

□ 1230

VOTER ID LAWS

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Instead of Republican legislatures across America, Madam Speaker, focusing on creating jobs in their States and working with this Congress to create jobs, we find ourselves shackled by 40 States implementing voter ID laws—laws/provisions that limit voting by requiring the presentation of photo identification that, however, is limited to State-authorized voter ID, which has a negative impact on our seniors, laws that exclude the most common forms of ID—student IDs and Social Security cards. But they offer no alternate procedures. Changes requiring limitations or the outright elimination of early voting opportunities bury us to first-time voters, such as the elimination of same-day registration.

Madam Speaker, couldn't we do better than to counter the 15th Amendment, which indicates that there should be no laws that would thwart anyone's right to vote, or even the 24th Amendment that indicates that we should not have a poll tax to allow people to vote?

Rather than creating jobs through passing the American Jobs Act or standing up and denouncing the sexual abuse of children, which is a crisis and an outrage, we are stopping people from voting by putting in place voter ID laws. Voter suppression, the Constitution will not tolerate it—the 15th Amendment and the 24th Amendment. Let us open this opportunity for all people and fight the real issues that the American people want us to address.

IT'S TIME FOR A JOBS AGENDA

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

Mr. MCGOVERN. There is a lot of talk about the supercommittee and debt reduction; but, Madam Speaker, what we need is a supercommittee for jobs.

Here's the deal. If we can create more jobs, we can reduce our deficit; but my Republican friends have gone out of their way to talk about everything on this House floor except jobs. They refuse to bring the President's jobs bill to the floor; they refuse to invest in our roads, bridges, and infrastructure; and they're threatening to cut medical research, Medicare, and funds for education. All they seem to care about is making sure that the top 1 percent of income earners is protected from paying its fair share.

It's time for a new agenda, Madam Speaker. It's time for a jobs agenda. It's time for the Republican leadership to focus and to get to work.

PROVIDING FOR CONSIDERATION OF H.R. 822, NATIONAL RIGHT-TO-CARRY RECIPROCITY ACT OF 2011

Mr. NUGENT. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 463 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 463

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 822) to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Florida is recognized for 1 hour.

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

GENERAL LEAVE

Mr. NUGENT. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. NUGENT. I rise today in support of House Resolution 463, a rule which provides for the consideration of an important piece of legislation, H.R. 822, the National Right-to-Carry Reciprocity Act of 2011.

I am proud to sponsor this rule, which provides for a structured amendment process that will allow Members to have a thorough debate on a wide variety of relevant and germane amendments to H.R. 822. We have allowed 10 amendments to this bill—two Republican amendments and eight Democratic amendments. Even on a contentious bill, a bill where it would be easy to shut down the process, we not only are allowing amendments, but of those that we will be debating on the floor, the vast majority are Democratic amendments.

We did this not because it was the easy thing to do; we did it because it was the right thing to do. It brought transparency to the debate, and it is in keeping with the promises that the Republican Party made to the American people for a freer, more open process.

Madam Speaker, until coming to this body 10 months ago, I had spent my entire career as a cop, the last 10 years as sheriff of Hernando County, Florida. During my 38 years in law enforcement, I found that disarming honest citizens does nothing to reduce crime. If anything, all it does is keep law-abiding citizens from being able to defend themselves from violent criminals. Although I know this just from my anecdotal experience, research backs up the claim.

For example, statistics indicate that citizens with carry permits are more law-abiding than the general public. In my home State of Florida, only 0.01 percent of nearly 1.2 million permits have been revoked because of firearm crimes committed by permit holders. Additionally, evidence indicates that crime declines in States with right-to-carry laws. Since Florida became a right-to-carry State in 1987, Florida's total violent crime and murder rates have dropped 32 percent and 58 percent, respectively.

Because of this evidence, as well as my firsthand experience, I am a proud defender of our Second Amendment right: ensuring "the right of the people to keep and bear arms shall not be infringed." My history as a law enforcement officer is also why I am a proud cosponsor of H.R. 822, the National Right-to-Carry Reciprocity Act of 2011.

H.R. 822 is a good, bipartisan bill, which enhances the constitutional rights of law-abiding gun owners. Today, if I drive from my home State of Florida into Georgia, Georgia recognizes that my Florida driver's license is still valid even once I cross the State line. H.R. 822 would require States to recognize each other's legally issued concealed carry permits in the same

way. This legislation would take a comprehensive approach to helping law-abiding citizens navigate the patchwork of State concealed carry laws.

H.R. 822 does not—let me repeat—does not create a national concealed carry permit system nor does it establish any nationalized standard for a carry permit. H.R. 822 respects the States' abilities to create their own gun usage laws as well as their own permitting processes.

I am sure that we will hear arguments from my colleagues on the other side of the aisle saying that H.R. 822 somehow makes it easier for people to get a gun. Let me assure you that, again, this is not the case. This legislation does not mandate that anyone suddenly be given a gun nor does it relax any of a State's current permitting laws.

□ 1240

During my nearly 40 years as a cop, I learned you just can't talk about guns. When you're talking about gun crime, you need to look at two distinct classes of guns: there are legal guns, and there are illegal guns. I can tell you, as a cop, you don't worry about the legal guns, the guns that people bought from an authorized source, that they registered with the proper authorities, that they took the necessary classes to learn how to use responsibly, and that they got their legal concealed carry permit. In my experience, you worry about the illegal guns, guns that somebody purposefully bought off the radar, either because they aren't legally allowed to own a gun or because they're going to use them for illegal purposes.

H.R. 822 doesn't get into that difference. What it does is ensures that legal gun owners don't accidentally break a law simply because they brought their fully permitted gun into another State. This legislation gives peace of mind to Americans traveling across State lines with a legally registered, concealed firearm, knowing that they can practice their constitutional right to bear arms.

Again, I am proud to be a cosponsor of H.R. 822 and support its passage.

With that, I encourage all my colleagues to vote "yes" on the rule, "yes" on the underlying legislation, and I reserve the balance of my time.

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

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

Mr. MCGOVERN. Madam Speaker, first of all, let me rise in opposition to this restrictive rule, yet another restrictive rule. A lot of good amendments were not made in order, and Members do not have the right to offer amendments as they see fit during this debate. So I would urge my colleagues to vote "no" on the rule for that reason.

Madam Speaker, another week and another hot button social issue is being brought to the floor by this extreme Republican leadership. A few weeks ago, this House debated an abortion bill. That's months after we considered legislation to defund Planned Parenthood. This Republican leadership has tried to overturn the Clean Air Act and the Clean Water Act this year, simply because their corporate constituency demands it. And now we're turning to guns.

We're about to debate legislation that makes it easier to carry concealed weapons in the United States. In fact, we're considering a bill that will make it easier for convicted felons. Yet what do Americans want most of all right now? Are they screaming for a lengthy debate on abortion issues? Do they want us debating whether or not we need to reaffirm our national motto? Are they clamoring for more lenient gun laws?

No, Madam Speaker. The American people want jobs, J-O-B-S, jobs. But my Republican friends are either too stubborn to listen or just don't care enough to do something about the problem. Maybe they are just covering their eyes and plugging their ears, hoping that this crisis will magically disappear. That may work for a 6-year-old who's scared of ghosts, but that's not how you govern a country.

Our unemployment rate is 9 percent. There are just under 14 million unemployed Americans; millions more are earning less now than they were before the economic crisis simply because they were forced with the choice to take a lower-paying job or face unemployment. And what's the Republican response to this problem? Not a jobs bill. In fact, the Republicans haven't brought up a jobs bill once in this Congress. So what, then, is their response to the jobs product? Surprise, surprise; it's a gun bill.

Madam Speaker, what are we doing here? This is nuts. This isn't what the American people sent us here to do. The irony is, many of the new Republicans were allegedly sent here because of their opposition to Federal encroachment on States' rights, but here we are debating a bill that imposes the Federal role on States and undermines States' laws.

This is crazy in normal times, Madam Speaker. It's even crazier today. And unlike the resolution reaffirming our national motto that we debated a few weeks ago, this legislation will have real impacts on people's lives. Madam Speaker, people will be hurt because of this legislation. People, in fact, may die because of this bill. Don't take my word for it; look at the facts. The bill obliterates State and local eligibility rules for concealed weapons. It eliminates the State's discretion to honor another State's permits. It requires States with responsible restrictions—like my home State of Massachusetts—to allow people with permits from States with lax laws to

bring concealed weapons into those States. Simply, it allows a person to bring a hidden loaded gun into a State where, under today's laws, they are currently ineligible to carry a concealed weapon.

Now there are reasons that States don't allow certain people to carry concealed weapons, and each State is different. My home State of Massachusetts doesn't issue concealed weapons permits to people who have specific dangerous misdemeanor criminal convictions or alcohol abuse problems, as well as people who have not completed firearm safety training, people who do not have a good character, or those who are under the age of 21.

I would like to insert into the RECORD a letter from the Massachusetts Secretary of Public Safety and Security in opposition to this bill.

But under this bill, a person who is convicted of spousal abuse in one State could go to a second State for a concealed weapon permit. When they get that permit, this bill allows that felon to bring their weapon into Massachusetts even though they would not be eligible for a concealed weapon permit under Massachusetts laws.

Now my friends on the other side of the aisle will say that this bill is necessary, that more guns mean less crime, that people need to be able to protect themselves. Well, that's not how our Nation's mayors see it. Mayors Against Illegal Guns strongly oppose this bill because it makes our cities less—not more—less safe. Mayors Against Illegal Guns, founded by Boston Mayor Tom Menino and New York City Mayor Michael Bloomberg, is made up of over 600 mayors of all political stripes, united to respect the rights of law-abiding gun owners while keeping guns out of the hands of criminals and other dangerous people. And I'm especially grateful for the national leadership of Mayor Tom Menino, who has long been a champion on this issue.

Not only do more than 600 mayors in this coalition oppose this bill, but so do the International Association of Chiefs of Police, Major Cities Chiefs Association, the Police Foundation, the National Latino Peace Officers Association, and the National Organization of Black Law Enforcement Executives. In fact, not only does the American Bar Association oppose this bill, but so does the Association of Prosecuting Attorneys.

I would like to insert into the RECORD the statement by the Mayors Against Illegal Guns in opposition to H.R. 822.

