1932 (47 Stat. 651; sec. 22-4504(a), D.C. Official Code) is amended—

(1) in the matter before paragraph (1), by inserting "except in his dwelling house or place of business or on other land possessed by that person, whether loaded or unloaded," before "a pistol"; and

(2) by striking "except that:" and all that follows through "(2) If the violation" and inserting "except that if the violation".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to violations occurring after the 60-day period which begins on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to House Resolution 803, the amendment printed in House Report 108-707 is considered adopted.

The text of H.R. 3193, as amended pursuant to House Resolution 803, is as follows:

H.R. 3193

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2502.01, D.C. Official Code) is amended by adding at the end the following new subsection:

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(1) by striking “that:” and all that follows through “(1) A” and inserting “that a”; and

(2) by striking paragraph (2).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to violations occurring after the 60-day period which begins on the date of the enactment of this Act.

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(a) IN GENERAL.—Section 4(a) of the Act of July 8, 1932 (47 Stat. 651; sec. 22—4504(a), D.C. Official Code) is amended—

(1) in the matter before paragraph (1), by striking “a pistol,” and inserting the following: “except in his dwelling house or place of business or on other land possessed by that person, whether loaded or unloaded, a firearm,”; and

(2) by striking “except that:” and all that follows through “(2) If the violation” and inserting “except that if the violation”.

(b) TREATMENT OF CERTAIN EXCEPTIONS.—Section 5(a) of such Act (47 Stat. 651; sec. 22—4505(a), D.C. Official Code) is amended—

(1) by striking “pistol” each place it appears and inserting “firearm”; and

(2) by striking the period at the end and inserting the following: “, or to any person while carrying or transporting a firearm used in connection with an organized military activity, a target shoot, formal or informal target practice, sport shooting event, hunting, a firearms or hunter safety class, trapping, or a dog obedience training class or show, or the moving by a bona fide gun collector of part or all of the collector's gun collection from place to place for public or private exhibition while the person is engaged in, on the way to, or returning from that activity if each firearm is unloaded and carried in an enclosed case or an enclosed holster, or to any person carrying or transporting a firearm in compliance with sections 926A, 926B or 926C of title 18, United States Code.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring after the 60-day period which begins on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to House Resolution 803, the gentleman from Indiana (Mr. SOUDER) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 30 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

#### GENERAL LEAVE

Mr. SOUDER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3193, and to include extraneous material thereon.

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

There was no objection.

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

Today, we will be debating a bill that will go a long way in protecting the constitutional rights of the residents of the District of Columbia.

As all may know, currently in Washington, D.C., citizens are prevented from owning any handgun at all. I am bringing before you today a bill 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.

In 1976, 2 years after Congress had granted the District of Columbia home rule, the D.C. City Council passed a bill which repealed the handgun ban in the District. The handgun ban actually arrested progress. In the 5 years before 1976, when the handgun ban was put into effect, the murder rate in the District of Columbia had fallen to 27 per 100,000 from 37 per 100,000, according to researchers at the American Enterprise Institute. Five years after the ban, the murders had climbed back to 35 for every 100,000 residents. From that point, it became worse.

In the 13 years between 1987 and 2000, D.C. earned the dubious distinction as the murder capital of the United States. In 2002, it once again had the highest murder rate per 100,000 residents, making it the murder capital of the United States 14 of the last 15 years.

There have been a lot of misunderstandings and miscommunication about what this bill does and does not do. So I will address the bill's provisions in the order in which they appear in the bill.

First, the bill prohibits the District from prohibiting residents from possessing a firearm that is legal for them to possess under Federal law, while still maintaining the Federal ban on private possession of any firearm regulated by the National Firearms Act.

Second, the bill would bring the District's definition of a machine gun into conformity with Federal law and the laws of the States. Currently, the District defines the term machine gun to include firearms that fire only one shot when the trigger is pulled. That is not what a machine gun is, of course. A machine gun fires repeatedly when the trigger is pulled and held back. The District's definition is simply factually incorrect, and this bill will perform the necessary correction.

Third, the bill eliminates the District's firearms registration requirement and, logically, eliminates the penalty for the possession of an unregistered firearm. This does not, however, in any way change the Federal requirement that firearm dealers maintain records of firearm sales. Dealers will still be required to maintain Federal forms which identify the purchasers of firearms by name, address, date and place of birth, and other factors.

Fourth, the bill eliminates the District's ban on private possession of handguns and handgun ammunition.

Fifth, the bill eliminates the District's ban on the use of firearms for protection at home. Currently, the District prohibits a person from having even a lawfully owned firearm at home, loaded and assembled, and unlocked.

While some States have laws designed to have people keep firearms secured in a similar fashion when they are unattended, the District's law requires people to keep firearms unloaded and disassembled or locked even if a violent criminal is attacking them in their homes.

The U.S. Constitution, the constitutions of 44 States, Federal law, and the laws of all 50 States, and the vast majority of Americans recognize the right to use firearms for personal protection. Only the District of Columbia prohibits a person from having a firearm assembled and loaded at home for the purpose of self-defense.

That is why 229 Members of this body are not supporters of the bill, they are cosponsors of this bill. Forty-four of the cosponsors are Democrats. This is truly bipartisan legislation that has come up from the demands of the American people.

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

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

Mr. Speaker, I am compelled to begin by noting the ludicrous logic on which this debate has already begun. The gentleman from Indiana (Mr. SOUDER), the prime sponsor, has just argued that gun safety laws cause murders by arguing the fallacious notion of causation. I am embarrassed for the statement.

Mr. Speaker, in my nearly 14 years in Congress, I have come to regard Members not only as colleagues but as friends. At the same time, I have seen various Members of Congress try to do some low-down, dirty, mean things to the people of the District of Columbia, all to promote their own political agendas against the will of the people who live here.

This bill to repeal the city's gun safety laws, when child gun killings have sharply increased, scrapes the bottom of the lowest level yet. As citizens, we in the District of Columbia do not take attacks on our all-American right to self-government lying down. I am grateful that these attacks occur less frequently today, and am particularly grateful to the appropriators who have

discouraged the use of the D.C. appropriation for such attacks.

Congress has seen that we are prepared to fight and fight hard, with D.C. appropriation fights in the past sometimes lasting 8 to 10 hours, with vetoes of our appropriation that we encourage to compel changes. And Congress has seen that we are always prepared to take the fight to the home district of a Member to let his own constituents know that their Member is taking time from their concerns to mettle in the local business of a local jurisdiction far from home.

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Notwithstanding prior fights on D.C. matters, the attempt to repeal our gun safety laws is a brand new low for this body. That we are here discussing this matter is yet a new low. Repeal shows special contempt for the people who live here because the city has sharply reduced its homicide rate, now at a 20-year low, down almost 25 percent this year alone, and down 55 percent since the assault weapon ban and the Brady bill were passed in 1994. At the same time, the city is heartbroken that 16 children have been killed by gunfire, more than in any recent year.

Repeal advocates claim they want guns here to help people protect themselves. Can repeal help the children killed by guns in increasing numbers here in the Nation's Capital to protect themselves?

Mr. Speaker, I include for the RECORD the 16 names of the children killed by gunfire this year, and an article on Chelsea Cromartie, the youngest of these children.

#### MORE GUNS MEAN MORE CHILDREN DYING

Robert Adams, 16; Chelsea Cromartie, 8; Devaun Drayton, 17; Javon Gaskins, 16; Timothy Hamilton, 15; Jahkema Hansen, 14; Antoine Holroyd, 16; Myesha Lowe, 15; David Morris, 16; James Richardson, 17; Michael Simms, 17; Franklin Smith, 17; Wardell Smith, 17; Michael Swann, 13; Roderick Valentine, 16 and Ashley Walker, 16.

D.C. Homicides Down 24% this year but, more children slain by guns in the first 5 months of this year than in all of last year and more than in any recent years.

Save Our Children.

[From the Washington Post, May 16, 2004]

#### OUTRAGE SPEEDED PROBE OF KILLING CHELSEA'S DEATH GALVANIZED POLICE (By Del Quentin Wilber)

The killing of 8-year-old Chelsea Cromartie generated a powerful response from the D.C. police. While homicide investigators worked the streets, teams of officers passed out fliers and set up roadblocks in an exhaustive search for witnesses. Top officials appealed for help and boosted a reward for clues.

Aided by a tip, police identified two suspects within a week of the Northeast Washington shooting. The police work drew praise from neighborhood leaders and fulfilled a promise made by top officials that they would catch whoever fired the bullets that missed their targets and flew into the home that Chelsea was visiting May 3.

Not every homicide in the District commands so much attention. In a city that is struggling with one of the nation's highest homicide rates, police must make difficult

decisions about how to deploy resources. Witnesses frequently are difficult to locate and, even when found, sometimes refuse to give information. This year, police say, the homicide clearance rate is less than 60 percent.

Commanders and former top officers said they must assess a variety of factors after each killing—from the type of crime and the victim's history to how readily witnesses will help them. Although police insist that they investigate each homicide thoroughly, they said they often feel like battlefield surgeons performing triage.

The choices inevitably add to the grief of family members of victims whose crimes go unsolved.

Some D.C. Council members and victims' rights advocates said the department should use Chelsea's case as a model for future investigations by adding homicide detectives and offering bigger rewards. It is not fair, they said, that some slayings get more attention than others.

"Should one murder be more important than another murder?" asked Kenneth E. Barnes Sr., whose son was slain in September 2001. "I don't think so."

Barnes's son, Kenneth Barnes Jr., 37, was a well-known shop owner on U Street NW who was killed during an apparent robbery attempt. The killer was sentenced to prison in that case. Barnes has since attempted to aid the families of other victims by creating a nonprofit group called Reaching Out to Victims Together.

Kami Emanuel's fiancé, Derrick Taylor, was killed about 6:45 a.m. May 9 in Northeast Washington. She said detectives appear to be working hard but wondered why they have not raised the reward, now up to \$25,000, in the case.

"A murder is a murder," said Emanuel, 27. Police Chief Charles H. Ramsey said the department takes every killing seriously. He said he did not hesitate to focus so heavily on Chelsea's case. The third-grader was shot in the head while watching television in her aunt's home, and her aunt was wounded by another of the stray shots that came through the living room window.

The community was outraged, Ramsey noted, with scores of people attending a candlelight vigil and dozens calling police with tips. The killing became the lead story on local television broadcasts and was front-page news. Ramsey said police believed that they had a solid chance at solving the case if they acted aggressively, and they did not want to let any leads slip past them.

"It was hot," Ramsey said. "Not every case generates that kind of interest."

The nature of the crime and Chelsea's age attracted community attention and sympathy that helped fuel the urgency to solve the case. Detectives and other officers also could imagine their own daughter dying in such a senseless way, police officials said.

"Some cases, you don't have to ask guys to come forward and work," said lawyer W. Louis Hennessy, former commander of the D.C. homicide unit. "These are unique cases. The guys take it upon themselves to go the extra mile."

Last summer, as the department was under pressure as homicides spiked, Ramsey raised the rewards offered in homicide cases from \$10,000 to \$25,000 per victim. In Chelsea's case, the department swiftly doubled it to \$50,000. The amount eventually reached \$75,000 after a private contribution.

The donation came from William E. Schuling, a Michigan resident and chairman of Brown's Automotive Group, which has dealerships in the Washington area. He pledged \$225,000 more to help police solve other slayings of children. "Nothing is more sickening or despicable to me as when some-

one kills an innocent child," he wrote in a letter to Ramsey.

Ramsey said officers and investigators were added to deal with the high volume of calls and leads about Chelsea's slaying. One crucial tip helped lead to the arrests of brothers Raashed and Ricardo Hall, who were charged with first-degree murder.

Community pressure and an all-out blitz by police are hardly guarantees that cases will be solved quickly. It took police nearly two years to solve the 1997 triple slaying at a Starbucks coffee shop in Georgetown. It took nearly a year to make arrests in the April 2003 slayings of three employees at Colonel Brooks' Tavern. And the slaying of former intern Chandra Levy remains unsolved three years after she disappeared.

Police received scores of tips in all three of those investigations. But such community interest in homicides—the city recorded 248 killings last year—is not common, detectives say.

Last year, Ramsey released a surveillance tape that showed a daylight killing at a Northeast Washington gas station—and witnesses doing nothing to report the crime or assist the victim. The killing of Allen E. Price remains unsolved.

Police detectives tell countless stories about uncooperative witnesses, even relatives who saw their loved ones killed but won't point out the killer. In some cases, witnesses fear they will be targeted. Police and prosecutors said that witness intimidation has been a long-standing obstacle to solving crimes.

Also, police said, friends of some victims would rather avenge killings on their own than help officials.

Investigators said they often identify suspects only to stumble when trying to persuade witnesses to come forward.

Two days before Chelsea was slain, D.C. police were called to investigate a midafternoon killing in a Southeast Washington housing complex. Detectives quickly discovered evidence that pointed to a gun battle: Shell casings from at least four weapons littered the street.

Scores of residents watched as technicians and detectives scouted for evidence, recalled Lt. Guy Middleton of the violent crime unit. Yet despite the public nature of the gunfight in the Barry Farm complex and detectives canvassing and re-canvassing the neighborhood, no one came forward with information, Middleton said. The slaying of Antonio Blakely, 18, who lived in another part of town, remains unsolved.

"It's frustrating," said Middleton, a veteran homicide investigator and supervisor. "The people continued to stand there when the police arrived. All were out there when it happened."

D.C. Council member Kathy Patterson (D-Ward 3), chairman of the Judiciary Committee, said police could do more in solving homicides. She said officials should add more detectives and resources for investigations. "Every case should have the kind of tenacity and commitment" that the Chelsea case did, Patterson said.

But some former police officials said that certain killings—such as Chelsea's—demand more attention.

"There is something exceptional about this homicide," said Isaac Fulwood Jr., the District's police chief from 1989 to 1993, comparing the handling of the case to how officers work round-the-clock to solve the killing of fellow officers.

"You can't shoot 8-year-old girls sitting in their house watching television," Fulwood said. "Everybody was fired up by this little 8-year-old girl. I don't care what you have to stop doing, you have to get on this homicide. That is the reality of it."

Mr. Speaker, more guns in the Nation's Capital is a new low because it makes a mockery of our congressional obligation and of our actions to secure the Nation's Capital against terrorism. Only Washington, D.C. and New York City are under an orange alert. No car can travel on the streets approaching the Capitol without getting in check-point lines for police to inspect the inside of the car. So terrified were Capitol Police of possible terrorism that they rushed to put permanent 19th century approaches in place, including closing the only major street leading to the transportation hub of the region, Union Station.

Encouraging guns, including fully-loaded handguns and military-style assault weapons that will soon make their way to the Nation's Capital as we struggle under an orange alert would disgrace the Nation here and around the world. Creating a new and expanded gun culture here in the midst of an orange alert is an act of reckless irresponsibility.

If Members vote for H.R. 3193, Members are voting to repeal not only D.C.'s handgun ban, but also its ban on military-style assault weapons. Upon repeal, a loaded AK-47 or a Bushmaster, like the one used in this region in the infamous 2002 attack by the snipers that killed 10 residents in Virginia, Maryland, and D.C. and injured 5 others, this weapon could be kept here in homes, fully loaded, in workplaces, in businesses.

D.C. Police Chief Charles Ramsey warns that these guns would make their way so quickly to the streets they would not have enough men and women to confiscate them all, even though they have confiscated record numbers this year. And he said yesterday when he came here to specially plead against this bill that this bill would increase gunfires in the streets of the Nation's Capital and drive-by shootings.

Astonishing, if Members vote for H.R. 3193, Members will be voting to allow children under 18 years of age to own semiautomatic and assault weapons. This year, the very year that 16 children have died from gunfire, the year dominated in the local news by grieving for children killed by guns, Members will be voting to allow people to carry guns who have been declared by a court to be chronic alcoholics or to have negligently killed someone with a gun.

