



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 114<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 162

WASHINGTON, WEDNESDAY, JUNE 22, 2016

No. 100

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER of Florida).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
June 22, 2016.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

PAUL D. RYAN,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

### PROTECT CONSTITUTIONAL PRIVILEGES OF DUE PROCESS AND THE SECOND AMENDMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. JOLLY) for 5 minutes.

Mr. JOLLY. Mr. Speaker, since the tragedy the Nation witnessed in Orlando about 10 days ago—a tragedy that struck at the heart of the American people, that struck at the heart of the LGBT community—we have a Nation that feels less secure, a Nation looking to Congress for answers regarding our national security posture, the policies of this administration's, of this

Congress and answers, also legitimately, about how to protect our communities while also protecting the constitutional privileges of due process and the Second Amendment. They are very legitimate questions we cannot turn a deaf ear to. We answer to the American people. They entrust us to serve.

I was in Florida on the weekend of the attacks. When I left Florida to fly up here, I left a State, a community, that was united in grieving, united in mourning, united in its resolve to do something about it. I arrived at an institution as divided as ever.

It is not constructive to shout “shame” to your colleagues. It is not constructive to suggest that one side of the aisle is complicit in mass attacks on our Nation simply because some of us have had grave concerns about a proposal that, for 2 years, has been offered that we believe is flawed in recognizing constitutional protections; but it is also not acceptable to embrace inaction, and that is true on my side of the aisle as well.

I have voted against the Democratic proposal in committee for a couple of years. Here is why—and this is important for the American people to understand. If you are on a watch list, you should not be able to buy a gun; but if you are wrongfully on that list and if you are a law-abiding American citizen, your constitutional protections should be provided for.

You see, when an individual today is not allowed to purchase a firearm—the seven, eight, nine classes of individuals—they are all post adjudication. They have received a due process hearing and have been either convicted of a violent felony, have been adjudicated through a court of mental incompetence, or have been dishonorably discharged. In each case, there has been due process. Post adjudication is when the ban has been implemented.

The proposal on the left says there is no due process. If you are on the watch

list, you are banned. I think that is wrong, but let's lead on our side of the aisle. Let's lead as a body and figure this out together.

Last week, I circulated a proposal. I didn't introduce it last week. I circulated it. I said to all of my colleagues: Help me make this better.

So last night, with some changes, based on input from my colleagues, I introduced H.R. 5544. It makes changes. It accepts the proposal of no fly, no buy. It is common sense. If you are on a watch list, you shouldn't be able to purchase a firearm; but under my legislation, if you are denied, you must be notified not at the point of sale, but within 10 days by the government that you were denied because you are on a watch list. You are then entitled to a due process hearing within 30 days by a judge, not by a political appointee within the Department of Justice.

The government must then demonstrate by a preponderance of the evidence—a 51–49 burden—why you should be prohibited. If they can do that, you are prohibited. If they cannot satisfy that burden, your Second Amendment rights remain intact. Importantly, the individual is entitled to all unclassified information against him. The hearing is private so as to protect the privacy of the individual and the interests of government.

As a result of circulating it, I have also added a provision by a colleague of mine in the Senate that, if a terror investigation has been closed and someone has been removed from the watch list and he later goes to purchase a firearm, the FBI should be notified. I think that is reasonable. That is H.R. 5544.

I ask for your consideration. I ask for you to help make it better. The terror strike in Orlando struck at the heart of America. Yes, it struck in the name of ISIS—a terrorist who proclaimed he was doing it in the name of radical Islam. Those were his words. It also

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H4057

struck at the heart of an LGBT community that, for generations, has been fighting for freedom, and it saw that freedom attacked.

Americans—all Americans—feel less safe now. Let's inject some radical common sense into this debate. We can ensure no fly, no buy while also ensuring due process and the Second Amendment. If we take the context of November—the narrative of a campaign—out of this, we can actually get this done. Let's listen to the 85 percent of Americans who disapprove of the job we are doing rather than go home and have a message of blaming each other. Let's go home and say we solved it together.

If H.R. 5544 is not something you can support, let's talk about how to improve it.

With regard to the proposal my friends on the left have had for 2 years, add due process, real due process. You will get the support. You will get the support on our side of the aisle if you add due process.

I say to my friends on my side of the aisle, let's lead on this issue. The American people are begging for leadership.

There is a community that is broken—a Nation that is broken—in the wake of Orlando. Let's honor the memories of those who are lost. Let's do right by the American people and do right by the surviving families. Let's do something.

#### NO MORE SILENCE ON GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Massachusetts (Ms. CLARK) for 5 minutes.

Ms. CLARK of Massachusetts. Mr. Speaker, we have come to the floor today to demand action. We have come to the floor with JOHN LEWIS. When JOHN LEWIS speaks—the conscience of our Congress—America listens.