Madam Speaker, Massachusetts is fortunate to have a number of anti-gun violence leaders in the Commonwealth. In addition to Mayor Menino, we are home to Stop Handgun Violence and, specifically, its founder John Rosenthal. Gun safety laws work. They keep our citizens safe. In fact, Massachusetts has the most comprehensive and effective gun violence prevention laws and initiatives and the lowest firearm

fatality rate per 100,000 population of any urban industrial State and second lowest overall behind Hawaii.

Every day more than 150 Americans are shot, and 83 die from gun violence in the United States. A child under 20 years old dies from gun violence every 3 hours, eight kids every single day. We could fill Fenway Park three times over with the 110,000 kids under 20 years old killed by guns in the past 30 years, and there is still no national law requiring criminal background checks for all gun sales in the U.S. In fact, in 33 States, there is no background check requirement or even proof of ID for private gun sales. And today we're going to make it even easier for these people to carry concealed weapons.

Massachusetts is the leader in gun violence prevention. We should be working to prevent gun violence, not encouraging it with legislation like this. Madam Speaker, Federal preemption of Massachusetts law will only result in more innocent and largely preventable gun deaths in my home State. The same holds true for nearly every State of the Union. In fact, preempting State gun laws will make this entire country less safe, and I cannot and I will not support legislation that makes our neighborhoods and our cities and our States less safe.

Madam Speaker, let me conclude by saying, if we want to combat crime, if we want to make our neighborhoods safer, I would urge my colleagues on the other side of the aisle to join with us and bring the President's jobs bill to the floor. Let's provide people with jobs and economic security. Let's revitalize our neighborhoods that are struggling now in poverty. That's what we should be doing, not debating a bill to make it easier to carry concealed weapons. I urge my colleagues to vote "no" on the rule and vote "no" on final passage of the bill.

THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY,

Boston, MA, November 10, 2011.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington DC.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SENATOR REID, SENATOR MCCONNELL, SPEAKER BOEHNER, AND MINORITY LEADER PELOSI: I write to express my strong opposition to H.R. 822, the National Right-to-Carry Reciprocity Act, legislation that would force Massachusetts to recognize concealed carry permits granted by other states, even when those permit holders could not meet standards required by Massachusetts law.

To protect vulnerable people, many states have set standards for carrying handguns that include criteria beyond an applicant's ability to pass a federal background check. Right now, Massachusetts does not issue concealed carry permits to people who have certain dangerous misdemeanor criminal

convictions or alcohol abuse problems, as well as individuals who have not completed firearms safety training, who do not have good character, or who are under the age of 21. H.R. 822, however, would permit citizens of states with less strict laws to freely carry concealed weapons in our state.

Varying state standards make it very difficult to know if a carry permit from another state is valid. If a police officer is unsure about whether a person is carrying a gun legally or illegally, especially during a traffic stop, it may result in a situation which could escalate dangerously.

National concealed carry reciprocity is opposed by more than 600 mayors, including the mayors of Boston, Cambridge, Springfield, and Worcester; local law enforcement, including the Massachusetts Chiefs of Police Association and the Commissioner of the Boston Police Department; seven state attorneys general, including Martha Coakley, Attorney General of Massachusetts; the International Association of Chiefs of Police; the Major Cities Chiefs Association, representing the police chiefs of 56 major U.S. cities; the National Black Police Association; the National Latino Peace Officers Association; and the National Organization of Black Law Enforcement Executives.

I urge you to support Massachusetts' law enforcement officials and the Commonwealth's right to make its own decisions about how to protect public safety.

Sincerely,

MARY ELIZABETH HEFFERNAN,
Secretary.

MARIAN J. MCGOVERN,
Colonel, Massachusetts State Police.

MAYORS AGAINST ILLEGAL GUNS

"NATIONAL RIGHT-TO-CARRY RECIPROCITY ACT OF 2011," SPONSORED BY REP. STEARNS (H.R. 822)

Bottom line: This bill would override the laws of almost every state by forcing each to accept concealed handgun carry permits from every other state, even if the permit holder would not be allowed to carry or even possess a handgun in the state where he or she is traveling. That policy would undercut states' rights and create serious problems for law enforcement. For those reasons, more than 600 mayors, major national and local police organizations, and domestic violence prevention organizations oppose national concealed carry reciprocity and Congress rejected similar legislation in 2009.

States Decide Criteria for Concealed Carry Permits Based on Their Public Safety Needs: Almost all states issue licenses to carry concealed firearms, but the criteria for such permits differ widely, and each state makes its own decision about whether to accept other states' permits based on their respective public safety needs.

Licenses issued: 44 states require permits to carry concealed handguns.

Illinois and Wisconsin do not allow concealed carrying.

Alaska, Arizona, Vermont, and Wyoming allow concealed carrying without a permit.

Criteria Vary Based on Public Safety Needs: Each state with permitting has its own eligibility standards. Those criteria include:

Dangerous misdemeanants: At least 38 states, including Indiana and Pennsylvania, prevent people from carrying concealed weapons if they have certain dangerous misdemeanor criminal convictions beyond domestic violence misdemeanors, which prohibit gun possession under federal law.

Safety training: At least 35 states, including Nevada, require the completion of a gun safety program, many of which include live fire training, or other proof of competency prior to the issuance of a carry permit.

Age restrictions: At least 36 states, including Colorado and Missouri, prohibit individuals under the age of 21 from obtaining concealed carry permits.

Law enforcement discretion: At least 24 states, including Alabama, give permits based on law enforcement discretion.

Alcohol abuse: At least 29 states, including New Mexico and South Carolina, prohibit alcohol abusers from obtaining a concealed carry permit.

Good character: At least 14 states, including Maine, require applicants to demonstrate good character to obtain a concealed carry permit.

Good cause requirement: At least 12 states, including North Dakota, require applicants to demonstrate that he or she has "good cause" for obtaining a concealed carry permit.

Short permit renewal period: At least 36 states, including Arkansas, require permit holders to renew their permit at least every five years.

Residents: At least 27 states require applicants to be residents of the state or have some other close tie to the state.

States Decide Whether to Offer Reciprocity: Each state has its own laws on what other states' permits to accept, if any.

30 states recognize permits only from selected states—typically from states with equivalent or higher standards; and

9 states do not recognize any out-of-state permits.

Of the other 11 states, 7 states allow carrying by all out-of-state permit holders, 3 states allow carrying by non-residents without a permit, and Illinois does not currently allow any form of concealed carrying.

What Would H.R. 822 Do? H.R. 822 would require each state to accept concealed carry permits from every other state, usurping each state's right to set its own public safety laws. Those eligible include anyone who holds a concealed carry permit issued by any state and except for those barred under federal law.

Narrow exceptions to reciprocity:

A person cannot obtain a permit from a state that grants permits to non-residents and then use that permit to carry in their own state of residence. However, under H.R. 822, a person can obtain a non-resident permit and use it to carry in 47 other states.

They must carry a government-issued photo ID and their state license.

How Would H.R. 822 Endanger Law Enforcement?

Threatens Safety of Police Officers: H.R. 822 would create serious and potentially life threatening situations for law enforcement officers.

For example, during traffic stops, it will be nearly impossible for law enforcement officers to verify the validity of 48 different carry permits—forcing officers to make split-second decisions for their own safety in an already dangerous situation.

H.R. 822 would also enable criminal traffickers to travel to out of state gun markets with loaded handguns in the glove compartment, exposing police to unnecessary danger.

Weakens Law Enforcement's Ability to Detect Criminals:

Inability to prevent gun trafficking: Gun traffickers who have concealed carry permits would be able to bring cars or backpacks full of guns into destination states and present their permit if stopped. As a practical matter, to arrest the traffickers, police would have to observe them in the act of selling guns.

Inability to determine if individuals are in compliance with laws of other states: Officers would have to distinguish between real and fake carry permits issued not only by their own state, but by every state. And in

many cases, officers would have to determine whether a person is entitled to carry a gun, which would depend on their state of residence and is nearly impossible to verify quickly.

Legislative History: In 2009, the Senate defeated the Thune Amendment, a similar legislative proposal to preempt state concealed carry laws.

Who Opposes National Concealed Carry Reciprocity?

Mayors: Over 600 members of the bipartisan coalition of Mayors Against Illegal Guns.

Law Enforcement: Major national law enforcement organizations, including: International Association of Chiefs of Police; Major Cities Chiefs Association, which includes the Police Chiefs of 56 major U.S. cities; the Police Foundation, National Latino Peace Officers Association; National Organization of Black Law Enforcement Executives.

State and Local Law Enforcement Organizations: Alabama Association of Chiefs of Police, California Police Chiefs Association, Colorado Association of Chiefs of Police, Connecticut Police Chiefs Association, Massachusetts Police Chiefs Association, Minnesota Chiefs of Police Association, Virginia Association of Chiefs of Police, and Wisconsin Association of Chiefs of Police.

Association of Prosecuting Attorneys.
American Bar Association.

National Network to End Domestic Violence—a coalition of 56 domestic violence victim advocacy organizations.

Faiths United—a coalition of over 30 national religious groups.

I reserve the balance of my time.

Mr. NUGENT. Madam Speaker, my colleague on the other side of the aisle talks about a jobs bill. We're not talking about it right now. But if you look at this card, we have over 20 jobs bills that have passed out of this body that are sitting in the Senate today.

I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, at this time I am proud to yield 3 minutes to the gentlewoman from New York, the ranking member of the Rules Committee, Ms. SLAUGHTER.

Ms. SLAUGHTER. I thank the gentleman for yielding.

This is a serious piece of work for me today because less than a year ago, one of our colleagues from Arizona was shot in the head while she was trying to convene with her constituents outside a supermarket. The mayhem was awful. A little 9-year-old girl named Christina-Taylor Green, a baseball fan who just came to see her Congresswoman, was killed. And by all accounts, an extraordinary Federal judge named John Roll died as well as some of GABBY's staff. Numbers of people were wounded. And yet the only person ever considered by this House would be the guy and his right to have that gun. What about the rights for the rest of us? Are we going to have to learn to dance up and down the street to try to escape the bullets? What happens to us? What about an amendment for us to ensure that we can be safe?

The statistics of people now being killed in places of worship, the rising number of people in law enforcement who face unspeakable and awful things because we won't do our job here to disarm people who are mentally ill.