If Members vote for H.R. 3193, Members will be voting to repeal a requirement that gun owners notify police if guns have been stolen or lost. Surely at a time when guns are being used by kids to kill kids here, it should be a requirement of citizenship to at least warn the police that a gun has fallen into the hands of criminals.

A vote for repeal is a vote against the requirement that handguns and semiautomatic weapons be kept locked away from children. That is pathetic, Mr. Speaker. A vote for repeal is a vote

for a provision in the bill that is an earmark of its extremism. Local officials would not be allowed to even discourage private ownership of handguns and assault weapons.

Although the present D.C. gun law has been held to be constitutional by Federal and local courts, the gentleman from Indiana (Mr. SOUDER) and his allies nevertheless persist in citing the second amendment as the *raison d'être* for this bill. Therefore, I invite the gentleman from Indiana (Mr. SOUDER) and other proponents to divert some of their attention from the second amendment to the first. Despite their efforts, they will not be able to keep me, Mayor Williams, or School Superintendent Clifford Janey or other residents from discouraging the use and ownership of weapons.

The Constitution may allow the gentleman from Indiana (Mr. SOUDER) to deny me a vote this very day on this bill that affects only the people I represent in the District of Columbia, but the gentleman cannot silence me or anybody else in the District on the matter of guns or on any other matter. The insult to American principles of self-government and home rule is too obvious and painful to belabor.

This bill is the best argument for home rule. We see in this bill why local control is a core principle of American citizenship. As a people, we stand for the proposition that local matters are for local people. No matter is more local than public safety close to home. No one is in a better position to write laws about safety in the homes, the workplaces, the businesses and the streets of the local jurisdiction than those who must live under those laws 24-7.

This bill, we are told, has the paternalistic purpose of allowing the poor, ignorant, elected officials and people of the District of Columbia to protect themselves. Thank you very much, presumably because we are lesser beings who do not even have enough sense to figure out the most basic of principles concerning their own public safety. What we cannot figure out is how gun safety repeal would have enabled Chelsea Cromartie, 8 years old, a third grader, to have protected herself from the stray bullet that killed her, although she was inside in the living room of her own aunt.

This bill has gathered residents into a tight no-repeal coalition from businesses in the Greater Washington Board of Trade to parents whose kids were killed as bystanders near their schools. Trying to make the case for this bill on the basis of self-defense is to dance on the graves of Chelsea Cromartie and 15 other defenseless children killed by gunfire this year. We in the District of Columbia refuse to dance with you.

Mr. Speaker, in the name of the children of this city, who are at the greatest risk if this bill passes, we simply alert Members we will fight you now, we will fight you until the end, and

then for this child and for other children in this city, we will get up and fight you some more.

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

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

Mr. Speaker, facts are stubborn things, and the fact is that today D.C.'s murder rate is still 8 times higher than the national average.

Mr. Speaker, I yield 2½ minutes to the gentleman from Tennessee (Mr. WAMP).

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

This is an emotionally charged issue and I can understand why. I think it is important, though, that we adhere to the facts. The gentlewoman from the District of Columbia (Ms. NORTON) used the words "fallacious" and "ludicrous." It is ludicrous to suggest that if we had a gun ban all across the country, that the bad guys would not have guns and that the good guys would then be better off. It is ludicrous to suggest that bad guys that do not honor the law are not going to always have guns in this society.

It is fallacious to insinuate to people that somehow they are going to be safer if you ban guns. There are no facts to back that up. Gun control does not work. I am not interfering in the District of Columbia, that is a fact everywhere in this country. Gun control does not work. There is no science to show that it works. As a matter of fact, what the truth is that when we control guns, the bad guys have plenty, and there is a gun culture, and the good guys cannot defend themselves.

In the State of Tennessee, my father-in-law has a right to carry, and our family is safer because he does. We are in a new world. The last time that 3,000 innocent American lives were lost on September 11, guns were not used. Airplanes and fuel was. It was the most destructive, violent act in our country's history in this homeland. Guns were not there. I do not know what is next, but I think people have a right to defend themselves, and gun control simply does not work. Public policy should not be based on emotion, and this is emotionally charged. It should be based on science, facts, logic, and the truth. The truth is this policy does not work.

I just came back from Africa. I was in Dar es Salaam and Johannesburg; dangerous cities. Interestingly, they remind me that the city I work in here is more dangerous than the cities there. Let us be honest about this, and let us rise above the emotion. Gun control does not work anywhere, including the District of Columbia.

Ms. NORTON. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. WAXMAN), the ranking member of the full committee with jurisdiction over this bill.

□ 1315

Mr. WAXMAN. Mr. Speaker, I rise in opposition to this bill. The other side

would have you believe that they want to repeal legislation in the District of Columbia to stop handguns. But that is not what this bill does. This bill repeals the District's laws on assault weapons. I want to show a chart, if I might, because one of the assault weapons that would be made legal if this bill passes is a semiautomatic 50-caliber sniper weapon. This is its actual size. It is capable of taking out an armored limousine from a mile away. Can you imagine that in the District of Columbia someone could have this assault weapon and stick it out of a window on Pennsylvania Avenue? We have people coming in and out of this city who are very important to the functioning of our government, international visitors. Yet they could own and possess this weapon if the legislation before us passes.

We are spending millions of dollars to protect the Nation's capital from another terrorist attack, yet we are passing legislation today that would invite terrorists to bring assault weapons into the heart of the Nation's capital.

There is a real irony. There are committees that are meeting today to pass different parts of legislation based on the recommendations of the 9/11 Commission. Those recommendations were to make our Nation safe from terrorist attacks. Yet in this bill we are telling terrorists that it is okay for them to have assault weapons when they visit the Nation's capital.

We are under an orange alert because someone working with al Qaeda took photos of the World Bank, the IMF, and other buildings in D.C. Think of the damage that person could have done if he or she had a 50-caliber sniper weapon instead of a camera. Two years ago, this city, this whole region was gripped with fear when a sniper systematically stalked and killed 10 people. The gun he used was the Bushmaster XM-15 assault rifle. Along with AK-47s and Uzis, the Bushmaster assault rifle is one of the guns that this bill would legalize.

The vast majority of the people in this Nation support the Federal ban on assault weapons. Even the President said he supported the continuation of the assault weapons ban, but we could not even bring it up for a vote in the House of Representatives. Instead, the Republican leadership in the House has brought up to the House floor legislation that makes assault weapons legal in the Nation's capital. I wonder if they are going to get around to mandating that each Member of Congress buy an assault weapon rather than ban it all around this Nation.

This bill is being rushed to the floor to score political points with the NRA. The bill is an abomination. I urge my colleagues to defeat it.

Mr. SOUDER. Mr. Speaker, it would be illegal to shoot such a weapon now,

and it would continue to be illegal to shoot such a weapon at an armored truck or anybody else under my legislation.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. HOSTETTLER).

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

Mr. HOSTETTLER. I thank the gentleman for yielding me this time and commend him on his legislation that I am speaking in support of.

Mr. Speaker, those of us who have the honor of serving in Congress are in good hands. In the Capitol, in our office buildings, for several blocks in each direction, we enjoy the protection of the Capitol Police, the Park Police, the Secret Service and the Metropolitan Police. Though they represent different law enforcement agencies, these officers all have one thing in common, they all carry guns. So why is it that residents of Washington, D.C. are forbidden from protecting their families in this same fashion?

The D.C. police, though hardworking, do not have the resources to set up a perimeter around neighborhoods the way they do for us. In reality, D.C. police usually respond after a crime has been committed. Yet D.C. residents are forbidden by law from defending themselves.

As many residents of Indiana and Virginia and Texas and Florida and Vermont know, a firearm is an effective deterrent against crime. Even the threat of a firearm can frighten off a criminal. John Pena, born, raised and currently living with his family in southeast Washington, D.C., about 13 blocks from here, was at home recovering from eye surgery a couple of years ago when he heard a noise downstairs. Despite his severely blurred vision, he investigated and found a burglar in his living room. Mr. Pena is a Navy veteran and served in Vietnam, but he was in no condition to confront this criminal. So thinking quickly, Mr. Pena called upstairs to his retired father, "Dad, get the gun." Mr. Pena was bluffing and I do not want to suggest that he had then or has today a firearm in his residence. But at the mention of a gun, the thief turned and ran out the back door in such a hurry he neglected to open the storm door, cutting himself as he crashed through it.

Mr. Speaker, we feel secure here on the Capitol grounds knowing we are protected by men and women with guns. Tens of thousands of my constituents in Indiana also keep their families safe with the presence of a gun. It seems to me that a criminal's dream would be a city where law-abiding citizens are disarmed. Preventing these law-abiding citizens, our fellow Americans of Washington, D.C., from enjoying the same protections the rest of us enjoy is unsafe and unfair.

Ms. NORTON. Mr. Speaker, I take the gentleman's suggestion that we can scare criminals away by yelling "gun" but not that we have guns in our own homes fully assembled, loaded and ready to go.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. HARMAN).

Ms. HARMAN. Mr. Speaker, have we become unhinged in this House? The business that most of us are engaged in all day today and the business that we will be engaged in all next week is trying to pass responsible reforms to implement the recommendations of the 9/11 Commission, recommendations intended to make us safer. While we do this, hopefully on a bipartisan basis, we are debating today a wedge issue designed to make the people who live in the District of Columbia, the Members of Congress, and our families less safe.

Let us understand what we are talking about here. I am reading from the description of this bill. We are repealing the ban on semiautomatic weapons, we are eliminating criminal penalties for possessing an unregistered firearm, and we are amending Federal law to eliminate criminal penalties for carrying a pistol whether loaded or unloaded.

This is incredible, Mr. Speaker. I am astonished that this House would even spend 2 seconds on this issue. Maybe this is good rhetoric in somebody's campaign, but it is bad policy for the United States of America. Shame on this House for wasting time on this bill. I strongly oppose it.

Mr. SOUDER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), a distinguished member of the Subcommittee on Criminal Justice of the Committee on Government Reform.

Mrs. BLACKBURN. Mr. Speaker, I rise in support of the legislation that is offered by my colleague from Indiana. The gentlewoman from the District urged us to respect her and the District residents where the city's gun laws are concerned, and I trust that she will be pleased to know that is exactly what this bill proposes to do. This is because right now residents of the District do not have an option. The law prohibits them from using a firearm to defend themselves and their families in their own homes and it prohibits them from acquiring handguns and other guns whether for defensive, sporting, hunting, or recreational purposes. This bill will give them an option by taking those prohibitions away.

If anyone from the District does not want to have a gun in their home for protection, they will not be required to do so. If they do not want to use a gun for target practice, recreation, hunting sports, they are not required to do so.

The only purpose of the bill is to give people an option, to let them decide whether to have a gun for protection or any other of the legitimate uses.

If no one in the city steps up to buy a gun, then that is fine, because it is their decision. I suspect, though, that many of my colleagues realize that there will be quite a few law-abiding Washingtonians who will want to exercise their individual right to arms and their right to engage in shooting sports and recreation as millions of Americans do. This bill protects their rights.

Ms. NORTON. Mr. Speaker, for the information of the gentlewoman, 100,000 guns are registered in the District of Columbia. We encourage people to use rifles for sports.

Mr. Speaker, I am pleased to yield 1½ minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague from the District of Columbia for yielding me this time.

Mr. Speaker, I rise in strong opposition to this bill. Our troops are struggling in Iraq. The budget deficit is at an all-time high. The Republican-led Congress has failed to finish its work on the budget, on appropriations bills, the highway bill, all of the legislation vital to keeping our country going, and the response from the Republican leadership? Pass a bill repealing gun laws in the District of Columbia.

Mr. Speaker, this is a bad bill on its own merit and an affront to the citizens of Washington, D.C. The citizens of this District have the right to enact laws to make their neighborhoods safer without interference from the Congress and the NRA. This is election-year politics practiced at the expense of District residents who do not even have a vote in the House or the Senate.

Mr. Speaker, the fight against terrorism is a focus of this Presidential campaign, as it should be, and the fight against terrorism is a given in our daily lives. We live in a time of high alerts. Checkpoints now ring this Capitol. Yet passage of this bill into law would certainly not aid in our war against terrorism. It would in fact encourage proliferation of weapons in the immediate vicinity of the Capitol, the White House, the Supreme Court, and scores of Federal agencies and foreign embassies located throughout this city.

One would think that our congressional leadership would want us to support the policemen and -women who work to protect us and these institutions which are such national symbols, all of which present tempting targets for terrorists or the deranged.

But this legislation would undermine the efforts of our local law enforcement and put our police at even greater risk. It is an antipolice bill, abuse of congressional power, and an attempt to draw attention away from what we should be working on. I urge my colleagues to vote down this ill-conceived measure.

Mr. SOUDER. Mr. Speaker, I yield 2 minutes to the distinguished gentle-

woman from Colorado (Mrs. MUSGRAVE).

Mrs. MUSGRAVE. Mr. Speaker, I rise in support of this legislation. I learned a long time ago serving in the Colorado State legislature that criminals do not care about the laws we pass. They do not know who their Congressman is. They do not know who their Senators are. They do not have respect for law or lawmakers.

Right here in Washington, D.C., there are many things that we are extremely proud of. One of the things, though, that really is a blot is the infamous distinction as the murder capital of the world. I think that we need to give criminals who would commit heinous crimes in this District of Columbia pause. I think we ought to make them wonder whether or not an individual that they would harm, whether or not they are going to harm a family or try to rape a woman or murder someone, give them pause, let these criminals wonder if that individual might be able to defend themselves.

It is important when we think that businesses in this District, business owners can have guns on the premises, but individuals cannot have guns that are ready to use in their homes to protect their family. All of us know that our family members are more important to us than any material possession that we have. We need to give individuals in the District a right to defend themselves and we need to give these criminals that make this the murder capital of the world a doubt in their mind as to whether or not someone will be able to defend themselves.

Ms. NORTON. Mr. Speaker, I am pleased to yield 1¾ minutes to the gentlewoman from Indiana (Ms. CARSON).

Ms. CARSON of Indiana. Mr. Speaker, let me say how much I appreciate the Delegate from the District of Columbia for carrying on the good fight. It is ironic that this bill proposes to implement constitutional rights to the District of Columbia when in fact this body has not allowed the District of Columbia to have a voting Member of the United States Congress and voting Members of the United States Senate. This is a cruel hoax under the guise of a constitutional amendment.

I watched some of the hearing yesterday, and it was ironic. This bill was introduced a year ago. Since it was introduced, I thought it had gone to the mortuary and that rigor mortis had actually set in on it, and I was applauding it. But then I found out yesterday that it was just in a calling period where people could come by the pew, sign the book until you got over 200 signatures on the book, and then you get it out.

This bill also came out after this House celebrated the life of Ronald Reagan who was shot in this city, the District of Columbia. And I apologize to Mr. Brady who is still paralyzed from a bullet shot in this District. The President said he wants more minorities to join the party of Lincoln be-

cause he was the Great Emancipator. Lest we forget, Abraham Lincoln was assassinated, too, by a bullet. He was a Republican. Garfield was a Republican. He was assassinated.

We are so patronizing. We know what is best for the District of Columbia. The chief of police said they do not want the bill. The Mayor says he does not want the bill. The council does not want the bill. The newspapers had an editorial against the bill, and we are going to impose this anyway.

As we speak today, we are memorializing a police officer who came from the gentleman's district, Fort Wayne, Indianapolis, and was killed last week by a bullet. A month before that, we memorialized another police officer that was killed by a bullet, and I bet nobody on this bill ever visited one of the families of the grandmothers that were killed in this District.

This bill is one of the worst pieces of legislation that I have seen as a Member of this House, and I apologize to the grieving families for it.