As the barbaric details of the massacre of people dancing at the Pulse nightclub were released, I grieved for those lost. I thought about their dancing and how the human species is the only species that dances. Maybe that is because dancing is a celebration of spirit. Whether you love the waltz, the dab, square dancing, disco, or raves, dancing connects us.

For the LGBT community, the dance floor is often the place at which acceptance and belonging come together. While the massacre of 49 people would have been horrifying and shocking wherever it had happened, it happened on the dance floor at a gay club. A place of refuge—where fear and intimidation give way to joy, acceptance, and belonging—was transformed by hate and cowardice into a grotesque barrow.

Many of our sanctuaries have been violated by gun violence. It is a grisly routine: first graders and their teachers shot in their elementary school; students and professors shot in their college classrooms; parishioners shot

after Bible study and fellowship in their church; social workers and disabled clients shot at a holiday party; our colleague shot while meeting with constituents; neighborhood sidewalks and parks transformed into blood soaked memorials.

Over the last 12 years, gun violence has claimed more American lives than war, AIDS, and illegal drug overdoses combined. Since Newtown, tens of thousands of lives have been lost to this deadly crisis. Yet the number of bills that have been debated and passed by this Congress to help prevent such deaths: zero.

Inaction is a choice. Inaction is costing lives. Today I am asking that this House have a vote, that we perform our basic responsibilities not only as Members of Congress, but as members of a community, and debate and vote on two commonsense measures to curb gun violence. I am asking for a vote on expanding background checks and on preventing suspected terrorists from being able to buy a gun.

The debate wages on on cable news, in our living rooms, on our Twitter feeds, and on Facebook.

Why can't the debate happen here?

There is no one solution to end gun violence or even to reduce it, but we have to try. This absolutist approach that we can't even vote on commonsense measures to help protect our families leaves us in a deadly arms race with ourselves.

Why is a vote so paralyzing? Is it special interests? Is it fear? Does the House leadership really believe that our Constitution and our liberties are so fragile that we have to tolerate carnage like we saw in Orlando or like we see on the streets of Chicago rather than risk a vote?

These two proposals have widespread support from the American people. Whatever your position on the substance of the bill, let's vote. Let's put it out there for people to judge. The American people get it. They understand that we can protect our constitutional rights and take reasoned steps to reduce gun violence. The American people understand that the two are, in fact, compatible under a robust democracy, not mutually exclusive.

Millions of Americans at home are worried and frustrated by this Congress' silence on this deadly epidemic. Without action, moments of silence cease to honor the thousands of victims, survivors, and families who have been devastated by gun violence. Moments of silence should be where action begins. Sadly, in this Congress, it is the only action that is taken. No more silence.

I urge the Speaker, before he sends Members home for the 4th of July, to have us vote on these two practical proposals. There is no holiday from gun violence for ordinary Americans. Our communities and our democracy deserve a vote so our children can dance again in freedom and safety.

#### COMMENDING DENNIS HEINDL FOR WORK IN COMBATING OPIOID EPIDEMIC

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, thousands of Americans lose their lives every year across communities of all sizes to a terrible epidemic, and that is an epidemic of substance abuse that steals lives, that steals futures, and that tears apart families.

Mr. Speaker, I rise to commend the efforts of a constituent of mine, Dennis Heindl, who lives in Elk County, located in Pennsylvania's Fifth Congressional District. Mr. Heindl is the owner of Laurel Media, based in Ridgway. After seeing the effects of the opioid abuse and heroin epidemic affecting our Nation, the Commonwealth of Pennsylvania, and areas such as Elk County, Dennis was compelled to act.

He set up a telephone hotline in an effort to fight back against drug use in communities across the region. The hotline is anonymous, strictly confidential, and is being administered by the North Central Pennsylvania Municipal Drug Task Force. Mr. Heindl is offering a \$1,000 reward for any information that leads to the arrest or conviction of any individual who sells or distributes illegal or prescription drugs.

In addition to the hotline, Mr. Heindl is organizing a series of anti-drug meetings across the area. In fact, the latest meeting in the community of Ridgway drew a crowd of nearly 300 people all interested in taking their town back from this horrible epidemic.

Just like in so many other areas of our Nation, communities across Pennsylvania's Fifth Congressional District have suffered as a result of this drug epidemic. Elk County is ranked ninth in Pennsylvania in overdose deaths per population of 100,000 people while, further west, Crawford County has seen its overdose deaths double in the past 4 years.

□ 1015

Now, I am so proud of the efforts of the people such as Dennis Heindl and all those across the Fifth Congressional District who are helping in the efforts to fight back against drugs.

I am also proud of the package passed recently in this House, which will make grant funding available to States and local governments for the creation of opioid reduction programs, creates a task force to review prescribing practices, and cares for babies who are born opioid addicted and dependent.

If we all work together, I know that we can win this battle.

#### GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.