I would like to insert into the RECORD an article from the New York Times on how easy it is for felons, including the mentally ill, to regain their gun rights.

□ 1250

When are we going to reinstate in this House the automatic weapons ban, and why don't we outlaw guns that are so powerful that they serve no purpose at all in a civilized society? When will we allow the Federal authorities to computerize gun sale records so it is easier to hold guilty individuals responsible for their gun crimes?

In the age of iPhones and Androids, our police are tracing gun crimes with scraps of paper and handwritten notes. Surely that is a more important job for us to do here than what we're doing—to say you can carry a concealed weapon anywhere you want to go because that's who we are. Apparently, the Republican majority wants that.

Based on today's bill, they think it is more important to pass legislation that will make it easier to carry a gun to a public gathering, easier to carry a loaded weapon into NFL stadiums, easier to carry a gun to the grocery store on Saturday noon, or into your temple or your church. What in the world? How can we ever explain that to people who have had gun deaths in their family?

The horrible shooting of our colleague wouldn't have been stopped with the passage of today's bill, and no one is made safer by allowing guns into public space. And since last January, Congress hasn't considered a single piece of legislation that would make it harder for a mentally ill individual to get a gun. We have done nothing at all to make sure that another nightmare like the one in Tucson doesn't visit our country yet again, leaving innocent children, men, and women victims to a loaded gun. And yet the only person we care about here is the gun owner.

The only legislation we are considering will make it more convenient to carry your gun even in States that don't want it. Realizing this fact really puts the morality of this agenda into perspective.

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

Mr. MCGOVERN. I yield the gentlewoman an additional 1 minute.

Ms. SLAUGHTER. This Congress should be considering legislation that will help the American people, not legislation that fulfills an ideological agenda, which is what we've been doing all year. I urge my colleagues to vigorously oppose today's legislation.

[From the New York Times, Nov. 13, 2011]

FELONS FINDING IT EASY TO REGAIN GUN RIGHTS

(By Michael Luo)

In February 2005, Erik Zettergren came home from a party after midnight with his girlfriend and another couple. They had all been drinking heavily, and soon the other man and Mr. Zettergren's girlfriend passed out on his bed. When Mr. Zettergren went to

check on them later, he found his girlfriend naked from the waist down and the other man, Jason Robinson, with his pants around his ankles.

Enraged, Mr. Zettergren ordered Mr. Robinson to leave. After a brief confrontation, Mr. Zettergren shot him in the temple at point-blank range with a Glock-17 semiautomatic handgun. He then forced Mr. Robinson's hysterical fiancée, at gunpoint, to help him dispose of the body in a nearby river.

It was the first homicide in more than 30 years in the small town of Endicott, in eastern Washington. But for a judge's ruling two months before, it would probably never have happened.

For years, Mr. Zettergren had been barred from possessing firearms because of two felony convictions. He had a history of mental health problems and friends said he was dangerous. Yet Mr. Zettergren's gun rights were restored without even a hearing, under a state law that gave the judge no leeway to deny the application as long as certain basic requirements had been met. Mr. Zettergren, then 36, wasted no time retrieving several guns he had given to a friend for safekeeping.

"If he hadn't had his rights restored, in this particular instance, it probably would have saved the life of the other person," said Denis Tracy, the prosecutor in Whitman County, who handled the murder case.

Under federal law, people with felony convictions forfeit their right to bear arms. Yet every year, thousands of felons across the country have those rights reinstated, often with little or no review. In several states, they include people convicted of violent crimes, including first-degree murder and manslaughter, an examination by The New York Times has found.

While previously a small number of felons were able to reclaim their gun rights, the process became commonplace in many states in the late 1980s, after Congress started allowing state laws to dictate these reinstatements—part of an overhaul of federal gun laws orchestrated by the National Rifle Association. The restoration movement has gathered force in recent years, as gun rights advocates have sought to capitalize on the 2008 Supreme Court ruling that the Second Amendment protects an individual's right to bear arms.

This gradual pulling back of what many Americans have unquestioningly assumed was a blanket prohibition has drawn relatively little public notice. Indeed, state law enforcement agencies have scant information, if any, on which felons are getting their gun rights back, let alone how many have gone on to commit new crimes.

While many states continue to make it very difficult for felons to get their gun rights back—and federal felons are out of luck without a presidential pardon—many other jurisdictions are far more lenient, The Times found. In some, restoration is automatic for nonviolent felons as soon as they complete their sentences. In others, the decision is left up to judges, but the standards are generally vague, the process often perfunctory. In some states, even violent felons face a relatively low bar, with no waiting period before they can apply.

The Times examined hundreds of restoration cases in several states, among them Minnesota, where William James Holisky II, who had a history of stalking and terrorizing women, got his gun rights back last year, just six months after completing a three-year prison sentence for firing a shotgun into the house of a woman who had broken up with him after a handful of dates. She and her son were inside at the time of the shooting.

"My whole family's convinced that at some point he'll blow a gasket and that he'll

come and shoot someone," said Vicky Holisky-Crets, Mr. Holisky's sister.

Also last year, a judge in Cleveland restored gun rights to Charles C. Hairston, who had been convicted of first-degree murder in North Carolina in 1971 for shooting a grocery store owner in the head with a shotgun. He also had another felony conviction, in 1995, for corruption of a minor.

Margaret C. Love, a pardon lawyer based in Washington, D.C., who has researched gun rights restoration laws, estimated that, depending on the type of crime, in more than half the states felons have a reasonable chance of getting back their gun rights.

That universe could well expand, as pro-gun groups shed a historical reluctance to advocate publicly for gun rights for felons. Lawyers litigating Second Amendment issues are also starting to challenge the more restrictive restoration laws. Pro-gun groups have pressed the issue in the last few years in states as diverse as Alaska, Ohio, Oregon and Tennessee.

Ohio's Legislature confronted the matter when it passed a law this year fixing a technicality that threatened to invalidate the state's restorations.

Ken Hanson, legislative chairman of the Buckeye Firearms Coalition, argued that felons should be able to reclaim their gun rights just as they can other civil rights.

"If it's a constitutional right, you treat it with equal dignity with other rights," he said.

But Toby Hoover, executive director of the Ohio Coalition Against Gun Violence, contended that the public was safer without guns in the hands of people who have committed serious crimes.

"It seems that Ohio legislators have plenty of problems to solve that should be a much higher priority than making sure criminals have guns," Ms. Hoover said in written testimony.

That question—whether the restorations pose a risk to public safety—has received little study, in part because data can be hard to come by.

The Times analyzed data from Washington State, where Mr. Zettergren had his gun rights restored. The most serious felons are barred, but otherwise judges have no discretion to reject the petitions, as long as the applicant fulfills certain criteria. (In 2003, a state appeals court panel stated that a petitioner "had no burden to show that he is safe to own or possess guns.")

Since 1995, more than 3,300 felons and people convicted of domestic violence misdemeanors have regained their gun rights in the state—430 in 2010 alone—according to the analysis of data provided by the state police and the court system. Of that number, more than 400—about 13 percent—have subsequently committed new crimes, the analysis found. More than 200 committed felonies, including murder, assault in the first and second degree, child rape and drive-by shooting.

Even some felons who have regained their firearms rights say the process needs to be more rigorous.

"It's kind of spooky, isn't it?" said Beau Krueger, who has two assaults on his record and got his gun rights back last year in Minnesota after only a brief hearing, in which local prosecutors did not even participate. "We could have all kinds of crazy hoodlums out here with guns that shouldn't have guns."

POWERFUL LOBBY PREVAILS

The federal firearms prohibition for felons dates to the late 1960s, when the assassinations of the Rev. Dr. Martin Luther King Jr. and Senator Robert F. Kennedy, along with rioting across the country, set off a clamor for stricter gun control laws. Congress en-

acted sweeping legislation that included a provision extending the firearms ban for convicted criminals beyond those who had committed "crimes of violence," a standard adopted in the 1930s.

"All of our people who are deeply concerned about law and order should hail this day," President Lyndon B. Johnson said upon signing the Gun Control Act in October 1968.

Even the N.R.A. backed the bill. But by the late 1970s, a more hard-line faction, committed to an expansive view of the Second Amendment, had taken control of the group. A crowning achievement was the Firearm Owners Protection Act of 1986, which significantly loosened federal gun laws.

When it came to felons' gun rights, the legislation essentially left the matter up to states. The federal gun restrictions would no longer apply if a state had restored a felon's civil rights—to vote, sit on a jury and hold public office—and the individual faced no other firearms prohibitions.

The restoration issue drew relatively little notice in the Congressional battle over the bill. But officials of the federal Bureau of Alcohol, Tobacco and Firearms identified the provision in an internal memo as among their serious concerns. Some state law enforcement officials also sounded the alarm.

When Senator David F. Durenberger, a Minnesota Republican, realized after the law passed that thousands of felons, including those convicted of violent crimes, in his state would suddenly be getting their gun rights back, he sought the N.R.A.'s help in rolling back the provision. Doug Kelley, his chief of staff at the time, thought the group would "surely want to close this loophole."

But the senator, Mr. Kelley recalled, "ran into a stone wall," as the N.R.A. threatened to pull its support for him if he did not drop the matter, which he eventually did.

"The N.R.A. slammed the door on us," Mr. Kelley said. "That absolutely baffled me."

Until then, the avenues for restoration had been narrow and few: a direct appeal to the federal firearms agency, which conducted detailed background investigations; a state pardon expressly authorizing gun possession, or a presidential pardon. Felons convicted of crimes involving guns or other weapons, as well as those convicted of violating federal gun laws, were expressly barred from applying to the federal firearms agency.

By contrast, the restoration of civil rights, which is now central to regaining gun rights, is relatively routine, automatic in many states upon completion of a sentence. In some states, felons must also petition for a judicial order specifically restoring firearms rights. Other potential paths include a pardon from the governor or state clemency board or a "set aside"—essentially, an annulment—of the conviction.

Today, in at least 11 states, including Kansas, Ohio, Minnesota and Rhode Island, restoration of firearms rights is automatic, without any review at all, for many non-violent felons, usually once they finish their sentences, or after a certain amount of time crime-free. Even violent felons may petition to have their firearms rights restored in states like Ohio, Minnesota and Virginia. Some states, including Georgia and Nebraska, award scores of pardons every year that specifically confer gun privileges.