□ 1330

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

One would think that the District of Columbia has a good record rather than eight times the national average, leading the Nation 14 of the past 15 years in the murder rate. As a former mayor said, "Other than the killings, their crime rate is not too bad." "Other than the killings" is a relevant thing here. We are trying to make sure honest citizens can protect themselves, not just the criminals.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. CARTER), a member of the Criminal Justice, Drug Policy and Human Resources Subcommittee, and a former judge.

Mr. CARTER. Mr. Speaker, I rise in support of this bill. I want to tell some stories. For 20 years, I tried cases. I tried felony criminal cases, drive-by shootings and other things which are the kind of stuff we read in the newspapers in D.C. every day, and I can say that the weapons that were used were acquired illegally and illegitimately, and the bad guys always had the chance to get their hands on guns. But the good guys that have guns deter crime.

We passed a right-to-carry permit in Texas after a deranged person walked into a Luby's Cafeteria in Texas and just began randomly shooting the diners in a crowded Luby's Cafeteria. As a result of that right-to-carry permit, which enhanced our laws in Texas, the amount of violent crime has fallen off about 40 percent with the use of handguns. And what is interesting, if that same person were to walk into a Luby's Cafeteria today, he would not know whether or not there might be anywhere from two to 15 armed persons in that place who could return fire, and it would deter him from doing so. And that is a proven fact.



The weapon that was shown today as an assault weapon, a semi-automatic rifle, I hunt with a semi-automatic rifle, and with the right cartridge, it will shoot through anything. But that is a perfectly legal and legitimate weapon. An automatic weapon that fires fully automatic is probably, as we speak, in the hands of someone who likes to do drive-by shootings in this town because the criminals will get their hands on fully automatic weapons, which are assault weapons and have been against the law in this country since the 1930s.

So the reality is, if we have a ban on guns, we ban those guns from the people who need to protect themselves.

Ms. NORTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. TOM DAVIS), chairman of the Committee on Government Reform.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today in opposition to H.R. 3193, and I respect the gentleman from Indiana's perspective on this issue. I think there is room in the House for disagreement. But my opposition is based on the legislation's blatant and potentially dangerous assault on home rule in the District of Columbia.

There is an appropriate place for debate on D.C.'s gun laws, and that place is the chambers of the District of Columbia Council, not the floor of the House of Representatives.

This bill repeals protections from gun violence that have been sought by the citizens of the District. It would end the city's ban on semi-automatic assault weapons, its ban on armor-piercing or "cop killing" ammunition, its requirement for gun registration. Even if we want to debate the merits of the gun laws, no one should question the importance of keeping fully loaded assault weapons off the streets of the Nation's capital.

Ninety-seven percent of all guns used in crimes in the District originate outside the District. Children in the Nation's capital are already at risk. This year, 21 young people in the District, all of them under 18 years of age, have been killed, most of them by gunshot. Our priority should be in reducing this disturbing rise in juvenile slayings, and I do not think this legislation helps.

The crime rate, by the way, in the city is going down. The police chief was quoted just last week as saying a 13 percent drop in overall crime this year, 24 percent reduction in homicides this year.

Proponents of this bill want to frame this debate in terms of the constitutionality of the District's law, but that is a straw man. Earlier this year, a U.S. District Court rejected constitutional challenge to the District's statute. This is a home rule fight. We do not allow the city a vote on the House floor, and now, we are taking away the rights of the Council and the elected mayor of the city to make decisions that they have made and will omit Oak

Park, Chicago, Evanston, Illinois. We are not touching those areas that have representation in this body. We are just dealing with the Nation's capital. For our system of federalism and democracy to work, States and localities need to be able to make their own decisions on these sorts of matters, even if some of us think they are bad decisions.

We are only here today because of Congress's plenary power over the District. This is a constitutional authority that is unfortunately occasionally abused as it is in this case.

I urge my colleagues to join me in voting "no."

Mr. SOUDER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Speaker, with all due respect to the chairman of the Committee on Government Reform, this is a constitutional argument, and I rise today to express my support for the D.C. Personal Protection Act, which would restore the second amendment rights for the residents of Washington, D.C.

This legislation will allow law-abiding citizens the right to own rifles, shotguns and handguns and permit the storage of these firearms in their homes. The District of Columbia, again, has been labeled the murder capital of America, and that is 14 of the past 15 years. And that is despite its current ban on guns. It is time we lift this ineffective law and bring back the constitutional rights of individuals who reside in our Nation's capital.

Under the current law, even legal handgun owners cannot carry them into their own homes or use illegal firearms to protect their life or property. In 2002, while this gun ban had been in effect for 25 years, Washington's homicide rate was five times higher than the national average. It is obvious the ban is not working.

The D.C. Personal Protection Act would eliminate criminal penalties for legal possession of firearms and repeal the ban on the possession of ammunition. If enacted, this legislation will simply afford residents the same self-defense as the rest of the country.

It is easy for my friends on the other side of the aisle and the editorial board of the Washington Post who live in affluent or safe neighborhoods to take aim at the personal freedoms of law-abiding citizens here in Washington, D.C., and many of them living in the southwest live in neighborhoods that have become battlegrounds where criminals run the streets. So it is time to give them the right to defend their lives, their personal property. Congress must take action and give that second amendment right back to the law-abiding citizens of Washington, D.C.

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

My law-abiding citizens in the southeast and everywhere else in the District of Columbia have not elected this

Member but only the Member before him. So I would appreciate the courtesy of his not telling me what the law-abiding citizens of the southeast want or need. They will get rid of me if I am doing the wrong thing today. They cannot touch him, unfortunately, if he does the wrong thing.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Speaker, when I listen to this debate and I hear everyone talking about giving the people of D.C. the right to protect themselves, we have seen crime deterred here in the D.C. area. We are seeing less gun violence here in the D.C. area. But, again, last night in the Committee on Rules, we tried to at least ban assault weapons in the D.C. area, large-capacity clips, killer bullets. Unfortunately, all those amendments were turned down.

We heard earlier from the other side of the aisle that we have all the security of the Capitol Hill Police. We do, and we are very lucky on that. And now, we are going to put them all at risk because they are going to be allowed to have the guns back in the D.C. area.

This is absolutely crazy. Assault weapons coming into the D.C. area when our men out there and our women out there are there to protect us.

And, by the way, I happen to think by reducing gun violence there has to be several approaches: Enforce the laws on the books; make it harder for criminals to be able to get the guns; and why in God's name are we cutting out the COPS Program? We have seen, going on across this Nation and here in D.C., that it works. And yet we are going to take that program away. The people of D.C. have the right for home rule. They do not want the guns. I think they know better than those Members here in Congress who are not living in the D.C. area.

So, with that, I hope that we can defeat H.R. 3193. And it is not fair. This is not democracy, and reducing gun violence can happen. Over 30,000 people a year die on that. It costs this Nation a billion dollars in health care. We can do a better job.

Mr. SOUDER. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from the State of Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, the second amendment to the Constitution clearly prohibits the Federal Government from denying law-abiding citizens, let me underline that, law-abiding citizens the right to own and bear arms. Yet the residents in our Nation's capital are deprived of this right. Full-time and part-time residents like Members of Congress are actually denied the right to defend themselves. This is the very city that is the home to America's experiment in democracy. It deprives its citizens of one of our most basic and sacred rights.

D.C. is a prime example of the failure of radical gun-control policies. The city has one of the most restrictive gun-control policies in the country, and yet D.C. is infamous for its exorbitant amount of violent crime. The city has gun-control but not very much crime control.

Since 1976, the residents of our Nation's capital have been deprived of the right to bear arms, the right to protect their homes and the right not to be victimized. For 28 years, D.C. families have been held hostage. D.C. communities and homes are no longer safe. Unfortunately, they have become targets for theft and violent crimes. Regrettably, individuals on my D.C. staff who live here have suffered the effects of poor crime control. In addition to my staff, I have personally experienced situations where I have felt threatened in and around my D.C. residence. I believe that I should be able to defend myself against assault, theft and other violent crimes in D.C., the same as I am able to do in the State of Florida because I have a carry permit. And I also have had training. I believe that the answer is tougher laws against criminal activities.

H.R. 3193 ends the tyrannical reign of D.C.'s repressive gun-control laws and returns to law-abiding citizens the right to protect themselves.

I urge my colleagues to also support this bill.

Ms. NORTON. Mr. Speaker, I yield 1 minute to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise in opposition to this legislation which will turn the District of Columbia into a security nightmare. Just over 2 weeks ago, this body ignored the appeals of law enforcement and ignored overwhelming public opinion and allowed the ban on assault weapons to expire.

Now, Members of this body are trying to repeal every one of the District of Columbia's firearms laws. Since the 9/11 disaster, the Federal Government has directed billions of taxpayer dollars to make our Nation's capital safer for residents, commuters, tourists, public officials and the law enforcement professionals dedicated to public safety.

Today, security is the single overwhelming challenge facing our Nation. As I speak, the Capitol Hill Police are manning checkpoints around the perimeter of the Capitol, searching private automobiles and inspecting public buses. Law enforcement officials have bravely risen to this challenge of the terrorist threat that exploded in our skies.

Mr. Speaker, this bill makes a mockery out of law enforcement's commitment to safeguard the Nation's Capitol and to protect the Members of this Congress. This body should be ashamed to engage in such hypocrisy.

Mr. SOUDER. Mr. Speaker, I yield 7 minutes to the distinguished gen-

tleman from Arkansas (Mr. ROSS), the lead Democratic cosponsor of this bill. We have 44 Democratic cosponsors, and I very much appreciate his leadership and help on this issue.

Mr. CARSON of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. ROSS. I yield to the gentleman from Oklahoma.

(Mr. CARSON of Oklahoma asked and was given permission to revise and extend his remarks.)

Mr. CARSON of Oklahoma. Mr. Speaker, I rise in strong support of H.R. 3193, the District of Columbia Personal Protection Act. To put it as simply as other speakers have, this bill restores constitutional self-defense rights to law-abiding citizens of the District of Columbia.

Currently, the District of Columbia has the strictest gun-control laws in the Nation. Honest, law-abiding citizens may not possess a handgun unless it was registered before 1977.

□ 1345

Legally owned rifles and shotguns must be kept unloaded and disassembled. These restrictions make it useless for District residents who wish to defend themselves against criminal attacks. This dangerous gun control law only infringes on the rights of those who obey the law and does nothing to reduce violent crime.

These laws have made Washington, D.C. the homicide capital of America and to those in my party who disagree, and I know there are those who do, I merely suggest that they consider the following facts: Prior to the enactment of the gun ban, the number of homicides had been declining in Washington, D.C. but increased after the ban was imposed. By 1991, Washington, D.C.'s homicide rate had risen more than 200 percent. By comparison, the national homicide rate rose 12 percent in the same period.

These statistics clearly show that the District's gun control experiment has failed. It is time the Congress restore the second amendment rights to the citizens of the District and allows them to protect their homes and families.

I respectfully ask my colleagues to vote yes on the District of Columbia Personal Protection Act.

Mr. ROSS. Mr. Speaker, reclaiming my time, I rise today and join 43 of my Democratic colleagues to voice my support for H.R. 3193, a bill that would allow citizens of the District of Columbia to own rifles, shotguns and handguns.

The second amendment of the Constitution of the United States of America specifically grants all Americans the right to bear arms in order to protect themselves and their families. Under this bill, Washington, D.C. citizens would simply have the same self-defense rights as residents of the 50 States of America do.

In a New York Sun editorial printed on Thursday, September 23 of this

year, a D.C. resident expressed his concerns on not being able to legally protect his home from intruders. He stated, "The fact is, if you have an intruder come to your home, there is nothing you can do to protect yourself except wait for the police." This Washington, D.C. resident went on to describe an incident where he stared and waited as a man was attempting to break into his home.

This is absolutely inexcusable. No one, no one, should be forced to sit and wait while witnessing an intrusion upon their home, upon their family, possibly putting themselves and their family in danger.

Mr. Speaker, I stay in Washington, D.C. 3 or 4 nights most weeks, and I truly believe the police do a fine job in this city. But if someone were to break into my apartment, I would have to wait for them to arrive before any action to be taken.

If I were to have a gun, if I were to have gone through all the red tape, which includes taking an exam and paying money for fees and a license to have a shotgun in my home, I would have to take the time to assemble or unlock and load my gun. By that time, it could be too late to defend myself. No intruder is going to stand around and wait for me to assemble or unlock and load my gun, and they certainly are not going to wait for the police to arrive before completing the job they came to do.

Mr. Speaker, this is not just a matter of personal protection, it is a matter of constitutional freedom. The second amendment is a right bestowed upon us by our Founding Fathers. It is a right I have exercised my entire life in my home State of Arkansas.

Current Washington, D.C. law requires all guns to be registered with the Metropolitan Police Department. All handguns are banned unless they were registered before the gun ban was enacted, but, even so, Washington, D.C. citizens are prohibited from carrying their handguns in their homes, even those legal handgun owners. Rifles and shotguns can be legally registered and owned, but they must be stored unloaded and disassembled or locked.

The District of Columbia has some of the most restrictive gun laws in the Nation, but at the same time, the District has one of the highest murder rates in the United States of America. Prior to the enactment of the gun ban, homicide had been declining in Washington, D.C. but increased after the ban was imposed back in 1976. In 2002, the D.C. homicide rate was almost double the rate when the handgun ban took effect, and was five times higher than the national average.

H.R. 3193 simply allows law-abiding citizens to possess a firearm without going through the registration requirements and they would not suffer criminal penalties for such possession. This bill permits storage of armed firearms in one's home or place of business and repeals the ban on the possession of



ammunition, allowing citizens to protect their home and family in times of danger within Washington, D.C., as families can do in all 50 States across America.

H.R. 3193 would not affect any law directed at true criminal conduct. This bill leaves in place strict penalties for gun possession by criminals and for those who commit a violent crime with a gun.

Any criminal interested in obtaining a gun for harm against another can easily do so right now. This bill simply ensures that law-abiding citizens of the District of Columbia are able to protect themselves by legally owning a firearm, just as the citizens of the 50 States of America can do.

Mr. Speaker, this is a piece of commonsense legislation, and I urge my colleagues to join the 44 Democratic cosponsors of this legislation and vote in favor of the bill.

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

Mr. Speaker, in all deference to the gentleman from Arkansas, handguns in homes in this town are not used by people. Those guns, according to the police chief, quickly make their way to the streets and do not stay at home. At home, however, they are overwhelmingly used for domestic violence.

Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. FATTAH), the ranking member of the Subcommittee on the District of Columbia of the Committee on Appropriations.

Mr. FATTAH. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, you would not know by today's discussions that the President, the other candidate for President, Senator KERRY, and all of the Nation's leaders have been telling us that we are at war, that we are in this war on terrorism, because there has been no discussion about that today, even though on the front page yesterday of one of the Washington newspapers it says that our number one enemy, al Qaeda, is meeting with and making arrangements with local criminal gangs here in D.C., for whatever purposes.

You would not know that we are at war. You would not know this was on the front page of the papers yesterday. You would not know that because of all of this discussion here today about allowing people to have arms.

I am just trying to imagine the Inaugural parade next year here in the District, as people have now had this ability to go arm themselves to the teeth, even people who might have purposes that are untoward in terms of our activities.

I am going to just say that this is a new type of cowboy, where they take the stage coach, they get themselves in a gun-restricted area, and let the women and children and the God-fearing people of this city stay off.

Mr. SOUDER. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. GRAVES).

Mr. GRAVES. Mr. Speaker, while we ultimately are debating two different gun control bans in the District of Columbia, I am going to confine my comments to the District's ban on the acquisition or possession of a handgun. The evidence is clear that this handgun ban has not reduced crime.