Felons face steep odds, though, in states like California, where the governor's office gives out only a handful of pardons every year, if that.

"It's a long, drawn-out process," said Steve Lindley, chief of the State Department of Justice's firearms bureau. "They were convicted of a felony crime. There are penalties for that."

Studies on the impact of gun restrictions largely support barring felons from possessing firearms.

One study, published in the American Journal of Public Health in 1999, found that denying handgun purchases to felons cut their risk of committing new gun or violent crimes by 20 to 30 percent. A year earlier, a study in the Journal of the American Medical Association found that handgun purchasers with at least one prior misdemeanor—not even a felony—were more than seven times as likely as those with no criminal history to be charged with new offenses over a 15-year period.

Criminologists studying recidivism have found that felons usually have to stay out of trouble for about a decade before their risk of committing a crime equals that of people with no records. According to Alfred Blumstein, a professor at Carnegie Mellon University, for violent offenders, that period is 11 to 15 years; for drug offenders, 10 to 14 years; and for those who have committed property crimes, 8 to 11 years. An important caveat: Professor Blumstein did not look at what happens when felons are given guns.

The history of the federal firearms agency's own restoration program, though, offers reason for caution. The program came under attack in the early 1990s, when the Violence Policy Center, a gun control group, discovered that dozens of felons granted restorations over a five-year period had been arrested again, including some on charges of attempted murder and sexual assault. (The center also found that many of those granted gun rights were felons convicted of violent or drug-related crimes.) In the resulting uproar and over the objections of the N.R.A., Congress killed the program.

A SUPERFICIAL PROCESS

In 2001, three police officers in the Columbia Heights suburb of Minneapolis were shot and wounded by a convicted murderer whose firearms rights had been restored automatically in 1987, 10 years after he completed a six-and-a-half year prison sentence and then probation for killing his estranged wife and a family friend with a shotgun. (The State Legislature had imposed the 10-year waiting period for violent felons after it discovered what Senator Durenberger had feared: that felons' gun rights would be restored immediately under the Firearm Owners Protection Act.)

What happened in the wake of the shooting is emblematic of how the issue has played out in many states, particularly where the gun lobby is powerful.

Two Democratic legislators sought to impose a lifetime firearms ban on violent felons, although they concluded that for their bills to have any chance of passing, they would also have to set up a process that held out a hope of eventual restoration. They were unable, however, to get their bills through the Legislature.

The issue was taken up the following year by Republican lawmakers, but it became wrapped up in legislation to relax concealed-weapons laws. Initially, a moderate Republican introduced a bill with a 5- to 10-year waiting period for regaining gun rights, but the waiting period was scrapped entirely in the law, written by gun-rights advocates, that was finally enacted in 2003. That law, which does not even mandate that prosecutors be notified of the hearings, requires judges to grant the requests merely if the petitioners show "good cause."

"The decision was, we have good judges and we trust them," said Joseph Olson, who helped write the statute as president of the advocacy group Concealed Carry Reform Now.

One man who has benefited from a Minnesota judge's gun rights ruling is William Holisky.

Mr. Holisky, an accountant who has struggled with bipolar disorder and alcoholism,

had gone out only a few times with Karen Roman, a nurse he had met online, before she broke up with him.

In August 2006, Ms. Roman was getting ready to work a night shift, putting on makeup in the bathroom of her home in Duluth, when she heard a truck pulling up and a loud boom. Moments later, she heard another boom and glass breaking. She hit the floor, calling out to her teenage son in the other room to do the same as she crawled to the phone to dial 911.

The police arrested Mr. Holisky later that night for drunken driving. Several months later, they charged him in the shooting as well. He pleaded guilty to second-degree assault with a dangerous weapon.

Around the same time, he also pleaded guilty to a felony charge of making terroristic threats against an elderly neighbor. The woman had reported to the police that someone—she suspected Mr. Holisky—had left her a threatening and obscene note. She had also reported a series of escalating incidents that included harassing telephone calls, his entering her apartment and someone's smashing her bedroom window. Mr. Holisky also had a misdemeanor burglary conviction from 2003, for breaking into an ex-girlfriend's house, as well as another misdemeanor conviction for violating an order of protection.

In Mr. Holisky's gun rights hearing in October 2010 in Two Harbors, a small town on the north shore of Lake Superior, Russell Conrow, the prosecutor in Lake County, argued that Mr. Holisky had not yet proved that he could stay clean, given that he had just gotten out of prison. Mr. Conrow also pointed out that there were two active orders of protection against Mr. Holisky.

"There were people still scared of him," Mr. Conrow said recently.

For his part, Mr. Holisky took documents from the plea agreement in his assault case, in which the prosecutor in neighboring St. Louis County agreed not to oppose the restoration of his firearms rights.

Mr. Holisky, who is 59, did not specify in his often-rambling petition exactly why he wanted a gun. He described his behavior in 2006 as an "aberration."

The county judge, Kenneth Sandvik, was set to retire in a few months. He knew Mr. Holisky's family from growing up in the community. Several weeks later, he ruled that Mr. Holisky had met the basic requirements of the law.

In an interview, Judge Sandvik said he had given considerable weight to the St. Louis County prosecutor's agreement not to oppose the restoration of gun rights for Mr. Holisky. But Gary Bjorklund, an assistant St. Louis County attorney, said in an interview that he had been focused on extracting a guilty plea that would send Mr. Holisky to prison and had thought no judge would take a firearms request from Mr. Holisky seriously.

Judge Sandvik acknowledged that he had not looked into the details of Mr. Holisky's assault case, arguing that his job had been only to review what the prosecutor had presented to him.

"We're not investigators," he said.

The ease with which Mr. Holisky regained his gun rights does not appear to be an anomaly. Using partial data from Minnesota's Judicial Branch, The Times identified more than 70 cases since 2004 of people convicted of "crimes of violence" who have gotten their gun rights back. A closer look at a number of them found a superficial process. The cases included those of Mr. Krueger, who criticized the system as insufficiently rigorous after winning back his gun rights in a perfunctory hearing, and of another man whose petition was approved without even a hearing, even though his felony involved pulling a gun on a man.

The ruling in Mr. Holisky's case prompted members of his family to write a series of frantic e-mails to Judge Sandvik and Mr. Conrow, warning of dire consequences.

It is not entirely clear whether Mr. Holisky, who did not respond to several requests for comment, is legally able to buy a gun at this point, because at least one of the outstanding orders of protection, which expires next year, appears to trip another federal prohibition. But Mr. Holisky has been writing letters to relatives in Texas, threatening legal action if they do not turn over his gun collection.

So far, they have refused.

A KILLER'S SUCCESSFUL PETITION

Just as in Minnesota, violent felons in Ohio are allowed to apply for restoration of firearms rights after completing their sentences. The statute is similarly vague, requiring only that a judge find that the petitioner has "led a law-abiding life since discharge or release, and appears likely to do so."

Only a handful of county clerks in Ohio said they could track these cases, producing records on several dozen restorations. They included people who had been convicted of first-degree murder, voluntary manslaughter, felonious assault and sexual battery.

The case of Charles Hairston in Cuyahoga County stands out.

Mr. Hairston was 17 in January 1971, when he shot a man to death in Winston-Salem, N.C. Mr. Hairston and a group of neighborhood toughs had been preparing to rob a local grocery store when the owner, Charles Minor, 55, closed up and headed for his car.

"I am fixing to get him," Mr. Hairston told one of his friends, according to witness statements to the police, before he pulled the trigger on a 20-gauge shotgun.

Mr. Hairston spent 18 years in prison before being released on parole in 1989. He moved to Cleveland and started working in heating and cooling, a trade he had learned behind bars.

In 1995, he pleaded no contest to a misdemeanor charge for allegedly grabbing and pushing his wife.

More seriously, later that year he was indicted on 60 counts of rape, felonious sexual penetration and gross sexual imposition; prosecutors charged that he had forced sex upon his stepdaughter, starting when she was 12. He was acquitted of the most serious charges and convicted only of corruption of a minor for one encounter at a motel for which prosecutors were able to provide corroborating evidence beyond the girl's detailed testimony.

Mr. Hairston, who denies the charges and is still fighting the conviction, filed his first gun rights restoration application in 2006 in Cuyahoga County but was summarily denied.

When he filed a new petition two years later, a judge thought he was ineligible and denied him again, though she wrote in her decision that she did not believe Mr. Hairston was likely to break the law again. But an appeals court ruled that the judge had misread the statute, and sent the case back for another hearing late last year.

The county prosecutor's office had vigorously opposed the restoration from the beginning. But Mr. Hairston, who took in several friends as character witnesses, told the judge he had grown up in prison.

"Nearly 40 years ago, you know, I was a dumb kid," Mr. Hairston said at his first hearing. He added, "I am in a situation now where if, God forbid, if someone was to come into my home and attack me, my wife, there isn't a lot I could say about it, there isn't a lot I could do."

In the end, the judge, Hollie L. Gallagher, granted his petition without comment.

Soon after the judge's ruling, Mr. Hairston obtained a concealed weapons permit from a neighboring county and bought a 9-millimeter semiautomatic handgun.

RETURNING TO CRIME

Erik Zettergren originally lost his gun rights in 1987 because of a felony conviction for dealing marijuana. A decade later, the police went to his house after being called by his ex-wife and discovered a cache of guns. He was convicted of another felony, unlawful possession of a firearm.

He relinquished his weapons to friends but eventually got them back, sometimes hiding them in an old car in his backyard, according to friends. Sometime after that, though, he became worried that the police might come after him again and turned over the guns—two long guns and a Glock pistol—to a friend, Tom Williams.

"I kept them under my bed," Mr. Williams said.

In December 2004, Mr. Zettergren successfully petitioned in Kittitas County—a three-hour drive from his home—to have his gun rights restored. (Like Minnesota's, Washington's law allows petitioners to apply anywhere.) Court records show he did not even have a hearing. Instead, his lawyer, Paul T. Ferris, who specializes in these cases, took care of the matter.

Right away, Mr. Zettergren retrieved his guns from Mr. Williams and soon obtained a concealed pistol license. He made something of a sport of showing off his Glock to friends. "He was so proud of that thing," said Larry Persons, a friend. "He was flashing it in front of everybody."

Not long after, he would use it in the killing.

Washington's gun rights restoration statute dates to a 1995 statewide initiative, the Hard Times for Armed Crimes Act, that toughened penalties for crimes involving firearms. The initiative was spearheaded, in part, by pro-gun activists, including leaders of the Second Amendment Foundation, an advocacy group, and the N.R.A.

Although it drew little notice at the time, the legislation also included an expansion of what had been very limited eligibility for restoration of firearms rights.

"There were a lot of people who we felt should be able to get their gun rights restored who could not," said Alan M. Gottlieb, founder of the Second Amendment Foundation, who was active in the effort.

Under the legislation, "Class A" felons—who have committed the most serious crimes, like murder and manslaughter—are ineligible, as are sex offenders. Otherwise, judges are required to grant the petitions as long as, essentially, felons have not been convicted of any new crimes in the five years after completing their sentences. Judges have no discretion to deny the requests based upon character, mental health or any other factors. Mr. Gottlieb said they explicitly wrote the statute this way.

"We were having problems with judges that weren't going to restore rights no matter what," he said.

The statute's mix of strictness and leniency makes Washington a useful testing ground.

The Times's analysis found that among the more than 400 people who committed crimes after winning back their gun rights under the new law, more than 70 committed Class A or B felonies. Over all, more than 80 were convicted of some sort of assault and more than 100 of drug offenses.

There were cases like that of Mitchell W. Reed, disqualified from possessing firearms after a 1984 felony cocaine conviction. He also has seven misdemeanor convictions on his record from the 1980s, including for assault. In 2003, he successfully petitioned for

his gun rights in Snohomish County Superior Court.

His wife, Debi Reed, went with him to the hearing and said in an interview that she had been shocked at how easily his rights were restored. He immediately bought a 9-millimeter semiautomatic handgun.

The following year, she said, he beat her up for the first time. In 2008 he became more angry and violent, she said, in one instance putting a gun in her hand during an argument, pointing it at his head and saying he was going to frame her for murder. During another fight that year, he struck her with a gun, giving her a black eye, and held a loaded gun to her head.

Mr. Reed was ultimately arrested in 2009 and charged with harassing and threatening to kill his wife's ex-husband. While those charges were pending, he was arrested on second-degree assault charges after he beat up and tried to strangle his wife. The charging documents also mentioned the 2008 gun episode. He eventually pleaded guilty to third-degree assault and intimidating a witness, as well as fourth-degree assault and harassment.

Jason C. Keller, disqualified because of a 1997 burglary conviction, had his rights restored after a brief hearing in 2006. He waited a few years before buying a Hi-Point .40-caliber semiautomatic pistol, according to his girlfriend at the time, Shawna Braylock. But she did not trust him with the gun because of his temper, making him keep it at his parents' house.

In 2010, Mr. Keller left a Fourth of July party in the late evening, picked up his gun and drove to the house of a woman he knew. He fired several shots as she stood out front with her 9-year-old son; her 6-year-old daughter was sleeping inside. Mr. Keller pleaded guilty to drive-by shooting, a felony.

In Mr. Zettergren's case, his friends said they were shocked that a judge had restored his gun rights, because they knew he was receiving disability payments, in part because of mental health problems.

"Most of the people around here that knew him, knew that he could be dangerous," said Darrell Reinhardt, one of Mr. Zettergren's friends.

Mr. Zettergren's mental health issues, in fact, have been at the heart of his efforts to appeal his convictions for second-degree murder, second-degree assault and unlawful imprisonment. He had been in counseling since 2000, and several mental health experts had found he had post-traumatic stress disorder and major depression, saying he had a "very high degree of psychological disturbance" and suffered frequent "flashbacks and disturbing images," according to a declaration from a forensic psychologist in one of Mr. Zettergren's appeal briefs. The post-traumatic stress, according to the psychologist, resulted from scenes he had witnessed years before, including his mother's death by electrocution and the shooting death of a friend.

None of this was reviewed by the judge who heard Mr. Zettergren's gun rights petition.

Donna Bly, the mother of Jason Robinson, Mr. Zettergren's shooting victim, considered suing the county for negligence over the decision but could not find a lawyer to take the case. She also tried bringing the issue up with a state legislator but got nowhere.

"This man did not deserve to have his gun rights back," she said.

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

In 2007 a Colorado man named Matthew Murray allegedly wrote online, "All I want to do is kill and injure as many Christians as I can." Murray

then went on to a shooting rampage, first killing two young students at a missionary training center outside of Denver. And then at a gathering of 7,000 people in and around the New Life Church in Colorado Springs, Colorado, with a rifle and a backpack full of ammunition, Murray entered the church and opened fire, killing two sisters. Murray was ultimately stopped and killed by a church member and a volunteer security guard, Jeanne Assam, who has a concealed-carry permit and once worked in law enforcement. Assam shot Murray several times, leading him to kill himself.

I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I would like to yield 3 minutes to the gentleman from Colorado, a member of the Rules Committee, Mr. POLIS.

Mr. POLIS. I thank the gentleman from Massachusetts.

In hearing the story of my friend from Florida and my colleague on the Rules Committee, again I think it just emphasizes that my State, Colorado, also has a concealed-carry process. We have a must-issue provision. Some of our county sheriffs were not issuing and were denying issuance unreasonably. Again, it highlights that this entire bill is a dangerous solution in search of a problem.

Colorado has reciprocal concealed-carry arrangements with over 30 States, including all of our neighboring States. So you can drive from Colorado to Wyoming in the north, to the south to New Mexico, and east or west, and you're in no danger about your concealed weapon permit not being recognized.

And, yes, there are some States that we don't have a reciprocal agreement from. For instance, the State of Nevada. I fail to be convinced that the proper venue for that is not for the people of the sovereign State of Nevada and the sovereign State of Colorado to elect leadership that will work on a reciprocal carry arrangement if that's what they want to do. If there is a real issue there, and my constituents are hampered by their ability not to have their Colorado concealed weapons permit recognized let's say in the State of California, that's a matter between the States.

Opening the door for Federal intervention in this very sensitive area opens the door to a Federal gun owner registry, which a number of gun rights advocates in my district have expressed a great deal of worry over, as well as opening the door for a whole host of other problems that can come from Washington, D.C., bureaucrats deciding where you can and can't take your guns rather than protecting our Second Amendment in the States.

Some other concerns have been articulated to me from some of the gun owner rights groups in the State of Colorado. They're worried about more onerous standards to acquire a permit. They're worried about a national database of permit holders. They're also

worried about this particular provision nullifying the constitutional carry provisions that are on the books in Arizona, Alaska, Vermont, and Wyoming. And that States that have a popular election method of amending the Constitution are able to do so.

So again, what's the problem? I have not had any constituents contact me worried that they can't use their concealed weapons permit in a particular State. I think they are generally, and I have many concealed-carry license holders in my district. I don't happen to be one myself, but they are able to, again, in all the bordering States drive across State borders and not have to worry about relicensing or notifying authorities in those States. I think the gentleman from Florida articulated an example in Colorado where our concealed-carry permit holder helped save some lives, and I think that is a fine and good thing. Again, it is an area of State sovereignty.

I asked the chair of the Judiciary Committee yesterday in Rules whether he thought this provision was constitutionally required to protect the Second Amendment. He responded that no, the State does not have to have a concealed weapons system, a concealed-carry system under the Second Amendment. It is a matter of discretion or policy in that State.

I think this bill runs contrary to State sovereignty and to the privacy of individuals. That's why I encourage my colleagues to vote "no" on this bill.

Mr. NUGENT. The gentleman talks about States' rights. We agree, there are States that do not have concealed-carry permits. So it is within the States' rights to decide how they are going to regulate that particular issue in regards to weapons in their State.

Madam Speaker, I would like to yield 3 minutes to the gentlewoman from North Carolina, Dr. FOXX.

Ms. FOXX. I thank my colleague from Florida for handling the rule.

Madam Speaker, I rise today in support of this rule and the underlying bill. As a life member of the National Rifle Association and strong supporter of the Second Amendment to the United States Constitution, I am pleased to speak in support of H.R. 822, the National Right-to-Carry Reciprocity Act, which will help protect law-abiding American citizens' right to bear arms.

The Supreme Court ruled in *District of Columbia v. Heller* that "the inherent right of self-defense has been central to the Second Amendment right," and in *McDonald v. City of Chicago* that the Federal Government can intervene to ensure that State and local governments are not restricting Second Amendment rights. Statistics show correlation between right-to-carry laws and a decrease in violent crime rates. According to NRA estimates based on the FBI's Annual Uniform Crime Report, States that have right-to-carry laws have 22 percent lower total violent crime rates, 30 percent lower murder rates, 46 percent lower robbery

rates, and 12 percent lower aggravated assault rates compared to the rest of the country.

Law-abiding citizens have the right to protect themselves from criminals and defend themselves with firearms. Throughout my career in elected office, I have worked with my colleagues to ensure that American citizens maintain their Second Amendment rights.

Each State has different eligibility requirements, and H.R. 822 maintains the State's ability to set its own eligibility. However, the bill would end uncertainty and confusion for concealed-carry permit holders when they travel.

Forty-nine States allow individuals to conceal and carry handguns, and the bill before us would allow individuals who hold a concealed-carry permit in their State of residence to carry that weapon in other States that allow concealed carry. Madam Speaker, this rule should be passed unanimously, as should the underlying bill.

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Mr. MCGOVERN. Madam Speaker, I would like to insert in the RECORD dissenting views from the Judiciary Committee, entitled, "Loosening Restrictions on the Carrying of Concealed Guns in Public Does Not Improve Public Safety."

Concealed carry laws have not made us safer. As a result, forcing states with strict permitting standards to recognize permits issued by states with weak standards would make us even less safe. Proponents of H.R. 822 have cited research by John Lott that has been widely discredited. In fact, as columnist Michelle Malkin has pointed out, Lott has been accused of fabricating a study on which he bases the claim that 98 percent of defensive gun uses involved mere brandishing as opposed to shooting. Malkin reported that Lott incorrectly tried to attribute the data to three different studies, and when another researcher offered to independently verify Lott's findings, Lott claimed to have lost all of his data in a computer crash. He also could not produce any financial records, contemporaneous records or any of the students who supposedly worked on the survey. 78 other studies conclude that guns are far more likely to be used in crime than in self-defense. One such study found that the number of criminal gun uses outnumbered the self-defense use of a gun by a factor of at least 4 to 1.79.