Since the ban, the city's violent crime rates, particularly its murder rates, have increased. When the ban went into effect, the city's murder rate was twice the national rate. Today it is more than seven times the national rate.

Chicago is the other major American city that has a handgun ban, and it has been on the books almost as long as the District's. The Chicago ban went into effect in 1982, and within a decade murders with handguns doubled.

California banned so-called "assault weapons" in 1989. For the next 5 years, California's murder rate increased every year, 26 percent overall.

Of course, I am sure we are all familiar with the study that was conducted of the Federal assault weapons law, under Congress's mandate. That study found no hard evidence that the ban had any effect on crime. Among the reasons for this, the guns that were banned were rarely used in crime before the ban.

Many of our colleagues may also remember that several years ago we passed legislation prohibiting the Centers for Disease Control and Prevention from using Federal funds to pay for so-called studies designed from the outset to reach conclusions that political activists could use to promote gun control for policy purposes.

It was clear that there was a significant bias at the CDC in favor of gun control. And that bias remains. But even the CDC, in a study conducted last year, found no evidence that gun bans reduce crime. For that matter, the study found no evidence that any form of gun control reduces crime.

Around the same time, the Library of Congress studied the relationship of gun control to crime in 27 foreign countries, and it concluded there was no relationship between gun restrictions and crime.

Even though Americans buy about 5 million new guns a year, the Nation's violent crime rate has dropped every year since 1991 and it is now at a 27-year low; that is, if you base the counts on crimes reported to the police and the FBI. If you base the counts on the National Crime Victimization surveys, however, the Nation's violent crime is at a 30-year low.

Based upon crimes reported to the police and FBI, the Nation's murder rates the last few years have been lower than any time since the mid-1960s.

So, the gun control supporters' motto, "More guns means more crime," is demonstrably false.

These statistics from around the country and around the world cannot be expected to alter the thinking of

people who are ideologically opposed to private ownership of guns. However, ideology has been proven false by hard facts and should not dictate the policies under which the rest of us should live.

Ms. NORTON. Mr. Speaker, I include for the RECORD an article on al Qaeda seeking ties to local gangs that appeared in the Washington Times.

[From the Washington Times, Sept. 28, 2004]

AL QAEDA SEEKS TIE TO LOCAL GANGS

(By Jerry Seper)

A top al Qaeda lieutenant has met with leaders of a violent Salvadoran criminal gang with roots in Mexico and the United States—including a stronghold in the Washington area—in an effort by the terrorist network to seek help infiltrating the U.S.-Mexico border, law enforcement authorities said.

Adnan G. El Shukrijumah, a key al Qaeda cell leader for whom the U.S. government has offered a \$5 million reward, was spotted in July in Honduras meeting with leaders of El Salvador's notorious Mara Salvatrucha gang, which immigration officials said has smuggled hundreds of Central and South Americans—mostly gang members—into the United States.

Although they are actively involved in alien, drug and weapons smuggling, Mara Salvatrucha members in America also have been tied to numerous killings, robberies, burglaries, carjackings, extortions, rapes and aggravated assaults—including at least seven killings in Virginia and a machete attack on a 16-year-old in Alexandria that severely mutilated his hands.

The Salvadoran gang, known to law enforcement authorities as MS-13 because many members identify themselves with tattoos of the number 13, is thought to have established a major smuggling center in Matamoros, Mexico, just south of Brownsville, Texas, from where it has arranged to bring illegal aliens from countries other than Mexico into the United States.

Authorities said al Qaeda terrorists hope to take advantage of a lack of detention space within the Department of Homeland Security that has forced immigration officials to release non-Mexican illegal aliens back into the United States, rather than return them to their home countries.

Less than 15 percent of those released appear for immigration hearings. Nearly 60,000 illegal aliens designated as other-than-Mexican, or OTMs, were detained last year along the U.S.-Mexico border.

El Shukrijumah, born in Saudi Arabia but thought to be a Yemen national, was spotted in Tegucigalpa, Honduras, in July, having crossed the border illegally from Nicaragua after a stay in Panama. U.S. authorities said al Qaeda operatives have been in Tegucigalpa planning attacks against British, Spanish and U.S. embassies.

Known to carry passports from Saudi Arabia, Trinidad, Guyana and Canada, El Shukrijumah had sought meetings with the Mara Salvatrucha gang leaders who control alien-smuggling routes through Mexico and into the United States.

El Shukrijumah, 29, who authorities said was in Canada last year looking for nuclear material for a so-called "dirty bomb" and reportedly has family members in Guyana, was named in a March 2003 material-witness arrest warrant by federal prosecutors in Northern Virginia, where U.S. Attorney Paul J. McNulty said he is sought in connection with potential terrorist threats against the United States.

A former southern Florida resident and pilot thought to have helped plan the September 11 attacks, El Shukrijumah was

among seven suspected al Qaeda operatives identified in May by Attorney General John Ashcroft as being involved in plans to strike new targets in the United States.

Citing "credible intelligence from multiple sources," Mr. Ashcroft said at the time that El Shukrijumah posed "a clear and present danger to America." In August, an FBI alert described him as "armed and dangerous" and a major threat to homeland security.

Earlier this month, Mr. Ashcroft confirmed that U.S. border agents and inspectors had ramped up efforts to find El Shukrijumah amid reports that the al Qaeda leader was thought to be seeking entry routes into the United States along the U.S.-Mexico border.

Mr. Ashcroft noted that increased enforcement efforts were under way in the wake of a rise of arrests of border jumpers from Afghanistan, Indonesia, Iran, Iraq, Jordan, Pakistan, the Philippines, Saudi Arabia and Syria.

Authorities said Mara Salvatrucha gang members moved into the Los Angeles area in the 1980s and developed a reputation for being organized and extremely violent. The gang since has expanded into the Washington area, including Virginia and Maryland, and into Oregon, Alaska, Texas, Nevada, Utah, Oklahoma, Illinois, Michigan, New York, Georgia and Florida.

More than 3,000 Mara Salvatrucha gang members are thought to be in the Washington area, with a major operation in Northern Virginia. Other gang centers, authorities said, include Montgomery and Prince George's counties and the Hispanic neighborhoods of Washington.

Mr. McNulty, whose office has prosecuted Mara Salvatrucha gang members, has described the organization as the "gang of greatest interest" to law enforcement authorities. He said gang members are recruited predominantly from Hispanic communities and typically among juveniles, some as young as 13. Recruits are "jumped" into the gang by being beaten by members while others count to 13, he said.

Gang rules, he said, are indoctrinated into new recruits and ruthlessly enforced. Those who cooperate with law enforcement are given the "green light," he said, meaning that the gang had approved their killing.

In March, the Los Angeles City Attorney's Office filed an injunction against Mara Salvatrucha, charging that the gang's criminal activity constituted a "public nuisance" based on the number of killings, robberies and drug crimes. The injunction requires gang members, under public nuisance statutes, to follow curfew rules and regulations and prohibits them from associating, driving or appearing together in designated areas of the city.

Ms. NORTON. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. DAVIS), a member of the full committee.

Mr. DAVIS of Illinois. Mr. Speaker, a few minutes ago my colleague from New York said that this was absolutely crazy, and I will simply say that it is about as crazy as it can get without being absolute.

Every bit of information that we have available to us lets us know that gun violence is unnecessarily killing people. In 2001, 29,000 people in this country died from gun violence. Fifty percent of all the African American youngsters between the ages of 15 and 19 who die, die from gun violence.

We talk about the Constitution. Please be reminded that when this Constitution was enacted, my ancestors

were counted as three-fifths of a person and women did not have the right to vote. The Constitution was created at a time when there was need for what it created itself for. This is a different era, a different time.

If you want to help the people of D.C., give the gentlewoman from the District of Columbia (Ms. NORTON) a vote on the floor of this House. Give them two Senators who can vote in the other Chamber. That is how you help the people in D.C.

Mr. SOUDER. Mr. Speaker, I include for the RECORD a series of stories of individuals who were terrified but defended themselves and could have been prosecuted under the D.C. law.

I will also include for the RECORD, what would the District of Columbia's gun laws look like after this law passes?

#### WHAT WOULD THE DISTRICT OF COLUMBIA'S GUN LAWS LOOK LIKE AFTER H.R. 3193?

Even if H.R. 3193 were signed into law in its present form, it would leave in place an extensive set of laws governing possession, sale and use of guns. District laws would still be far more restrictive than the laws of most states:

It would still be illegal to carry firearms outside one's own property, either openly or concealed. Violations would still be punishable by a fine of up to \$1000 or imprisonment for not more than one year for a first offense, and up to \$10,000 and 10 years' imprisonment, or both, for a second offense or for any violation by a convicted felon. All penalties are doubled for illegal carry in a "gun free zone" within 1000 feet of a school, day care center, college, or various youth recreation 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 of 5 years served before parole or probation.

Handgun possession would remain illegal for drug addicts, convicted felons, and persons convicted of various public order offenses such as vagrancy.

It would still be illegal to possess machine-guns, sawed-off shotguns or short-barreled rifles. The definition of "sawed-off shotgun" is more restrictive than federal law.

It would still be illegal to manufacture firearms or ammunition in the District.

Vehicles used to illegally transport firearms would still be subject to seizure and forfeiture.

All these provisions are in addition to federal laws that extensively regulate commerce in firearms, and which provide strict penalties for gun possession by convicted felons and other "prohibited persons" and for use of firearms in violent crimes.

H.R. 3193 focuses entirely on restoring fundamental self-defense rights to honest citizens, by repealing the handgun ban, gun registration laws, and laws on carry and storage in the home that prevent people from exercising those rights.

#### SELF-DEFENSE STORIES

In each of these stories, D.C. residents used a handgun that was banned under D.C. law. However, if they had not used their banned weapon to defend themselves against crime, it is quite possible that many of them would not be alive today.

D.C. law should not make it a criminal offense to possess a firearm for self defense in one's own home or business. H.R. 3193 would

decriminalize the ownership of handguns and restore 2nd Amendment rights to the residents of D.C.

SOURCE: WASHINGTON POST, WASHINGTON, DC, SEPT. 18, 2004

(Letter to the Editor)

It was shortly after midnight when my wife and I were awakened by pounding at our front door. When I went to the window, I saw a large man trying to kick down our door. I warned him to stop, but he started swearing, insisting that I give him money. He then started kicking the door again.

I called 911 and was put on hold. I waited for about 30 seconds and then realized that the man at my front door probably would be inside before the 911 operator answered. Despite the D.C. gun laws, I have a gun for just such a situation.

I took the gun from my closet, went to the window and pointed it at the man. I warned him that I would shoot if he came through my door. He stopped kicking and ran away.

Every few months, people are shot and killed within a block or two of our home. It is absurd for Washington to outlaw guns; it guarantees that only outlaws will have guns.

Citizens should be allowed to protect themselves, and, as a homicide detective once told me when I confessed to keeping a gun, "I would rather be judged by 12 of my peers than carried out by six of my friends."

I thank God that Congress has some power over the District's laws.

TONY SNESKO, Washington.

SOURCE: WASHINGTON TIMES, WASHINGTON, DC, 12/14/94

Rebecca Griffin awoke to the screams of her daughter, who was being bound and gagged by two kidnappers in her Washington, D.C., home. She confronted the men, one of whom was carrying a knife, and brought the attack to a quick halt when she was bale to break free and retrieve a .32-cal. revolver from the basement, shooting the knife-wielder four times. The other suspect fled. Griffin and one daughter were slashed during the attack. Some news accounts made no mention that the handgun that saved the Griffins is illegal in the District. (American Rifleman: March 1995)

SOURCE: WASHINGTON TIMES, WASHINGTON, DC, 5/5/93

In Washington, where armed criminals run rampant but honest citizens are denied the right to own handguns for personal protection, one city resident stood up for himself when he shot a man who tried to rob him in his home. The homeowner had given the thug a bucket of water, but when the bucket was returned, the good samaritan found himself looking down the barrel of a pistol. Raising his hands as ordered, he grabbed a pistol he had secreted on a shelf and shot the would-be robber. Police confiscated his gun, but the district commander said, "If the circumstances are as they seem, I don't think justice will be served if they charge this guy." (American Rifleman: July 1993)

SOURCE: WASHINGTON POST, WASHINGTON, DC, 3/19/88

Stabbed several times in a robbery attempt at a Washington, D.C., market, employee Cha Ma grabbed a gun and shot his assailant, who fled. A wounded suspect was arrest a short distance away and charged with assault with intent to rob while armed. Police said no charges had been filed against Ma. (American Rifleman: August 1988)

Mr. SOUDER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Speaker, as an original cosponsor of the District of Columbia Personal Protection Act, I

urge my colleagues to join me and the citizens of Washington, D.C. to free them from a failed 27-year experiment with gun control policy.

One thing that we all do know for sure is that criminals have guns, and criminals are the people that are being described by folks on the other side of the aisle in this case. Criminals have guns, but hardworking, honest, law-abiding citizens are not allowed to have guns in the District of Columbia to defend themselves.

The statistics clearly show that the District's firearm restrictions have done nothing to combat crime, while crippling the right of every Washington, D.C. citizen to protect their homes and their families.

□ 1400

I hail from a State that respects the fundamental, individual rights to own firearms granted to us by the second amendment of the Constitution; but in the District of Columbia, it is a world upside down. Law-abiding citizens are left defenseless to face criminals. They live behind locked doors, and they walk city streets with one eye on their children and their other eye on the lookout for armed criminals.

I, and many more, realize that gun bans do not work against criminals, but they do endanger law-abiding citizens. This is no more evident than in this city which, in the past 2 decades, has become known as the murder capital of the United States.

With that, I urge my colleagues to support H.R. 3193 and allow the people of Washington, D.C. the right they are guaranteed, and that is to defend themselves and their families.

Ms. NORTON. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Speaker, I am proud to join today with my colleague, the gentlewoman from the neighboring congressional district, the District of Columbia (Ms. NORTON), in opposing this bill.

The District of Columbia's gun laws have already been upheld by the Federal courts as constitutional, so the second amendment argument in this context is just a bogus one.

This bill represents the height of arrogance. Members of this body have got to stop treating the District of Columbia and the people of the District of Columbia as their personal playground where they impose their will on people who did not elect them. The people of the District of Columbia elected the gentlewoman from the District of Columbia (Ms. NORTON). They elected the Mayor. They elected the D.C. Council. They elected the people who put these laws into effect.

This legislation is nothing more than a contemptible effort to placate certain special interests at the expense of the people of the District of Columbia.

We talk about a world upside down. The House leadership have prohibited this body from taking a vote on ex-

tending the ban on military-style assault weapons; and at the same time today we rush through a bill put at the top of the schedule to impose our will against the wishes of the people of the District of Columbia.

Mr. Speaker, I will insert for the RECORD a letter from the representatives of the business community of Washington, D.C., the Washington Board of Trade, opposing this legislation at this time.

SEPTEMBER 20, 2004.

Hon. J. DENNIS HASTERT,

*Speaker, House of Representatives.*

Hon. TOM DELAY,

*Majority Leader, House of Representatives.*

DEAR SPEAKER HASTERT AND MAJORITY LEADER DELAY: As the unified voice of business in Washington, DC, we are deeply troubled by efforts within the House Republican caucus to repeal the gun safety laws that exist for the protection of the families, workers and tourists of the District of Columbia.

If passed by Congress into law, The District of Columbia Personal Protection Act (H.R. 3193) would eliminate the ban on handguns in the District of Columbia, eliminate the ban on semiautomatic weapons, eliminate criminal penalties for possession of unregistered firearms and even eliminate registration requirements for ammunition and other firearms. The rollback of these fundamental public safety laws would have a significant, negative effect on the District's business climate, and could undermine the foundations of our city's economy and quality of life.

The leaders of this city are working hard every day to sustain the progress of recent years by making this an even more attractive destination for tourism, redevelopment and relocation. We have had to overcome the lingering perception that D.C. neighborhoods are especially unsafe, and that our city is uniquely susceptible to terrorist attack in the aftermath of 9/11.

To those ends, we have been very successful. Last year, more than six million people visited Downtown Washington. Large, international retailers have returned to the District, making this a regional shopping destination once again. The District's restaurant scene has never been more vibrant, as nearly 30 restaurants have opened in the downtown area since 1999 alone, while the District's hotel market has nearly returned to its pre-9/11 performance. Finally, the performance of our city's office market is the best in the nation—at this time, we are the only major downtown market in the United States with a vacancy rate under ten percent.

However, much of our progress could be undone by passage of this bill into law. This would fuel the harmful perception that the District is a haven for weapons that have no place in our society, and that visitors, employers and new residents should come here at their own risk. Given the continued efforts of the business community to sustain our economic recovery, and the extraordinary steps of our state and local governments to safeguard against terrorist attack, the District of Columbia Personal Protection Act is the last thing our city needs right now. We intend to pursue vigorous efforts to see this bill defeated, and we hope that you will not allow this bill to reach the floor of the House of Representatives for a vote.

Thank you in advance for your consideration.

Sincerely,

Robert A. Peck, President, Greater Washington Board of Trade.

Robert A. Malson, President, District of Columbia Hospital Association.

John Childers, President and CEO, Consortium of Universities of the Washington Metropolitan Area.

Barbara R. Lang, President and CEO, DC Chamber of Commerce.

William A. Hanbury, President and CEO, Washington, DC Convention and Tourism Corporation.

Lynne Breaux, Executive Director, Restaurant Association Metropolitan Washington.

Reba Pittman Walker, President, Hotel Association of Washington, DC.

Mr. SOUDER. Mr. Speaker, I reserve the right to close.

Ms. NORTON. Mr. Speaker, I yield 45 seconds to the gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Speaker, imagine living in a world where you believe owning weapons is the only way to feel safe, so you decide semiautomatic weapons which are made easily available to you are the weapon of your choice. But then you decide to buy handguns so you can keep that gun concealed on your body when you go to the store, or on your pillow at night, because you believe that the enemy could be lurking anywhere. You figure while you are beefing up your home artillery, you should also pick up some cop-killer bullets because you never know when your enemy might have a bullet-proof vest on.

I do not know about you folks, but this is my idea of a nightmare: a world made less safe, not safer, by this legislation.

This bill not only ignores D.C. voters' choice to ban assault weapons, it also makes certain that the city council cannot enact any further gun-owning restrictions.

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

In closing, I would just like to give the Members a sense of what this bill would do. If it passes, it would allow someone to carry a 50-caliber sniper rifle in one hand, armor-piercing ammunition, and incendiary combination ammunition in the other, and go into our Metro, so long as he, and let me read this to my colleagues, Mr. Speaker, as long as he was on his way to an informal target practice or a dog obedience training class.

Mr. Speaker, this is sheer lunacy. Save yourself from embarrassment. Save our children. Save our Nation. Save this Congress from looking like idiots and fools in the middle of an orange alert by bringing more guns into the Nation's capital. Vote "no" on H.R. 3193.

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

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

In closing, I would just like to say that the citizens of D.C. have a right to defend themselves, a constitutional right to defend themselves. This has

been the murder capital of the United States for 14 of the last 15 years, currently is eight times the national average. American citizens have a right to defend themselves.

The only people who have a right to guns right now are criminals. They will

still be punished. Anybody who violates the law will still be punished. Anybody who uses the type of weapons we have heard described away from their property are still going to be punished.

The question is, can law-abiding citizens defend themselves in their homes and in their businesses?

Mr. Speaker, I will insert for the RECORD at this time a list of the 229 cosponsors of this bill, including 44 Democratic sponsors.

Office	State	Staff contact	First contact	R or D	Govt. reform
Tim Johnson	IL	Erik Woehrmann	3-Sep	R	
Jim DeMint	SC	Kara Borie	3-Sep	R	
Joe Wilson	SC	Laurin Groover	3-Sep	R	
Jo Ann Davis	VA	Jonathan Kidwell	4-Sep	R	X
Ed Schrock	VA	Cheryl Clark	4-Sep	R	X
Dan Burton	IN	Mary Valentino	4-Sep	R	X
Pete Sessions	TX	Tucker Anderson	5-Sep	R	
Jeb Hensarling	TX	Derek Baker	5-Sep	R	
John Carter	TX	Ryan Henery	5-Sep	R	X
Kevin Brady	TX	Gene Irisari	5-Sep	R	
Sam Johnson	TX	Spencer Ritchie	9-Sep	R	
Michael Burgess	TX	Stacey Defino	9-Sep	R	
Dennis Rehberg	MT	Jay Martin	9-Sep	R	
Lamar Smith	TX	Allison Beach	9-Sep	R	
Randy Neugebauer	TX	Peter Andres	9-Sep	R	
David Vitter	LA	Greg Facchiano	9-Sep	R	
Ron Paul	TX	Anamarie Pratt	10-Sep	R	
Terry Everett	AL	Jeff Rabren	10-Sep	R	
Chris Cannon	UT	Trevor Kolego	10-Sep	R	X
Butch Otter	ID	Brandon Heiner	10-Sep	R	
Adam Putnam	FL	Casey Welch	11-Sep	R	X
Todd Platts	PA	Nate Sloan	11-Sep	R	X
Joe Barton	TX	Joby Fortson	11-Sep	R	
Candice Miller	MI	David Hemenway	12-Sep	R	X
Virgil Goode	VA	Ward Anderson	12-Sep	R	
Phil Gingrey	GA	Jonathan Osborne	16-Sep	R	
Barbara Cubin	WY	Brandi Ladd	16-Sep	R	
Ron Lewis	KY	Josh Nacey	17-Sep	R	X
John Sullivan	OK	John Rainbolt	17-Sep	R	X
Spencer Bachus	AL	Johanna Cole	22-Sep	R	
Marsha Blackburn	TN	Mike Platt	23-Sep	R	X
John Duncan	TN	Patra Stephen	23-Sep	R	X
Bill Janklow	SD	Marshall Damgard	24-Sep	R	X
Bob Ney	OH	Greg Mesack	24-Sep	R	
Nathan Deal	GA	Todd Smith	24-Sep	R	X
Ernest Istook	OK	John Albaugh	24-Sep	R	
John Mica	FL	Gary Burns	24-Sep	R	X
Pat Toomey	PA	Brain Wild	25-Sep	R	
Bob Goodlatte	VA	Brandon Ritchie	25-Sep	R	
John Doolittle	CA	Kara Dougherty	26-Sep	R	
Roscoe Bartlett	MD	Chris Tontz	26-Sep	R	
Mac Collins	GA	Shawn Friesen	26-Sep	R	
Mike Rogers	AL	Amy Albro	26-Sep	R	
Jeb Bradley	NH	Brien Miller	29-Sep	R	
Wally Herger	CA	Dan MacLean	29-Sep	R	
Thaddeus McCotter	MI	Patrick Rothwell	29-Sep	R	
Steve King	IA	Brenna Findley	29-Sep	R	
Cass Ballenger	NC	Tim Linker	29-Sep	R	
Roger Wicker	MS	Susan Sweat	29-Sep	R	
Duke Cunningham	CA	Katie Hanvey	29-Sep	R	
Marilyn Musgrave	CO	Jacob Leis	29-Sep	R	
Ginny Brown-Waite	FL	Bob Honold	30-Sep	R	
Robin Hayes	NC	Jon Causey	30-Sep	R	
Sam Graves	MO	Paul Sass	30-Sep	R	
Trent Franks	AZ	John Graves	30-Sep	R	
Tom Feeney	FL	Ryan Visco	30-Sep	R	
Jim Gibbons	NV	Dan Waters	30-Sep	R	
Chip Pickering	MS	Mike Hurst	30-Sep	R	
Chris Chocola	IN	Rich Dunn	30-Sep	R	
Steve Pearce	NM	Matt Meagher	30-Sep	R	
Gresham Barrett	SC	Greg Thomas	30-Sep	R	
Eric Cantor	VA	Bill Doblow	30-Sep	R	
Jeff Miller	FL	Steve Holton	30-Sep	R	
John Hostettler	IN	Erin Berry	1-Oct	R	
Duncan Hunter	CA	Lorissa Bounds	1-Oct	R	
Todd Akin	MO	Franz Kohler	1-Oct	R	
Jo Bonner	AL		1-Oct	R	
Henry Brown	SC	Joe Gieboki	2-Oct	R	
John Boozman	AR	Brian Bullard	2-Oct	R	
John Culberson	TX	Ellie Essalih	3-Oct	R	
Roy Blunt	MO	Amy Field	3-Oct	R	
Johnny Isakson	GA	Tucker Shumack	6-Oct	R	
John Kline	MN	Jim McGuire	6-Oct	R	
Mike Simpson	ID	John Revier	7-Oct	R	
Rick Renzi	AZ	Joanne Keene	7-Oct	R	
Don Young	AK	Justin Sprinzen	7-Oct	R	
Todd Tiahrt	KS	AmyClair Brusck	8-Oct	R	
Bill Shuster	PA	Alex Mistri	8-Oct	R	
Mike Pence	IN	Trip Radtke	8-Oct	R	
Jack Kingston	GA	Stephen Anderson	9-Oct	R	
Donald Manzullo	IL	Conor Brown	9-Oct	R	
Philip Crane	IL	Andrew Wankum	9-Oct	R	
Charlie Norwood	GA	Jason Paluskiewicz	10-Oct	R	
Jim Ryan	KA	Marcus Friesen	10-Oct	R	
Rob Bishop	UT	Miriam Harmer	14-Oct	R	
Richard Baker	LA	Scott Kirkpatrick	14-Oct	R	
Joseph Pitts	PA	Cindy Diggs	15-Oct	R	
Lee Terry	NE	Robert Stein	15-Oct	R	
Mike Rogers	MI	Mike Ward	15-Oct	R	
Zach Wamp	TN	Alex Richard	17-Oct	R	
Robert Aderholt	AL	Brian Johnston	20-Oct	R	
Jerry Weller	IL	Troy Babson	20-Oct	R	
Jim McCrery	LA	Bob Brooks	20-Oct	R	
Bob Beauprez	CO	Bruce Miller	21-Oct	R	
Randy Forbes	VA	Andy Halataei	21-Oct	R	
Henry Bonilla	TX	Patrick Anderson	21-Oct	R	
Thomas Petri	WI	Elizabeth Foy	21-Oct	R	
Melissa Hart	PA	William Rys	23-Oct	R	
Billy Tauzin	LA	James White	27-Oct	R	
Steve Buyer	IN	Myrna Dugan	28-Oct	R	
Deborah Pryce	OH	Peter Freeman	29-Oct	R	
Fred Upton	MI	Charles Yessiaian	29-Oct	R	
Thomas Reynolds	NY	Tina Mufford	30-Oct	R	

Office	State	Staff contact	First contact	R or D	Govt. reform
William Jenkins	TN	Megan Caldwell	30-Oct	R	
Steve Chabot	OH	Kevin Fitzpatrick	31-Oct	R	
William Thornberry	TX	Trey Bahm	3-Nov	R	
Cliff Stearns	FL	Alan Hill	3-Nov	R	
Scott Garrett	NJ	Jay Fahrer	5-Nov	R	
Ken Calvert	CA	Deena Contreras	7-Nov	R	
Phil English	PA	Christine Rogala	12-Nov	R	
Devin Nunes	CA	Kedrin Simms	18-Nov	R	
Max Burns	GA	Zach Procter	19-Nov	R	
Tom Tancredo	CO	Mac Zimmerman	21-Nov	R	
Jim Nussle	IA	Luke	24-Nov	R	
Tom Cole	OK	Chris Arnold	1-Dec	R	
Rick Keller	FL	Mike Shutley	9-Jan	R	
Scott McInnis	CO	Jack Allen	22-Jan	R	
Walter Jones	NC	Anne Cassity	26-Jan	R	
Sue Myrick	NC	Matt Priest	28-Jan	R	
John Peterson	PA	Angela Ambrose	29-Jan	R	
Dana Rohrabacher	CA	Meredith Curcio	29-Jan	R	
Mario Diaz-Balart	FL	Charles Cooper	29-Jan	R	
Paul Ryan	WI	Ryan	4-Feb	R	
Joel Hefley	CO	Larry Hoja	9-Feb	R	
Nick Smith	MI	Alan Knapp	26-Feb	R	
Frank Lucas	OK	Marna Harris	26-Feb	R	
Darrell Issa	CA	Josh Brown	9-Mar	R	
Gary G. Miller	CA	Sandra	11-Mar	R	
Jeff Flake	AZ	Margaret Klessig	12-Mar	R	
Tom Latham	IA	Kevin Berents	22-Mar	R	
Kenny Hulshof	MO	Shaun Duignan	25-Mar	R	
Nicholas Lampson	TX	Aaron Schmidt	31-Mar	R	
Gary Miller	CA	John Rothrock	1-Apr	R	
Curt Weldon	PA	Mary	5-Apr	R	
George Radanovich	CA	Emma	23-Apr	R	
Sherwood Boehlert	NY	Sam	23-Apr	R	
Charles Taylor	NC	Adam Shepard	26-Apr	R	
Dave Weldon	FL	Eric	26-Apr	R	
Jo Ann Emerson	MO	Tony Eberhard	28-Apr	R	
Greg Walden	OR	Dallas	28-Apr	R	
Shelley M. Capito	WV	Adam	4-May	R	
Richard Pombo	CA	Josh Rolph	5-May	R	
Harold Rogers	KY	Ben	12-May	R	
Katherine Harris	FL	Stuart Mallory	17-May	R	X
Dave Camp	MI	Chris Wenk	17-May	R	
Jim Gerlach	PA	William Tighe	19-May	R	
Gil Gutknecht	MN	Ryan McLaughlin	19-May	R	
Mark Kennedy	MN	Tim Morrison	1-Jun	R	
Steven LaTourette	OH	Ryan	2-Jun	R	X
Anne Northup	KY	Brooken Smith	4-Jun	R	
Richard Burr	NC	Ricky Welborn	4-Jun	R	
John Shimkus	IL	Bill	9-Jun	R	
Howard McKeon	CA	Brandi	9-Jun	R	
George Nethercutt	WA	Rob	9-Jun	R	
Don Sherwood	PA	John Ormasa	9-Jun	R	
Doc Hastings	WA	Jenny Gorski	9-Jun	R	
John McHugh	NY	Melanie Turpin	9-Jun	R	X
Jerry Moran	KS	Jenny Guttery	14-Jun	R	
Ed Whitfield	KY	Benjamin Beaton	15-Jun	R	
Charles Bass	NH	Jennifer Warren	16-Jun	R	
Tom DeLay	TX	Elliot Burke	16-Jun	R	
John Linder	GA	Mike Swansburg	16-Jun	R	
John Boehner	OH	Gary	17-Jun	R	
John Sweeney	NY	Jim Christopoulos	17-Jun	R	
Kay Granger	TX	Darin	17-Jun	R	
Patrick Tiberi	OH	Adam (LD)	17-Jun	R	X
Ed Royce	CA	Darin Schrader	17-Jun	R	
Ander Crenshaw	FL	Francis	17-Jun	R	
Paul Gillmor	OH	Andrew Beck	18-Jun	R	
Joseph Knollenberg	MI	Kelly Haskin	20-Jun	R	
Michael Bilirakis	FL	Jerry White	20-Jun	R	
Jerry Lewis	CA	Arlene	20-Jun	R	
Lincoln Diaz-Balart	FL	Ceaser Gonzo	22-Jun	R	
John Shadegg	AZ	Stephen Prather	22-Jun	R	
Elton Gallegly	CA	Michelle M.	22-Jun	R	
Ileana Ros-Lehtinen	FL		6-Jul	R	X
Howard Coble	NC	Anna Sagley	15-Jul	R	
Jim Kolbe	AZ			R	
Judy Biggert	IL			R	
Michael Turner	OH		8-Jul	R	X
Michael Oxley	OH		21-Jul	R	
Peter Hoekstra	MI		21-Jul	R	
Rob Portman	OH			R	
Ralph Regula	OH			R	

Mrs. CHRISTENSEN. Mr. Speaker, two weeks ago this House blocked consideration of legislation sponsored by my colleague from New York, Mrs. MCCARTHY, to extend the ban on the manufacture, transfer, or possession of semiautomatic assault weapons. The assault weapons ban is supported by the International Brotherhood of Police Officers, National Association of Police Organizations, American Nurses Association, American Psychiatric Association, American Public Health Association, American Academy of Pediatrics, Urban League, National Education Association, United Federation of Teachers, Children's Defense Fund, NAACP, Anti-Defamation League, and the National Coalition Against Domestic Violence.