At this time I am happy to yield 2 minutes to the gentleman from Oklahoma (Mr. BOREN).

Mr. BOREN. Madam Speaker, I rise today in support of H.R. 822, the National Right-to-Carry Act of 2011. The Second Amendment of the United States Constitution provides citizens with the individual right to keep and bear arms. This right enables Americans to use firearms for self-protection, for hunting, and for other lawful activities.

H.R. 822 would guarantee that individuals who are legally licensed to carry a concealed weapon in their home State could also legally carry a concealed weapon in another State. The bill seeks to protect our fundamental liberty, not restrict it. Just as one State recognizes a driver's license

issued by another State, I believe States should recognize conceal-and-carry licenses issued by another.

Today, some States already have reciprocity agreements to recognize the conceal-and-carry laws of other States, while some do not. The result is a piecemeal system where a law-abiding citizen may be required to give up his or her weapon at a State line. If passed, this bill would streamline the system by making it more simple and uniform. H.R. 822 does not create Federal standards for obtaining permits nor does it require States to adopt a specific licensing system. Each State's right to determine its own permitting system will remain intact regardless of H.R. 822.

Since the founding of our Nation, American citizens have had the constitutional right to bear arms, and I believe this legislation is a common-sense solution to preserve that right. I urge my colleagues to vote "yes" on the rule today and to support final passage of H.R. 822.

Mr. NUGENT. I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, at this time I would like to yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. It's sad that we're taking time that should be spent on the economy and making communities safer and stronger to facilitate, instead, less rational and less effective gun safety laws.

I deeply appreciate the gentlewoman from New York putting The New York Times article from last Sunday in the RECORD. The gentleman from Florida talks about his experience. Well, in that article is sad evidence. For example, in the State of Washington where that tragic occurrence occurred, since 1995, more than 3,300 felons and people convicted of domestic violence misdemeanors have regained gun rights. And according to the analysis provided by the State court system, of those, more than 400, about 13 percent, have subsequently committed new crimes, and more than 200 committed felonies including murder, assault in the first and second degree, child rape, and drive-by shooting.

The gentleman talks about evidence. Well, the study in the American Public Health Journal referenced in that article found that denying handgun purchases to felons cut the risk of their committing new gun or violent crimes by 20 to 30 percent. And another study by the Journal of the American Medical Association found that handgun purchasers with at least one prior misdemeanor—not a felony, a misdemeanor—were more than seven times as likely as those with no criminal record to be charged with new offenses.

I come from a State that would have its protections undermined by this proposal. Now, I think that the fact that we require character references, that people have to be 21 years of age, and that we prohibit concealed weapon car-

rying by dangerous criminals—those convicted of a misdemeanor such as assault, harassment, or driving while intoxicated—I think those are reasonable. That's the minimum in Oregon. And instead, the enactment of this legislation will enable a race to the bottom where the lowest common denominator will determine gun safety laws in Oregon. I think that's wrong.

I urge a rejection of the rule and the bill.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I would like to yield 2 minutes to the gentleman from Virginia, a member of the Judiciary Committee, Mr. SCOTT.

Mr. SCOTT of Virginia. Madam Speaker, this bill undermines public safety, and that's why law enforcement organizations oppose the bill. It's said that this is no national law established by this legislation. That's right, because if there were a national law, there would be national standards. This is actually worse. The law, in effect, will actually be the law of the State with the weakest concealed weapons permits that will essentially become the law of the land, because you could use that permit in any State. This bill allows people who are ineligible to get a concealed weapons permit in their home State to go to another jurisdiction and get a concealed weapons permit and use that concealed weapons permit anywhere in the country except their home State.

Now States have different minimum standards for concealed weapons, such as some require minimum training so that you know what you're dealing with. Others deny permits to certain sex offenders or domestic violence offenders. All of those minimum standards would be overridden by this bill because permits from other States will have to be recognized.

The basic controversy, Madam Speaker, presented by this bill is the question of what happens if more people carry firearms. Some people believe that if more people carry firearms, the crime rate will go down. The studies that I've seen conclude that if more people are carrying firearms, it is more likely that someone in their home or an innocent neighbor will be killed. That's more likely than the firearm being successfully used to thwart a crime.

We should not undermine public safety. We should allow States to set their own concealed weapons standards and defeat this rule, and if the rule passes, defeat the bill.

Mr. NUGENT. I continue to reserve the balance of my time.

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

Mrs. MCCARTHY of New York. I thank the gentleman.

Madam Speaker, I rise today in opposition to the rule for H.R. 822. As you know, this committee voted down a

motion to consider the bill under an open rule. This is such an important issue that we really need to have the entire Nation hear about it and have all of us have our voices heard.

I want to make sure that I get to speak on an amendment of mine that is going to be considered. Under my amendment, States would be required to proactively opt-in to the agreements called for by H.R. 822. This would restore the critical decision of who should be able to carry a concealed handgun in our communities back to where it belongs—to the local governments that have to deal with the policing and other consequences such as this provision will do. We also will hear about other amendments that would restore rights back to States and safety back to our communities and some sanity back into this debate.

Madam Speaker, I think it's extremely important that we look at this as a States' rights issue. My State has concealed weapons laws. We allow people to have concealed weapons. But there are other States that do not come up to our standard, and we don't want them coming into our State and telling us what to do. I suggest that we really look at this very carefully, and hopefully my colleagues will definitely vote for my amendment tomorrow when it comes up.

We can deal with this. The Supreme Court has said people have the right to own a gun. They also said localities have the right to make the laws safe for their constituents. I happen to believe that H.R. 822 and the way this rule is written is not good for the United States of America, it's not good for the people of America, and I know it's not good for my State of New York.

□ 1310

Mr. NUGENT. Madam Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. JOHNSON).

Mr. JOHNSON of Illinois. Madam Speaker, I rise today in support of the underlying bill and the rule. This is a critical issue with respect to Americans' basic rights.

Courts have held over almost a century and a half that the right to bear arms is simply more than the Second and the 14th Amendment. It decided in the case of *Beard v. U.S.* in 1895 that citizens were entitled to repel force by force, and entitled to stand their ground and meet any attack made on them by a deadly weapon. They then ruled 3 years ago in the *D.C. v. Heller* case, where they essentially declared self-defense as an inherent right central to the Second Amendment. And then in the case emanating in my State of Illinois, in the case of *McDonald v. City of Chicago*, further elaborated and extended that constitutional protection.

So the underlying bill and American citizens' right and the ability to carry firearms from State to State and to have that essential right built in, I think, is critical.

I rise in reluctant support, however, of the rule and the bill only from this standpoint, and that's the reason, in part, for my time here today, which I thank the gentleman for and I thank the Members of this Chamber for.

Illinois is unique in that we have no carry-conceal weapon law. We have no ability on the part of Illinois citizens to defend themselves. We have no right or ability on the part of Illinois citizens to exercise their Second and 14th Amendment rights. This bill, as it now reads, would extend the right only to other States—and I'm supportive of that because I think it's critical that we extend that right—but I am committed, as well as a number of my Illinois colleagues, and I think Second Amendment and fundamental rights Congressmen throughout the United States, to restore that right and to bring that right to Illinois citizens.

Time after time after time, as I visit the coffee houses, as I meet with individuals throughout the district, as I meet with people throughout the State, we are essentially denied in Illinois the rights and privileges of every other citizen of every other State in the Union except Illinois. That's a glaring deficiency, it's an omission, and I believe, frankly, that it strikes at the core of our constitutional guarantees.

I am going to continue to fight, not only on this bill, but on standalone legislation down the line and through the process to bring to Illinois the same rights, keep and bear arms, Second and 14th Amendment rights, that other citizens have throughout the country. It's extraordinarily important. It reaches at the essence of our Constitution, the essence of our guarantees as participants in a republic of civil liberties, and I believe that it is critical that we continue the fight now together with my colleagues, Congressman HULTGREN and others from Illinois who have joined me in this process.

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

Mr. NUGENT. I yield the gentleman an additional 30 seconds.

Mr. JOHNSON of Illinois. I appreciate the time.

I support the bill. I support the rule. But I also support—and I want to conclude by saying this—Illinois citizens' right to keep and bear arms that are being flagrantly denied by our Illinois legislature.

Mr. MCGOVERN. Madam Speaker, I would like to yield 2 minutes to the gentleman from Georgia, a member of the Judiciary Committee, Mr. JOHNSON.

Mr. JOHNSON of Georgia. Madam Speaker, I rise in opposition to this rule and the bill, the National Right-to-Carry Reciprocity Act. It's the epitome of Federal arrogance that would impose its will on the 50 State legislatures in this country.

This bill tramples on our system of federalism and endangers the public safety by forcing States to allow the carrying of concealed firearms by out-

of-state residents even if they have not met basic licensing or training requirements mandated for carrying in that State.

This total disregard for State laws may come as a shock to Americans who have always been told that these Tea Party Republicans want to shrink the scope of the Federal Government, but instead of creating jobs, we are here considering—strongly—a bill that is opposed by law enforcement officials throughout the States and throughout the country. This bill is nothing more than a piece of special interest legislation for the National Rifle Association.

Under this bill, States will no longer be able to set standards for who may carry concealed, loaded guns in public. States that prevent those convicted of violent crime from carrying a concealed weapon would no longer be able to enforce their State laws. The Second Amendment protects the right to bear arms, but it is not, ladies and gentlemen, absolute.

I urge my colleagues to oppose this rule and the underlying bill.

Mr. NUGENT. Madam Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. POMPEO).

Mr. POMPEO. I applaud the House for taking up H.R. 822, the National Right-to-Carry Reciprocity Act. As a veteran and a strong defender of the Second Amendment, I encourage all of my colleagues to support me in this important piece of legislation.

In Kansas, in 2007, we began to issue concealed-carry permits. Since then, Kansas has entered into agreements with many other States across the region to create interstate reciprocity. And while many States have similar agreements, they benefit only a portion of the American population that have this basic fundamental right to keep and bear arms.

The legislation and the rule we're considering today offer an opportunity for the Federal Government to facilitate cohesion between the States without extending its reach further into our laws than is necessary. The National Right-to-Carry Reciprocity Act would allow concealed-carry permits in one State to be legally recognized in another and accepted in every other State of the Union that has similar set of laws.

Under the bill, everyone is still required to follow the firearm laws in each of the different States in which they choose to carry. Our Founding Fathers considered this right to bear arms so important they put it in the Constitution. Allowing this reciprocity is a simple act of extending what our founders originally intended.

I hope that Congress will honor this principle by supporting this rule and passing this bill, which at its core does nothing more than protect the Second Amendment right of every Kansan and every law-abiding citizen.

Mr. NUGENT. Madam Speaker, I advise my colleague from Massachusetts that I have one remaining speaker.

Mr. McGOVERN. Then I will reserve the balance of my time.

Mr. NUGENT. Madam Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. I thank my friend on the Rules Committee for yielding.

I rise in strong support of this rule today. Now, I hear a lot of conversation about States' rights here on the House floor—federalism, you know, that debate that James Madison and Thomas Jefferson had more than two centuries ago. It's an important debate to have, and I hope we have that debate on every single thing that we do in this body. I hope we ask ourselves that question every single day: Is this a responsibility and a role the Federal Government ought to be playing, or should this be something that's left to the States?

Sadly, I've heard more of that enthusiasm today than I usually hear down here, but I welcome it—not as a step in the wrong direction, but a step towards that new beginning. I believe that we can absolutely come together around those kinds of uniting issues: Does the Federal Government need to be involved in this or does it not?

The reason I'm in strong support of this rule, however, is that it made 10 amendments in order. You know, this bill, this concealed-carry reciprocity bill—and in fairness, full disclosure, I'm literally a card-carrying member of the concealed-carry bandwagon. I've got my Georgia carry permit here in my pocket, I have since I was 22 and living in a neighborhood that I thought I needed some self-protection living in.

This is a discussion that this body has been trying to have for about 15 years. As long as I can remember watching Congress, this bill has been knocking around in Congress and no one has ever brought it to the floor of the House despite a broad bipartisan majority of the body cosponsoring it. I've always wondered why, because for Pete's sakes, if it's something that a majority of the body is going to cosponsor, then it ought to be something that the majority of the body is going to support, and we ought to bring it to the House floor and let the House work its will.

I'm still struggling with the underlying legislation, but I appreciate this leadership and this Rules Committee for bringing a bill to the floor when more than a majority of the House has cosponsored it. And I appreciate this leadership and this Rules Committee for giving us 10 amendments from which to choose to improve the bill. There are opt-in provisions if you're worried about federalism. There are honor State compact amendments if you're worried about federalism. There are study amendments with the GAO to sort out whether or not there are unintended consequences with regard to nonresident permits.

□ 1320

These choices are out there for us. Not only did this Rules Committee

bring forward a bill that other Congresses have not had the courage to bring forward, but it brought it forward in a way that this body can work its will. Eight Democratic amendments, as I recall, two Republican amendments. That's the kind of House I came to Congress as a freshman to work in.

I appreciate the work the Rules Committee did to make this possible, and I appreciate, Madam Speaker, the work of the leadership in guiding us down this path.

Mr. McGOVERN. Madam Speaker, I would like to insert into the RECORD an article from The New York Times, entitled, "So Much for Small Government."

[From the New York Times, Oct. 25, 2011]

SO MUCH FOR SMALL GOVERNMENT

House Republicans usually claim to be champions of both small government and states' rights, which makes it hypocritical, and downright reckless, that they are obsessed with taking away the authority of states to decide who is allowed to carry a concealed and loaded handgun.

On Tuesday, the House Judiciary Committee voted 19 to 11 for a measure that would do exactly that. Only one Republican, Representative Dan Lungren of California, joined the committee's Democratic members in voting against the bill.

This extreme legislation, the National Right-to-Carry Reciprocity Act of 2011, would obliterate state and local eligibility rules for concealed weapons and the state's discretion to decide whether to honor another's permits.

At least 36 states now set a minimum age of 21 for carrying concealed guns, and 35 states require some sort of gun-safety training. Thirty-eight states prohibit people convicted of certain violent crimes like misdemeanor assault or sex crimes from carrying concealed weapons.

The act would override those rules, requiring states with tight restrictions, like New York and California, to allow people with permits from states with lax laws to tote concealed and loaded guns in their jurisdiction. Wording added by the committee exempts people with a concealed-carry permit from one state from having to meet eligibility standards set by the state they are visiting.

The measure, pushed by the National Rifle Association, would undermine legitimate states' rights by nationalizing lenient gun rules most states have rejected for themselves. It would increase the chance for gun violence and make it harder to combat illegal gun trafficking.

Nevertheless, the full House is expected to approve the bill soon. That would leave it to the Senate, where a similar bill could surface any day, to protect Americans. Much will depend on Senator Harry Reid of Nevada, the majority leader. He voted for a similar measure two years ago while running for reelection. Nevada law enforcement groups oppose the bill, and the state recently ended reciprocity for concealed-carry permits with Utah and Florida out of concern about the weak licensing rules in those states. For the safety of the people in Nevada and elsewhere, he needs to lead in the right direction this time.

I would also like to insert into the RECORD an article by Frank Bruni, entitled, "Have Glock, Will Travel."

[From the New York Times, Oct. 24, 2011]

HAVE GLOCK, WILL TRAVEL

(By Frank Bruni)

Between the struggle to find a sport jacket so it doesn't wrinkle, the 45-minute wait on a security line if I'm flying, the price of gas if I'm driving and the worry either way that I left the coffee maker on, I thought I was pretty well versed in the inconveniences and stresses of domestic travel.

Hardly! Things could be much, much worse, namely if I were a gun owner with a permit to carry a concealed firearm in my home state and an itch to do so in any other state I visited as well.

As matters now stand, I'd have to defer to the laws of those states, which vary widely. In some, my permit from back home would suffice, even if getting it required little more than proper adult identification, proof of residency and a smile. The smile might even have been negotiable. A scowl and a clean felony record and I was good to go.

Other states are sticklers, recognizing only their own concealed-carry permits and granting or withholding those based on such killjoy criteria as whether someone has a violent misdemeanor conviction, a history of alcohol abuse or any actual training in weapon safety. Some free country, ours.

Thank heaven for the National Rifle Association, its sights ever fixed on the forces that try to separate Americans from the deadly firearms they like to keep snug at their sides.

The N.R.A. is pushing a bill, the National Right-to-Carry Reciprocity Act of 2011, that would eliminate the gun-toting traveler's woes. Should it become law, any state that grants concealed-carry permits, no matter how strict the conditions, would be forced to honor a visitor's concealed-carry permit from another state, no matter how lax that state's standards.

Chris W. Cox, the N.R.A.'s chief lobbyist, recently wrote that the current situation "presents a nightmare for interstate travel, as many Americans are forced to check their Second Amendment rights, and their fundamental right to self-defense, at the state line."

Nightmare? I think that term better applies to the N.R.A., though it's not the first word that springs to mind when I mull its current effort.

Contradiction, hypocrisy: those words rush in ahead. The bill thus far has more than 200 Republican cosponsors in the House, many of them conservatives who otherwise complain about attempts by an overbearing federal government to trample on states' rights in the realms of health care, tort reform, education—you name it. But to promote concealed guns, they're encouraging big, bad Washington to trample to its heart's content.

Imagine how apoplectic they'd be if, on certain other matters, Washington forced their states to yield to others' values the way this bill, H.R. 822, would compel New York, Massachusetts and Connecticut to honor more permissive gun-control regulations from the South and West. As it happens these three Northeastern states all perform same-sex marriages, which more conservative states do not have to recognize.

It's not fair to talk only about Republicans. H.R. 822 has dozens of Democratic cosponsors as well, and when Democrats controlled Congress for the first two years of Barack Obama's presidency, they made no major progress on gun control. Reluctant to cross the N.R.A., they let it slide.

In 2009, when Harry Reid, the Democratic majority leader in the Senate, was about to enter a tough reelection battle in Nevada, he actually voted in favor of legislation highly

similar to H.R. 822. It was defeated. That same year President Obama signed a law permitting concealed guns in national parks.

The story on the state level has been just as sad over the last few years. Wisconsin recently approved concealed-carry legislation, leaving Illinois the only state in which civilians can't carry concealed firearms. Several states have enacted laws spelling out that concealed weapons can in many circumstances be carried into bars.

One was Tennessee, where a state lawmaker who sponsored the legislation, Curry Todd, sometimes carries a loaded .38-caliber gun. I know this because it was beside him when Nashville Cops pulled him over two weeks ago for drunken driving. They also charged him with carrying a firearm in public while intoxicated. At least that's still illegal.

New York, Connecticut, Massachusetts, New Jersey and several other states don't have reciprocity arrangements that allow someone like Todd to pay an armed courtesy call. That's because New York officials can deny concealed-carry permits on a case-by-case basis, whereas many other states—South Dakota, for example—don't put much stock in such scrutiny.

H.R. 822, now in the House Judiciary Committee, makes a mockery of our diverse values and strategies for public safety. If it were enacted, off to New York the South Dakotan tourist could go, 9-millimeter Glock in tow.

That's not liberty. More like lunacy.

I would also like to insert into the RECORD a letter to the leadership of this House signed by Martha Coakley, the attorney general of Massachusetts, opposing this legislation.

THE COMMONWEALTH OF MASSACHUSETTS,
OFFICE OF THE ATTORNEY
GENERAL,

Boston, MA, November 9, 2011.

Re H.R. 822, "National Right-to-Carry Reciprocity Act of 2011".

Hon. HARRY REID,
Senate Majority Leader, Hart Senate Office Building, Washington, DC.

Hon. MITCH MCCONNELL,
Senate Republican Leader, Russell Senate Office Building, Washington, DC.

Hon. JOHN BOEHNER,
Speaker of the House, The Capitol, Washington, DC.

Hon. NANCY PELOSI,
House Democratic Leader, The Capitol, Washington, DC.

DEAR HONORABLE CONGRESSIONAL LEADERS: As the chief law enforcement officer for the Commonwealth of Massachusetts, I am writing to express my strong opposition to H.R. 822, the "National Right-to-Carry Reciprocity Act of 2011," which would permit individuals who are authorized to carry concealed firearms in their state of residence to carry concealed handguns in other states, forcing states to recognize all other states' permits to carry concealed firearms. Any legislation that would override the concealed carry laws of nearly every state is an affront to states' individual law enforcement efforts and should not be passed into law.