The House instead today, voted to enact legislation which was introduced by a member from Indiana to get rid of the ban on firearms

in the District of Columbia, against the wishes of elected Mayor, City Council, and U.S. Delegate to Congress. Federal courts have upheld the constitutionality of the DC ban.

These actions by this distinguished body distress me greatly because it was just a day ago that a 4-year-old boy was shot to death and a 7-year-old boy was injured in a shooting Monday night at the Kirwan Terrace housing community on St. Thomas in my District.

This heinous act has outraged my community which is seeking any and all assistance to prevent this kind of despicable crime, which apparently was perpetrated through the use of a high-powered firearm, from ever occurring again.

Mr. Speaker, gun violence is reaching epidemic proportions in all of our communities and this body should be doing all we can to reduce the number of guns that are available, not increasing them. I urge all my colleagues

to support the Meehan discharge petition, H. Res. 769, to allow a vote on Representative CAROLYN MCCARTHY's Assault Weapons Ban and Law Enforcement Protection Act, H.R. 2038.

We have a responsibility as leaders of our communities to do all that we can to keep our citizens safe from the ravages of crime—particularly gun violence, such as what tragically befell four year old Leon Bowery. May he rest in peace.

Mrs. MALONEY. Mr. Speaker, I rise today in strong opposition to this legislation.

Nearly thirty years ago, handguns were banned in Washington, D.C. by the will of the people. Yet here we are, once again, dictating to the citizens of the District of Columbia the laws that govern them when their own elected delegate will not even have the opportunity to vote on passage of this bill. Like any metropolitan area, Washington, D.C. has crime,

much of which is because of guns. Therefore, I do not understand why the Majority thinks the solution to that problem is allowing more guns on the streets of this city. We should be reducing crime by preventing gun violence and by ensuring that there are enough policemen who have the necessary resources to do their jobs. At a time when citizens from across the nation have returned to D.C., despite their security concerns, to enjoy its attractions, we should not be passing legislation that sends the message that the city is unsafe.

I urge my colleagues to vote "no" on this legislation.

Mr. DINGELL. Mr. Speaker, I rise in strong support of H.R. 3193, the District of Columbia Personal Protection Act. This is a good bill. It is a sensible bill. This bill allows the citizens of the District of Columbia the right to protect their home and their families.

For almost three decades now, the District of Columbia has had some of the most extensive gun control laws in the nation. Despite this, the District is not only known as our nation's capital, but also the murder capital of the world. This is shameful.

Mr. Speaker, I stand before the full House to reiterate my strong support for the Second Amendment of the Constitution. I believe that all Americans have the right to own firearms. The citizens of Washington, D.C. should have the same rights as most other Americans.

Mr. Speaker, I urge my colleagues to vote for this sensible legislation and allow District of Columbia residents the means to protect themselves.

Ms. MCCARTHY of Missouri. I rise today in opposition to H.R. 3193, the District of Columbia Personal Protection Act, a bill that interferes with the District's gun registration law and puts semiautomatic weapons back in the hands of terrorists and criminals. Just two weeks ago the majority of this chamber allowed the national assault weapons ban to expire. Now the District of Columbia's gun regulations are in danger of repeal. As D.C. Mayor Anthony Williams noted in today's Washington Post, "The District knows what firearms regulations work best for its residents." As such, in 1975 District residents enacted the Firearms Control Regulations Act to protect residents of and visitors to our nation's capital. As a result the District is on pace to post its lowest homicide rate in 20 years.

The passage of this legislation would mean that as parts of this city remain under a code orange terrorism alert, it would become legal for an AK-47 or AR-15 to be carried down the street in the name of personal safety, making it more difficult for our federal and local law enforcement officers to do their jobs.

The current D.C. law works. The District's gun law does not prevent citizens in good standing from owning guns for legitimate needs. Since 1976, more than 100,000 firearms have been registered with District Police—most of these as rifles and shotguns for hunting purposes. I urge my colleagues to join me in opposing this unnecessary legislation that not only does nothing to keep the streets of our nation's capital safer, but also would make it easier for terrorists to strike at the seat of our government.

Mr. STARK. Mr. Speaker, I rise in outraged opposition to H.R. 3193, the so-called District of Columbia Personal Protection Act. This bill strips away gun safety laws passed by the City Council here in our Nation's capital. It al-

lows people in DC to buy assault weapons and use "cop-killer" bullets. It overturns laws that ban criminals from owning guns.

Mr. Speaker, the internal contradictions and extremism of this bill say a lot about the Republican majority's desperation to please the National Rifle Association shortly before the election. In order to chock up a vote for the NRA scorecard, Republicans play lip service to States' rights and local control while nullifying laws passed by the elected leaders of DC.

Do the people of Washington, DC want their gun laws repealed? Not on my life.

Residents of DC will be less safe, but who cares say the Republicans. They've got to reward the NRA for millions in campaign contributions dumped into their reelection coffers. They have no shame.

Consider the parents of the 16 DC children killed by guns this year. They have to relive their nightmare every day and now the tragedy of more children murdered by guns and more parents mourning as assault weapons again rule the streets. Their wishes are being dishonored and stripped away today. Their calls for safe streets ignored. Their hope for safer neighborhoods—gone. All capriciously taken away by Republicans and the NRA.

I bet these parents, like any other parent in any community across this Nation, wish they had the same grip over their local gun laws as the National Rifle Association.

The 230 cosponsors of this legislation work in a building where guns are banned. Every visitor has to pass through a metal detector. Millions have been spent on Homeland Security upgrades in and around the Capitol. Yet, they foolishly think the Global War on Terror stops at the banks of the Potomac. Or maybe they figure they're safe behind the barricades and armed police so why worry about gun laws that protect other people who live in this city?

If you're worried about your safety in some of the most dangerous neighborhoods just blocks from the Capitol, here's the Republicans' message to you: buy an AK-47 and pray that you're a better shot than the other guy. Never mind studies published in the New England Journal of Medicine that conclude that guns kept in the home for self-protection triple the risk of homicide, and are 43 times more likely to kill a family member or friend than an intruder.

Any member of this body who feels safer because of the extensive gun control here in the Capitol Building has an obligation to vote against this bill so that the people of DC have the same right to control their personal safety. If you vote for a firearms free-for-all in Washington, DC, then you should have the decency to introduce legislation allowing assault weapons right here, in your own workplace, in this Capitol. Even Republicans know that would be wrong, but if that's really where you stand, then I stand with the citizens of DC who know what's best. Do what they'd do. Vote down this bill.

Mr. BARRETT of South Carolina. Mr. Speaker, as a father of three teenage children, I understand the importance of keeping our streets free of violence. And as a gun owner and sportsman, I also understand the importance of the rights afforded to Americans by the second amendment. The District of Columbia Personal Protection Act protects our citizens while also protecting the constitutional

rights of the citizens of the District of Columbia to own rifles, shotguns, and handguns.

H.R. 3193 would not affect any law directed at true criminal conduct. As a matter of fact it would leave in place strict penalties for gun possession by criminals and for violent crime committed with guns. I firmly believe banning a firearm is not the answer to preventing crime. Interestingly enough, the District of Columbia has some of the most restrictive gun laws in our Nation. Yet, at the same time, recent FBI figures show that the District has regained its former title as the murder capital of the United States.

As a matter of fact, according to U.S. Justice Department figures, Washington, DC, has been the "murder capital of the country" for 14 of the last 15 years. And currently, the DC homicide rate is nearly five times greater than the national average. This escalating murder rate began only after the DC Council deprived law-abiding citizens of the right to defend themselves and their families by effectively banning handguns and other firearms in 1976. I believe it is only by strictly enforcing laws to prosecute those who misuse a gun in the commission of a crime that we can ensure our families remain safe from those who would prey on the innocent, and that the rights of law-abiding Americans are protected.

I urge my colleagues to support H.R. 3193 and allow law abiding people to use guns to protect their homes and families, essentially stating that DC citizens would enjoy the same self-defense rights as residents of the 50 States.

Mr. OTTER. Mr. Speaker, I always try to apply a personal "Three C" test to questions of public policy. First I ask myself whether it's constitutional. Then I consider whether it's something my constituents want. Finally, I examine my own conscience.

The District of Columbia Personal Protection Act passes that test with flying colors. What's more, the existing policy of denying basic second amendment rights to the people of the District of Columbia not only fails the "Three C" test, it also is offensive to the very principles on which our nation was founded.

The second amendment clearly states that "the right of the people to keep and bear Arms, shall not be infringed." It does not say the right to keep and bear arms applies only to people who live within the jurisdiction of a State. It does not say the right to keep and bear arms is subject to the wrong-headed whims of social engineers. And it does not say the right to keep and bear arms may be infringed in misguided response to violent crime.

The second amendment was designed to empower the people—the source of American sovereignty—to protect themselves, their families, and their homes. Instead, unreasonable restrictions and outright prohibitions on firearms in the District of Columbia have emboldened criminals to prey on innocent and unarmed citizens. The result is that America's Capital City has been consistently and needlessly turned into America's Murder Capital.

The record is clear: Twenty-eight years of keeping firearms out of the hands of law-abiding citizens in the District of Columbia has contributed to the most pervasive culture of violent crime in America. The American people are most secure and most confident in their personal safety when their constitutional rights are protected.



Mr. Speaker, just as it's my right as a citizen to protect my home and family, it is my responsibility as a Member of Congress to protect our citizens' constitutional rights. Let's focus our law enforcement efforts on preventing and punishing real violent crimes rather than denying second amendment rights to honest Americans—whether they're from Idaho or the District of Columbia.

Mr. LANGEVIN. Mr. Speaker, today I rise in strong opposition to H.R. 3193, legislation that would repeal Washington, DC's, self-enacted gun ban. For nearly 30 years, this ban has protected the citizens of Washington and the city's 20 million annual tourists. Over the last year, D.C. homicides are down 24 percent, and there have been 55 percent fewer murders since 1994. While the ban has not been perfect, there is no excuse for Congress making it easier for murderers and terrorists to get their hands on legal assault weapons. More guns will lead to more murders.

If enacted, H.R. 3193 would repeal the District's ban on handguns and semiautomatic firearms, including assault weapons, and end criminal penalties for failure to register a gun. This ban was enacted by an elected mayor and city council in 1976 and has never been eroded by legislation or court challenge. The House is now attempting to change the will of elected D.C. officials, but Washington does not even have a voting representative to voice the will of the people most affected by this legislation.

The dangers inherent in this bill are complicated by the recent expiration of the assault weapons ban. Should this bill become law, someone could purchase an Uzi or AK-47 and legally keep it at his or her home within sight of the White House, Capitol Building, or Supreme Court. During this time of unprecedented security, weakening gun laws will only make the job of law enforcement officers more difficult and more dangerous.

Unfortunately, the rule prevents all amendments, including those to ban assault weapons and cop-killer bullets. Without these life-saving provisions, it is only a matter of time until a member of the Metropolitan Police Department, U.S. Capitol Police, Secret Service, or other law enforcement officer is outgunned with a legal assault weapon.

Washington, DC, has the right to determine its own laws, and those laws deserve our respect. As D.C. Police Chief Charles Ramsey recently stated, "We don't need a law that puts more assault weapons in circulation in D.C." I urge my colleagues to join me in opposing H.R. 3193.

Mr. UDALL of Colorado. Mr. Speaker, I cannot support this bill, which would repeal a number of local laws adopted by the District of Columbia City Council and would prohibit the passage of similar local laws in the future.

The laws in question deal with regulation of firearms. But that is not the reason for my opposition.

Instead, I oppose the bill because I think its enactment would be an abuse of our authority as Members of Congress. Its effect would be to reduce the right of self-government for one group of Americans—those who reside in Washington, DC.

I know the Constitution gives Congress the power "to exercise exclusive legislation in all cases whatsoever" over the District of Columbia—even though the residents of the district are not fully represented in either the House of Representatives or the U.S. Senate.

But Congress, through the Home Rule Act, has authorized the district's residents to elect a city council and mayor who will be immediately responsible for governing the city.

I am convinced this was the right thing to do. I support home rule for Washington, DC, because I think Americans who live in the district deserve to be able to govern themselves as much as possible consistent with the necessary functioning of the Federal Government. And this bill flies in the face of that principle.

It's true that the bill includes a "finding" that its enactment "is required to correct the District of Columbia's law in order to restore the rights of its citizens under the second amendment to the United States Constitution and thereby enhance public safety." But I don't think that settles the matter.

I take seriously my oath to uphold the Constitution. But I am not convinced that fidelity to that oath requires a vote to repeal these local laws—especially since as far as I know there has been no successful challenge to their constitutionality in all the years they have been on the books.

And I certainly don't think fidelity to my oath requires me to support a reduction in the authority of the D.C. City Council to pass similar laws in the future, as this bill would do.

Further, while there is plenty of room to debate whether repealing these particular laws would or would not enhance public safety—just as there is room to debate whether the laws themselves are desirable or effective—I think that debate should not take place here in Congress. The laws this bill would repeal were duly adopted by the elected government of the district and they have not interfered with the orderly functioning of the Federal Government. So, in my opinion, decisions about retaining, amending, or repealing these local laws should be made by the city council—a body that is elected by and accountable to the people who are subject to them.

Instead, by passing this bill Congress would substitute its judgment for that of the local elected government—in effect denying their constituents the right to govern themselves on this subject.

We cannot—and we should not—do that to the residents of Colorado or any other State. I do not think we should do it to the people who live here in Washington, DC. We may not think these local laws are well-designed. But I think we should allow those covered by the laws to decide that for themselves.

Mr. PAUL. Mr. Speaker, I rise in support of House Resolution 3193, the District of Columbia Personal Protection Act. I am a cosponsor of this legislation that ensures greater respect for the right to bear arms in Washington, DC.

H.R. 3193 repeals several of the more draconian citywide Washington, DC, gun restrictions enacted in 1976. Restrictions H.R. 3193 will repeal include the requirement that all firearms be registered. Gun registration in other countries has created government lists of who owns what guns. Such lists facilitate the harassment of gun owners and the confiscation of their guns. Also repealed are blanket bans on the possession of handguns and handgun ammunition as well as any semi-automatic guns. These bans exist despite the fact that handguns and semi-automatic guns are regularly used outside Washington, DC, for self-defense. Also repealed is the prohibition on carrying a gun on one's own property. It is hard to say a person is free if he is prohibited from

using the means of protecting himself and his family even in his own home.

It is unfortunate that people in the federal capital city have for nearly 30 years faced some of the most restrictive gun control laws in the country. This fact is particularly unfortunate given Washington, DC's recent history as the murder capital of the United States. Ironically, the place where people most need to bear arms to defend themselves from violent crimes has been one of the places where the exercise of that right has been most restricted.