A national concealed carry reciprocity law would force states to recognize every other state's permit to carry concealed, loaded firearms, creating a lowest common denominator approach to public safety that would undermine state and municipal authorities, endanger police officers and make it more difficult to prosecute gun traffickers. As you know, states issue permits to carry concealed firearms, and each state establishes its own criteria in deciding who may carry concealed firearms within its jurisdiction.

Indeed, laws permitting individuals to carry concealed weapons vary from state-to-state. For example, some states require residents to complete training and meet other conditions before obtaining a permit, while others do not.

National concealed carry reciprocity could create serious and potentially life-threatening situations for police officers. During police traffic stops, it would be nearly impossible for officers to verify every other state's carry permits. In addition, this legislation would make it easier for gun traffickers to travel across state lines with concealed, loaded firearms, exposing police officers to unnecessary danger and making our communities less safe.

This dangerous initiative is opposed by a broad coalition of national law enforcement organizations, including the International Association of Chiefs of Police, the Major Cities Chiefs Association, and the Police Foundation; more than 600 members of Mayors Against Illegal Guns; various state law enforcement organizations; faith leaders; prosecutors, including the American Prosecutors Association and the American Bar Association; and the National Network to End Domestic Violence, representing 56 domestic violence prevention organizations nationwide—a similar coalition to the one that helped to defeat this legislation on the floor of the Senate in 2009.

Massachusetts has some of the most stringent firearms safety protections in the nation. By allowing out-of-state permit holders to bring concealed, loaded firearms into our communities where they would not otherwise be allowed to carry, this legislation would greatly undermine public safety in our Commonwealth. A national concealed carry reciprocity amendment puts our citizens and police at risk and takes away the ability of state and local government to carefully craft laws that protect the public.

I urge Congress to defeat this dangerous initiative.

Cordially,

MARTHA COAKLEY,
Massachusetts Attorney General.

Madam Speaker, we just heard from the gentleman from Georgia that we should somehow be grateful that the Rules Committee majority threw some crumbs our way. But the fact is this is not an open rule. This is not an open process. And for a majority that came in saying that everything was going to be open, they have not kept their promise, and this is far from it. A lot of good amendments were not made in order. Members don't have the right to offer amendments here on the floor.

I urge my colleagues on both sides of the aisle, out of fairness, and especially my Republican friend, in keeping with your promise when you took the majority, please vote "no" on this rule.

I will also say, Madam Speaker, that I oppose this bill because it tramples on the rights of my State and it tramples on the rights of a number of States that have reasonable guidelines for who can carry a concealed weapon. And under this bill, those guidelines all go away, so the lowest common denominator carries the day. I don't think that's good for public safety. And if you care about States' rights, it's not goods for States' rights advocates either.

But I want to just spend my final moments just reminding my colleagues

that we have an economic crisis before us. There are 14 million Americans without jobs. There are millions more who are underemployed.

We just came back from another congressional break. I don't know where you went on your congressional break, but if you went back to your district, I find it hard to believe that the most pressing issue that faces your constituency is trying to figure out a way to make it easier to carry concealed weapons from State to State to State. I just don't believe that that's what people are talking about, certainly not people in my congressional district. My people are talking about jobs.

When I'm at the airport, people are talking to me about jobs. That's what they want us to focus on, not on reaffirming the national motto of the United States as "In God We Trust." I mean, we wasted a day on that. It didn't need reaffirming. There it is right up there in gold lettering above where the Speaker sits. It's on the back of the dollar bill. Why did we have to spend time debating that?

And today we're not talking about jobs; we're talking about a gun bill? Now, I know that the special interest lobbyist, the National Rifle Association, they like this and they want us to move forward on this. But put the special interests aside for a second and put your constituents first.

What do our constituents want us to do? They want us to fix this economy. We should be debating some of the components of the President's jobs bill or a jobs bill of your own. But we should be talking about how to put people back to work, not spending time here talking about how to make it easier to carry a concealed weapon from State to State to State. This is nuts that we're spending and wasting this time on this issue.

Madam Speaker, the gentleman from Georgia said a majority of Members favor this bill; therefore, we should bring it to the floor. Well, you know what? A majority of Members of this Chamber also support a bill to hold China accountable for the fact that China manipulates its currency and, as a result of that, if we actually held them accountable, we could actually create an estimated 1 million to 1.5 million jobs in America. A majority of Members of this House on both sides of the aisle support that, yet we can't get that to the floor. That will help create some jobs. I mean, there's bipartisan support for that. There's bipartisan support for the components of the President's jobs bill, yet you will not bring it to the floor. Instead, we're dealing with this stuff.

Again, this may be good for pleasing the special interests, but it is not what we should be doing in this Chamber. What's good for this country is to focus on the economy. What's good for this country is to focus on jobs.

I would say to my Republican friends, your indifference on the issue of jobs is shameful, is absolutely

shameful. There are millions of Americans out of work, millions underemployed, people worried about whether they can pay their mortgages, pay their heating bills, pay their prescription drug bills, whether they can afford to send their kids to college, and this is what we're spending our time on? Give me a break.

We need to refocus in this Congress. We need to get our priorities straight.

I'm going to tell you, at the top of the list is not reaffirming the motto of this country. It's not abortion bills or gun bills. What's at the top of the list is jobs. Let's put America back to work.

I urge my colleagues to vote "no" on this restrictive rule and vote "no" on the underlying bill, and let's bring a jobs bill to this floor.

I yield back the balance of my time.

Mr. NUGENT. Madam Speaker, I am always amazed at what goes on in these Chambers. We hear from the other side of the aisle about talking about jobs, even though this House has passed 20—20, count them—jobs bills. If you don't believe it, read it.

We talk about issues about "In God We Trust." I think it is something that we should affirm here in America, about our belief in God.

I believe that the Second Amendment is not a special interest group. I believe the Second Amendment needs to be protected at all costs. You've heard some in this House that would take away our right to even carry or possess a firearm.

Madam Speaker, in 40 years in law enforcement, it wasn't just guns that killed people; it was every object imaginable, from fists to feet to pipes to kitchen knives and baseball bats.

Madam Speaker, this is about the ability for those that have a legitimate carry permit to go across the State line and not be subject to arrest, someone who makes an honest mistake by going across the State line that doesn't have a reciprocity agreement with their current State and they have a carry permit.

Madam Speaker, this is more about what's right with America in regards to upholding our Second Amendment, our constitutional right. And so those that are in favor of doing away with all types of guns, I guess, it smacks that they disagree with our Founding Fathers and our Second Amendment right.

Madam Speaker, I support this rule and encourage my colleagues to support it as well. H.R. 822 protects the rights of legal gun owners throughout the United States.

I've heard this debate this afternoon about the dangers of gun crime. I completely agree. Guns are dangerous tools that need to be treated with respect. Guns can be used by people to kill other people. However, what I saw in those 40 years as a cop is we need to talk about these in broader terms. What we really need to do is talk about the difference between legal and illegal guns.

Most people who use a gun to kill a human being are not just using a gun they obtained legally, that they are licensed legally, that they got a legal concealed-carry permit for. When you look at the numbers of CCW permit holders that have actually violated the law, at least in the State of Florida, it's .001 percent.

There are people that are criminals, and they're criminals simply for having a firearm. Even in the State of Florida, a felon can't possess a firearm. The discussion of what to do with these folks and how to keep them from illegally possessing a firearm is another debate at another time.

Today we're talking about one thing. We're talking about legal gun owners to legally travel from one State to another that have a concealed weapons permit. I support that effort, and that's why I'm a proud cosponsor—and stand here today—of H.R. 822 and as the sponsor of this rule, H. Res. 463.

I encourage my colleagues on both sides of the aisle to support this strongly—I underline "strongly"—bipartisan legislation.

With that, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. McGOVERN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

□ 1330

COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2011

Mr. LOBIONDO. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 2838 in the Committee of the Whole pursuant to House Resolution 455, the amendment by Mr. YOUNG of Alaska now at the desk be considered as though printed as the last amendment printed in the House Report 112-267 and be debatable for 10 minutes.

The SPEAKER pro tempore (Mr. WOODALL). The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNG of Alaska:

Page 56, after line 3, insert the following (and conform the table of contents accordingly):

SEC. 612. CONVEYANCE OF DECOMMISSIONED COAST GUARD CUTTER STORIS.

(a) IN GENERAL.—The Commandant of the Coast Guard shall convey, without consideration, all right, title, and interest of the United States in and to the decommissioned Coast Guard Cutter STORIS (in this section referred to as the "vessel") to the Storis Museum, a nonprofit entity of Juneau, Alaska, if the Storis Museum agrees—

(1) to use the vessel as a historic memorial, make the vessel available to the public as a museum, and work cooperatively with other museums to provide education on and memorialize the maritime heritage of the vessel and other maritime activities in Alaska, the Pacific Northwest, the Arctic Ocean, and adjacent oceans and seas;

(2) not to use the vessel for commercial transportation purposes;

(3) to make the vessel available to the United States Government if needed for use by the Commandant in time of war or a national emergency or based on the critical needs of the Coast Guard;

(4) to hold the Government harmless for any claims arising from exposure to hazardous materials, including asbestos and polychlorinated biphenyls (PCBs), except for claims arising from the use of the vessel by the Government;

(5) to bear all costs of transportation and delivery of the vessel;

(6) to bear all costs of vessel disposal in accordance with Federal law when the vessel is no longer used as a museum; and

(7) to any other conditions the Commandant considers appropriate.

(b) MAINTENANCE AND DELIVERY OF VESSEL.—Before conveyance of the vessel under this section, the Commandant shall make, to the extent practical and subject to other Coast Guard mission requirements, every effort to maintain the integrity of the vessel and its equipment until the time of delivery.

(c) OTHER EXCESS EQUIPMENT.—The Commandant may convey to the recipient of the vessel under this section any excess equipment or parts from other decommissioned Coast Guard vessels for use to enhance the vessel's operability and function for purposes of a public museum and historical display.

Mr. LOBIONDO (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

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

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from New Jersey?

There was no objection.

GENERAL LEAVE

Mr. LOBIONDO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2838.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 455 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2838.

□ 1334

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2838) to authorize appropriations for the Coast Guard for fiscal years 2012 through 2015, and for other purposes, with Mrs. EMERSON (Acting Chair) in the chair.