A strong case can be made that the high rate of violent crimes, including murders, in Washington, DC, is due in part to restrictions on the exercise of the right to bear arms. When potential victims are likely armed, criminals think twice about committing violent crimes; a gun in the hands of a law-abiding citizen is an excellent deterrent to crime. Across the Potomac River from Washington, DC, Virginia does not have this horrific crime and murder rate. Yet, people in Virginia can buy, own, and even carry guns in public.

I am hopeful that the House's consideration of H.R. 3193 indicates a new openness to legislation that will roll back other unconstitutional and dangerous restrictions on Americans' right to bear arms. For years, federal lawmakers have been passing gun control laws, even though they have no authority to do so. Crime control, the stated reason for passing gun control laws in the first place, is a function belonging to the states.

Enacting H.R. 3193 would be a good first step in adopting legislation to restore the Federal Government's respect for the right to bear arms throughout the United States. The Federal Government has trampled on gun rights nationwide—not just in Washington, DC. I have introduced several pieces of legislation this Congress that would help restore respect for the right to bear arms, including the Second Amendment Protection Act, H.R. 153, that would repeal the now-sunset semi-auto ban, repeal the 5-day waiting period and "instant" background check imposed on gun purchases, and delete the "sporting purposes" test that allows the Treasury Secretary to classify a firearm as a destructive device simply because the Secretary deems the gun to be "non-sporting." Additionally, Congress should consider my Right to Keep and Bear Arms Act, H.R. 3125, that prohibits U.S. taxpayers' dollars from being used to support or promote any United Nations actions that could infringe on the second amendment.

In 1976, I spoke on the floor of the House against the adoption of restrictions on the right to bear arms in Washington, DC, that H.R. 3193 seeks to repeal. Unfortunately, my argument then was ruled out of order, and the restrictions went into effect. While it has been too long in coming, I am glad that the House is finally considering this important issue. The District of Columbia Personal Protection Act would restore some much needed respect for the fundamental rights of people in Washington, DC.

Mr. BLUMENAUER. Mr. Speaker, I stand today in firm opposition to this legislation, which aims to repeal Washington, DC's local gun ban. I find it troubling and illogical that the House is repealing a ban on handguns and assault weapons in a city where the Federal Government has invested millions of dollars to increase and improve security. It is foolhardy for Congress to counter these actions by allowing loaded assault weapons to be carried

around this city, putting officers as well as citizens and visitors in danger.

Washington, DC has made great strides to reduce its crime rate—homicide has decreased by 25 percent over the past year and it has decreased by 55 percent since the passage of the Brady Bill and the Assault Weapons Ban in 1994. Despite these improvements, violence remains a serious problem in the District of Columbia. Sixteen children have been killed by gunfire in DC so far this year. These numbers are not going to improve if we allow loaded assault weapons to be carried within the city.

Not only is this legislation ill conceived and dangerous, it is a local matter that should not be within Congress's jurisdiction. The District of Columbia City Council and Mayor passed this ban during its first session in 1976. No laws have been passed locally to repeal the law and the courts have maintained its constitutionality. Now, this body, which does not even grant over half a million United States citizens living in the District of Columbia voting representation in Congress, is trying to further strip rights to these citizens by taking away a self-imposed law to protect their safety.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am here today to join many of my colleagues to argue that guns are disproportionately killing our children in our cities and this law has no basis to be here in front of us today. We must act instantly to strike down both H.R. 3193 and S. 1414. 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.

H.R. 3193 wants to repeal DC's handgun, semi-automatic, and ammunition bans, as well as the registration requirement. The bills will allow gun possession at home, work and on any property a person owns.

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 your 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?

There is also the possibility of break-ins and thefts of guns. DC is on pace for a 20-year low in its homicide rate due in large part to DC police department's efforts at getting guns off the streets. It appalls me that Congress will sit here and enact measures to bring more guns back to the neighborhoods.

The homicide rate in DC is approaching a 20-year low, but the rate among juveniles is

escalating. As chair of the Congressional Children's Caucus, and as a mother, I can tell you that providing troubled teens easier access to weapons is not the answer to lowering the rate of violent death among juveniles.

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 capitol 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 bring 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 percent of all guns used in crimes in DC originate outside of DC and 59 percent of traceable guns were first purchased in Maryland and Virginia. In addition, 8 percent of traceable guns were bought in North Carolina, Florida, Georgia and South Carolina.

In addition, H.R. 3193 violates state's rights. Its enactment would overturn the will of both DC elected officials and local residents. DC, like the 50 states, knows best what firearm regulations work for its residents. Firearm laws that work in Montana would not be perfect fit for a densely populated urban setting like DC. Both bills contain an especially odious provision forbidding the Council to enact any gun safety laws in the future.

It is a sad day for me to know that both H.R. 3193 and S. 1414 are driven by the NRA lobby and not by DC residents or Members of Congress who respect home rule. Neither H.R. 3193 nor S. 1414 is supported by local leaders, business groups or DC residents. These are the people who are most affected by its passage! Every major elected local official in DC along with business and labor groups, all the city's major community groups and civil groups have come out against any effort to overturn, modify or change the DC's gun safety laws.

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. DAVIS of Tennessee. Mr. Speaker, without a doubt, the provisions of the District of Columbia's gun laws that have the most adverse effect upon the largest number of law-abiding District residents, are the ban on using firearms to defend yourself at home, the handgun ban, and other measures that prevent or discourage the purchase of rifles and shotguns.

Much has already been said about those provisions of the District's gun laws, so I would like to address a provision that hasn't received the same amount of attention.

I refer to the section of the District's laws that define various types of firearms, particularly the definition of "machine gun."

As is fairly common knowledge, machine guns were invented in the late 1800s, and they are fundamentally the same today as they were then. They fire repeatedly as long as you hold the trigger down. They are the only firearms that operate in that way. And they all operate in that way.

Federal law defines a machine gun appropriately, as a gun that shoots—and I quote—

"automatically more than one shot, without manual reloading, by a single function of the trigger." I know of no one who disagrees with that definition.

The problem is, the District also defines some semi-automatic firearms as machine guns.

Semi-automatic firearms were also invented in the late 1800s, but that is about where the similarity between them and machine gun ends.

Like a lever-action, bolt-action, or pump-action firearm, or a revolver, a semi-automatic firearm fires only once when you pull the trigger.

I realize that not everyone is clear on that point. "Gun control" supporters have gone to considerable lengths to suggest that a semi-automatic fires like a machine gun. For example, in the context of the "assault weapon" issue, "gun control" supporters often claim that semi-automatics "spray fire."

That does not change the facts, however. Thus, federal law correctly defines a semi-automatic firearm as one that, among other things—and I quote—"requires a separate pull of the trigger to fire each cartridge."

And so that no one misunderstands, let me be clear that conforming the District's definition to the Federal definition, does not change the law with respect to the ownership or possession of machine guns. Such guns are regulated under the National Firearms Act of 1934 and will remain regulated under that law.

Conforming the District's definition will mean only that District residents will not be prohibited from owning semi-automatic firearms that are legal to possess under federal law.

Mr. JACKSON of Illinois. Mr. Speaker, first. In addition to violating the Republicans' "sacred oath" to support "states' rights;" this body is violating the citizens of the District of Columbia's right to self-determination with respect to guns . . . just because it can. Congress, in 1993, denied American citizens the right to statehood and continues to deny them voting rights. DC's young people are fighting, dying and being wounded in Iraq and Afghanistan in the name of democracy and self-determination . . . something they don't have back home in DC! So Republicans in Congress exercise outside control over DC citizens, and DC citizens have limited means of fighting back, since they have no voting representation in Congress.

Second. The other side is forcing us to vote on this bill just to send a political message back home. The Senate has already rejected it, so we know it will not become law this year. They are doing it for political reasons just before the election on November 2—which they would never even think about doing to another state because the Americans they represent have a member in the House and two in the Senate. They are exploiting the politically impotent citizens of DC. It reminds me of the big bully in school picking on the littlest and weakest kid in the class. Let's be clear. They are forcing us to vote on this legislation in order to politicize the gun issue on the eve of the election in order to send a political message back home.

Third. In addition to all of that, let's look at the Republican flip-flop on the gun issue! What was the Republican Party saying about guns in 1968? And, I might add for context, in 1967–1968 our cities were in rebellion and our colleague, Congressman BOBBY RUSH, was a Black Panther, and the Panthers had guns?

But let's look at the Republican Platform language in 1968!

#### REPUBLICAN PARTY PLATFORM 1968

"We pledge an all-out federal-state-local crusade against crime, including enactment of legislation to control indiscriminate availability of firearms."

#### REPUBLICANS IN CONGRESS IN 2004

First, on September 13, Republicans let the assault weapons ban expire!

Now the "Republican District of Columbia Personal Protection Act"!

Sec. 3. Reform DC Council's authority to restrict firearms.

This section shall not be construed to permit the Council, the Mayor, or any governmental or regulatory authority of the District of Columbia to prohibit, constructively prohibit, or unduly burden the ability of persons otherwise permitted to possess firearms under Federal law from acquiring, possessing in their homes or businesses, or using for sporting, self-protection or other lawful purposes, any firearm neither prohibited by Federal law nor regulated by the National Firearms Act. The District of Columbia shall not have authority to enact laws or regulations that discourage or eliminate the private ownership or use of firearms.

Sec. 4. Repeal DC semiautomatic ban.

Sec. 5. Repeal registration requirement.

Sec. 6. Repeal handgun ammunition ban.

Sec. 8. Additional repeals.

Sec. 9. Remove criminal penalties for possession of unregistered firearms.

This bill is a waste of this body's time. It is wrongheaded. It is patently unfair. It is nakedly political. It is anti-democratic. And I urge its defeat.

Mr. MORAN of Virginia. Mr. Speaker, I rise today in opposition to legislation that has been introduced to usurp the District of Columbia's home rule and greatly exacerbate an already very serious gun violence problem here in our Nation's Capital.

I am baffled at what the so-called "District of Columbia Personal Protection Act" introduced by the gentleman from Indian, has to do with personally protecting anyone in Washington, DC. To the contrary, if enacted, this legislation would work to increase homicides and gun violence in a city that has a history of struggling to protect its citizens from crimes involving firearms.

Leaders in the District of Columbia have long recognized that they have a serious crime and gun violence problem. Therefore, since 1976 they have seen fit to enact strict gun control laws in the District.

Last year, DC police confiscated a whopping 1,982 firearms from criminal suspects. So far this year, 1,385 guns have been recovered. If the aforementioned legislation were in place, most of those guns would still be on the streets and in the hands of criminals looking to use them to do harm.

Even more disturbing, the gentleman from Indiana's legislation doesn't stop at just repealing important DC laws such as those preventing the sale of assault weapons. No, it even goes so far as to prevent DC elected officials from enacting any regulation addressing the ownership or use of a firearm. That would mean no restrictions in the District on carrying concealed firearms in churches, movie theaters or shopping centers, no local requirement for gun safety training and no ability whatsoever for local officials to take action that will help keep guns out of the hands of gang members, terrorists or criminals.

Public officials on the ground, working in the District, know the needs of their constituents

and the best means to protect them from gun violence. This legislation is a total affront to the concept of "Home-Rule" and a slap in the face to the people of the District of Columbia. Coming on the heels of the repeal of the Assault Weapons Ban, the House is leading the charge to strip the District's ability to protect its citizens by repealing popular and life-saving gun control measures.

Mr. Speaker, we've got a war raging right now in Iraq. We don't need to open another front right here on the city streets of our Nation's Capital. I oppose this legislation and urge my colleagues to do the same.

Mr. BISHOP of Georgia. Mr. Speaker, all Americans know that gun control continues to be a serious subject of debate, right here in the District of Columbia, in the State of Georgia, which I represent, and across this Nation. It's an issue of personal safety and of constitutional rights embedded in the fabric of our Nation.

I agree with those who want to restrict criminal access to guns. However, this must be done without compromising the constitutional rights of our law-abiding citizens.

I strongly support the right of law-abiding adults to purchase and own firearms for the protection of their homes and families, collecting, target shooting, and hunting. That's why I have and will continue to oppose any proposal that threatens this basic second amendment right.

I realize the concerns of some Americans who, in the wake of school shootings and other heinous illegal acts, call for stricter gun control measures. I understand those concerns. That's why I fully support measures that call for tougher sentences for the illegal use of firearms, to get offenders off the streets and out of our communities. I support stiff sentences of juveniles who use firearms illegally, and I support increasing the maximum penalty for adults who illegally provide those juveniles with firearms. That's how we must keep our schools and communities safe.

Mr. Speaker, tougher gun laws should not infringe on the rights of law-abiding citizens, and Congress has both the authority and the responsibility to ensure that they do not. So, the question before us today is not whether Congress can repeal the District of Columbia's handgun and self-defense bans, it is whether Congress should do so. The U.S. Constitution, the constitutions of 44 States, Federal law, the laws of all 50 States, the vast majority Georgians and of Americans recognize the right for law-abiding citizens to use firearms for protection, and for other legal purposes. Only the District of Columbia prohibits a person from having a firearm assembled and loaded at home for the purpose of self-defense. I believe that that's wrong. Pass this bill and allow DC residents to protect themselves from crime.

Mr. HOLT. Mr. Speaker, I rise today to express my strong opposition to H.R. 3193, the so-called District of Columbia Personal Protection Act.

I do not agree with the premise that more hand guns and assault weapons in the District will mean less crime on the streets of our Nation's Capital. The experts don't either. The Mayor of the District, Anthony Williams, strongly opposes this bill. The District's Chief of Police, Charles Ramsey, recently said that "to reduce crime and prevent more senseless tragedies like the recent killings in Anacostia and Ballou, we need fewer—not more—weapon-

ons. . . ." The District's Delegate in the Congress ELEANOR HOLMES NORTON, is strongly against this legislation, as is the City Council.

Why, Mr. Speaker, do all these District leaders oppose this effort to overturn their gun laws? Because, to cite just recent examples, they have seen their neighbors, their family, and their co-workers mourn the loss of 16 local children killed by guns this year. And yet, today in the House, a place secured from weapons by metal detectors at every entrance and protected by our own dedicated police force, we are voting on legislation that will overrule the District's own sensible gun laws.

Today, I have heard from a number of my colleagues who support this legislation that the District of Columbia is the murder capital of the United States and that the best way to solve this problem is to increase access to hand guns and assault weapons. But what I want to ask is why we are not actually helping the District with its real underlying problems. Why are we not doing more to support the police officers on the streets of the District? Why are we not doing more to support after-school programs to keep children off the streets and away from guns and crime? Why are we not providing funds for job training and other educational programs for the District's residents, who desperately want to end the cycle of crime that plagues many of their District's communities? The simple answer is that this legislation is based not on sound public policy or on a desire to end gun-related crimes; this is a politically motivated attempt to curry favor with the National Rifle Association and other opponents of reasonable gun safety.

Mr. Speaker, I cannot understand why those who, day after day, rail on the floor of the House about their support for federalism are now taking significant steps to trample the right of the District to decide its own affairs. If my colleagues who support this measure really feel that the District should repeal its gun registration laws, repeal its assault weapons ban, and allow "cop killer" bullets on the streets, then I recommend that they register to vote in the District and lobby their local councilmember for such a change. This is the appropriate way to change the laws of the District of Columbia.

The elected leaders of the District of Columbia do not want this legislation. The people of the District of Columbia do not want this legislation. If passed, this legislation will put more people at risk of being shot with assault weapons or handguns—particularly at risk are children and police officers. It's time to stand up to the gun lobby and oppose legislation that will make the District of Columbia less safe. I strongly urge my colleagues to vote no on H.R. 3193.

Ms. SLAUGHTER. Mr. Speaker, I rise in opposition to this rule and this bill. The rule before us is a closed rule allowing only 60 minutes of debate and prohibits consideration of all the Democratic amendments offered to the Rules Committee.

Mr. Speaker, this bill repeals District of Columbia's laws that ban the sale and possession of handguns and semiautomatic weapons that have been in effect for over three decades.

Our constituents expect us to work on issues of national concern.

They expect us to complete the annual appropriations process and avoid a government

shutdown. Yet, today, with the end of the fiscal year 2 days away, Congress has only managed to complete one appropriation bill.

They expect us to continue to provide States with Federal assistance to build and maintain the Nation's highways. However, Congress has not acted to renew authorization for billions of dollars for critical surface transportation projects that expire on Friday. They expect us to take up the 9/11 Commission's recommendations to make America safer. They expect us to enact legislation to create new jobs and address the plight of the unemployed.

They do not expect us to waste the little time remaining on a bill that the chief sponsor in the other body has all but abandoned hope of getting to the President.

Why on earth is this body squandering the little time remaining in this session on this bill? One word. Politics. Brazen, election-year politics.

With only 7 legislative days left in this Congress, I know that my constituents sent me here to vote on bills of more importance to their lives.

H.R. 3193 repeals several District of Columbia firearms laws and limits the authority of the District to enact new firearms legislation.

Specifically, the bill repeals the District's ban on the sale and possession of handguns, handgun ammunition and semiautomatic weapons.

Mr. Speaker, I do not know where to begin in expressing my outrage about the legislation before us today.

The rule before us blocks consideration of meritorious amendments offered by my colleagues at Rules last night. These amendments would have reinstated the District's ban on semiautomatic assault weapons, reinstated the Federal ban on semiautomatic assault weapons, and reinstated the District's prohibition on the sale of armor-piercing bullets—the so-called “cop-killer” bullets.

I think the majority of our constituents would be appalled to learn that this bill exempts semiautomatic weapons that fire 12 or more shots without manual reload from the District's “machine gun” restrictions.

We should be here considering legislation to renew the national assault weapons ban that unceremoniously expired a couple of weeks ago—not making a mockery of DC's restrictions on semi-automatic weapons.

As DC Mayor Anthony Williams wrote to 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 to put our officers at greater risk at a time when Capitol Police—alone—are asking for \$20 million 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.

It is worth pointing out the hypocrisy of my colleagues who support this bill by arguing that the District's gun laws infringe on DC citizens' second amendment right to bear arms.

While the bill changes the law to allow DC residents to carry pistols, open or concealed, in their homes and places of business, it does not repeal another DC gun law. The law we will not repeal today is the provision outlawing

people from carrying or having readily access to a firearm “upon the United States Grounds or within the Capital Buildings.”

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

It is unthinkable that only 2 years after the Washington area was terrorized by snipers who killed 10 people in the region, and while the Nation's capital is still under a terrorist alert, Congress would take action on this bill.

We must not lose sight of the innocent victims of gun violence.

Yesterday, the front page of the Washington Post reported that a 13-year-old boy was fatally shot inside his apartment, the 21st child killed this year in DC.

When we voted on this same issue in the aftermath of the Columbine shootings, it failed by a vote of 175 to 250. I hope my colleagues remember their outrage to that senseless killing and recognize that this bill and the recent lapse of the 1994 Federal ban on semi-automatic weapons place our children in more danger.

So, Mr. Speaker, to recap, we are not considering bills to create jobs, we are not passing the budgets for Federal agencies and services, and we are not improving our homeland security. No, today we are debating legislation to allow more lethal guns and ammunition to be on the streets of our Nation's capital—in the hands of would-be terrorists, gang members, and other violent criminals.

Mr. Speaker, again, I strongly urge my colleagues to oppose this closed rule and to vote against the underlying bill.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today in strong support of the DC Personal Protection Act.

This commonsense legislation will restore the constitutional right of DC citizens to lawfully protect themselves and their families from criminals.

The simple fact is that Washington, DC is one of the most dangerous cities in America.

Year after year, Washington, DC, is in the running for the disgraceful title of “the murder capital of the United States.” FBI statistics released last year reveal that Washington, DC, has the highest per capita homicide rate of any big city in America.

Ironically Washington, DC, has the toughest gun control laws of any city in the Nation.

In 1976 the City Council banned handguns and required rifles and shotguns to be registered and stored disassembled.

What's really sad is that prior to the DC gun ban, the city's homicide rate was on the decline.

However in the 15 years between 1976 and 1991, the District's homicide rate skyrocketed 200 percent while the national homicide rate rose just 12 percent.

And as of 2002, DC's homicide rate was almost double the rate from when the gun ban took effect—nearly five times higher than the national average.

When will we learn that gun control does not make the public safer?

Criminals ignore gun bans while good citizens abide by them.

That's a recipe for disaster, just as we've seen in our Nation's capital.

For the sake of our constitutional right to bear arms and for the safety of law abiding DC citizens and their families, support this bill.

Mr. CUMMINGS. Mr. Speaker, I rise in opposition to the District of Columbia Personal

Protection Act, H.R. 3193, an outrageous effort spearheaded by my friend Representative SOUDER of Indiana, to repeal the ban on the possession of firearms in the District of Columbia.

Mr. Speaker, I rise today to support Delegate ELEANOR HOLMES NORTON, the DC elected officials, Mayor Anthony Williams, business, labor and civil rights groups and most importantly the District's local residents, who have spoken out against repealing this ban. If this Congress passes H.R. 3193, we will ignore their urgent cries—to spare their communities from further gun violence.

I think I should point out to those Members who believe that the NRA interests should trump the interests of the District's citizens, let's remember the principles of DC home rule that were recently cemented by the Federal courts in *Seegars v. Ashcroft*. In *Seegars*, the court held that because the District of Columbia is not a State, then the second amendment did not apply and the ban was not unconstitutional. Congress should respect the court's decision and the District's right to home rule to allow the gun ban to remain in place.

Just ask the parents of 16-year-old Ashley Walker, killed Sunday, September 26, 2004, and the parents of 13-year-old Michael Swan, killed Monday, September 27, 2004, if they believe that more guns should be permitted in the District. These parents know all too well what it means to lose someone to gun violence. They know the importance of maintaining this ban and that creating an environment of proliferation of guns is antithetical to saving lives.

Yet despite these tragedies, Mr. Speaker, the homicide rate in DC is approaching a 20-year low. In fact, DC homicides are down by 24 percent from last year and 55 percent since 1994. It is clear that this ban saves lives.

In my own district in Maryland, there has been an overwhelming decline of assault pistols used in crimes since the Maryland Assault Pistol Ban in 1994.

The Baltimore City Police Department concluded that since the ban's enactment that 55 percent fewer assault pistols were used in crimes. These are real statistics from cities that had been plagued by violence in the past decade; but these cities are also evidence of the success that has sprung from banning assault weapons.

Once again Mr. Speaker, with statistics such as these, we cannot ignore the fact that this ban saves lives.

There are Members of this body who will argue that this bill will give DC residents a sense of protection and restore their second amendment rights. I argue just the opposite. First, under the current law, DC residents may currently own registered guns—in fact over 100,000 firearms have been registered since 1976. Secondly, lifting the ban would engender all sorts of travesties: fully loaded assault weapons—to be carried in public in some instances—acquisition of armor-piercing ammunition—including “cop-killer” bullets—elimination of the District's registration program—even for assault weapons—and issuance of permits to individuals to carry concealed handguns in their places of business. I and other reasonable-minded individuals agree that this legislation is a far cry from providing residents with a “sense of protection.” We would argue

that this legislation would only restore a culture of violence that the ban has significantly reduced.

Mr. Speaker, if H.R. 3193 is passed we will once again ignore the millions of Americans who have pleaded with the administration and this body to extend the ban in the District of Columbia and the national assault weapons ban, contained in H.R. 2038. We cannot fail the residents of the District like we failed the millions of Americans when we allowed the assault weapons ban to expire just weeks ago.

Mr. Speaker, we must listen to the residents of this District, citizens who do not have voting representation in Congress. I urge my colleagues to vote against repealing the DC gun ban—vote against H.R. 3193.

Mr. STUPAK. Mr. Speaker, I wanted to take a moment to discuss today's floor vote on H.R. 3193, to repeal the DC gun ban. I voted in favor of this bill. However, I am concerned with how this legislation came to the floor—without a hearing and without the opportunity to offer amendments. In addition, I am a strong supporter of local rule and this legislation, although I agree with the principle, blocks the local District of Columbia government from having any authority over the matter. Again, I support the legislation in general, I just don't believe appropriate procedure was followed on such a controversial issue.

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

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

Pursuant to House Resolution 803, the previous question is ordered on the bill, as amended.

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

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will now resume on questions postponed earlier today.

Votes will be taken in the following order: motion to instruct on H.R. 4520, de novo; passage of H.R. 3193, recorded vote.

The Chair will reduce to 5 minutes the time for the second electronic vote.

#### MOTION TO INSTRUCT CONFEREES ON H.R. 4520, AMERICAN JOBS CREATION ACT OF 2004

The SPEAKER pro tempore. The pending business is the question de

novo of agreeing to the motion to instruct conferees on H.R. 4520 offered by the gentleman from Massachusetts (Mr. NEAL).

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Massachusetts (Mr. NEAL).

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

#### RECORDED VOTE

Ms. NORTON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 205, noes 215, not voting 12, as follows:

[Roll No. 476]

#### AYES—205

Abercrombie	Grijalva	Neal (MA)
Ackerman	Gutierrez	Oberstar
Allen	Harman	Obey
Andrews	Herseth	Olver
Baca	Hill	Ortiz
Baird	Hinchey	Owens
Baldwin	Hinojosa	Pallone
Becerra	Holden	Pascrell
Bell	Holt	Pastor
Berkley	Honda	Payne
Berman	Hooley (OR)	Pelosi
Berry	Hoyer	Peterson (MN)
Bishop (GA)	Inslee	Pomeroy
Bishop (NY)	Israel	Price (NC)
Blumenauer	Jackson (IL)	Rahall
Boswell	Jackson-Lee	Rangel
Boucher	(TX)	Reyes
Boyd	Jefferson	Rodriguez
Bradley (NH)	John	Ross
Brady (PA)	Johnson, E. B.	Rothman
Brown (OH)	Jones (OH)	Roybal-Allard
Brown, Corrine	Kanjorski	Ruppersberger
Butterfield	Kaptur	Rush
Capito	Kennedy (RI)	Ryan (OH)
Capps	Kildee	Sabo
Capuano	Kilpatrick	Sánchez, Linda
Cardin	Kind	T.
Cardoza	Kleczka	Sanchez, Loretta
Carson (IN)	Kucinich	Sanders
Carson (OK)	Lampson	Sandlin
Case	Langevin	Schakowsky
Chandler	Lantos	Schiff
Clay	Larsen (WA)	Scott (VA)
Clyburn	Larson (CT)	Serrano
Conyers	Leach	Sherman
Cooper	Lee	Skelton
Costello	Levin	Slaughter
Cramer	Lewis (GA)	Smith (WA)
Crowley	Lipinski	Snyder
Cummings	Lofgren	Solis
Davis (AL)	Lowey	Spratt
Davis (CA)	Lucas (KY)	Stark
Davis (FL)	Lynch	Stenholm
Davis (IL)	Majette	Strickland
Davis (TN)	Maloney	Stupak
DeFazio	Markey	Tanner
DeGette	Marshall	Tauscher
Delahunt	Matheson	Taylor (MS)
DeLauro	Matsui	Thompson (CA)
Deutsch	McCarthy (MO)	Thompson (MS)
Dicks	McCarthy (NY)	Tierney
Dingell	McCollum	Towns
Doggett	McDermott	Turner (TX)
Dooley (CA)	McGovern	Udall (CO)
Doyle	McIntyre	Udall (NM)
Edwards	McNulty	Van Hollen
Emanuel	Meehan	Velázquez
Engel	Meeks (NY)	Visclosky
Eshoo	Menendez	Waters
Etheridge	Michaud	Watson
Evans	Millender-	Watt
Farr	McDonald	Waxman
Fattah	Miller (NC)	Weiner
Filner	Miller, George	Wexler
Ford	Mollohan	Wilson (NM)
Frank (MA)	Moore	Woolsey
Frost	Moran (VA)	Wu
Gonzalez	Murtha	Wynn
Gordon	Nadler	
Green (TX)	Napolitano	

Aderholt	Gillmor	Ose
Akin	Gingrey	Otter
Alexander	Goode	Oxley
Bachus	Goodlatte	Paul
Baker	Granger	Pearce
Ballenger	Graves	Pence
Barrett (SC)	Green (WI)	Peterson (PA)
Bartlett (MD)	Greenwood	Petri
Barton (TX)	Gutknecht	Pickering
Bass	Hall	Pitts
Beauprez	Harris	Platts
Biggert	Hart	Pombo
Bilirakis	Hastings (WA)	Porter
Bishop (UT)	Hayes	Portman
Blackburn	Hayworth	Pryce (OH)
Boehner	Hefley	Quinn
Bonner	Hensarling	Radanovich
Bono	Herger	Ramstad
Boozman	Hobson	Regula
Brady (TX)	Hoekstra	Rehberg
Brown (SC)	Hostettler	Renzi
Brown-Waite,	Houghton	Reynolds
Ginny	Hulshof	Rogers (AL)
Burgess	Hunter	Rogers (KY)
Burns	Hyde	Rogers (MI)
Burr	Isakson	Rohrabacher
Burton (IN)	Issa	Ros-Lehtinen
Buyer	Istook	Royce
Calvert	Jenkins	Ryan (WI)
Camp	Johnson (CT)	Ryan (KS)
Cantor	Johnson (IL)	Saxton
Carter	Johnson, Sam	Schrock
Castle	Jones (NC)	Scott (GA)
Chabot	Keller	Sensenbrenner
Chocola	Kelly	Sessions
Coble	Kennedy (MN)	Shadegg
Cole	King (IA)	Shaw
Collins	King (NY)	Shays
Cox	Kingston	Sherwood
Crane	Kirk	Shimkus
Crenshaw	Kline	Shuster
Cubin	Knollenberg	Simmons
Culberson	Kolbe	Simpson
Cunningham	LaHood	Smith (MI)
Davis, Jo Ann	Latham	Smith (NJ)
Davis, Tom	LaTourette	Smith (TX)
Deal (GA)	Lewis (CA)	Souder
DeLay	Lewis (KY)	Stearns
DeMint	Linder	Sullivan
Diaz-Balart, L.	LoBiondo	Sweeney
Diaz-Balart, M.	Lucas (OK)	Tancred
Doolittle	Manzullo	Taylor (NC)
Dreier	McCotter	Terry
Duncan	McCrery	Thomas
Dunn	McHugh	Thornberry
Ehlers	McInnis	Tiahrt
Emerson	McKeon	Tiberi
English	Mica	Toomey
Everett	Miller (FL)	Turner (OH)
Feeney	Miller (MI)	Upton
Ferguson	Miller, Gary	Vitter
Flake	Moran (KS)	Walden (OR)
Foley	Murphy	Walsh
Forbes	Musgrave	Wamp
Fossella	Myrick	Weldon (PA)
Franks (AZ)	Neugebauer	Weller
Frelinghuysen	Ney	Whitfield
Gallegly	Northup	Wicker
Garrett (NJ)	Norwood	Wilson (SC)
Gerlach	Nunes	Wolf
Gibbons	Nussle	Young (AK)
Gilchrest	Osborne	Young (FL)

#### NOT VOTING—12

Blunt	Gephardt	Nethercutt
Boehlert	Hastings (FL)	Putnam
Bonilla	Hoefel	Tauzin
Cannon	Meek (FL)	Weldon (FL)

□ 14311

Mr. SIMPSON, Mr. BURGESS, Mrs. CUBIN and Mr. UPTON changed their vote from "aye" to "no."

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.