

socialist society employs everybody. And even in a partially socialist society, a much higher percentage of people wind up working for the government and have to work for the government.

Like all Republicans, in my political career, again and again, I have had people come up to me and tell me things privately that they can't say publicly because they work for the government.

Schoolteachers who come up to me and give a Republican perspective on things or things they may disagree with that the school board is doing. But because they work for the government, they can only talk to me quietly like they were in the Soviet Union or Communist China.

When I was in Wisconsin and we changed the laws to give more flexibility on how we deal with public employees about 12 years ago—it was under Governor Walker—all Republicans knew public employees who quietly sided with Governor Walker, but because they worked for the government, the little socialist part of America, they couldn't openly side with Governor Walker. They had to quietly whisper like we were in a Communist country.

That is what happens when you have too many people working for the government.

The Department of Natural Resources is another example of that. Again, people are coming and saying they are doing things wrong, but they dare not say so publicly because they work for the government.

Of course, in addition to employees who work for the DNR or work for the university, it is not just political beliefs that they may have to hide in the intolerance area of a very liberal political entity—I am thinking about Dane County, which is where Madison, Wisconsin is—people, again, where the government is so big, they are forced not only to hide their political beliefs, they may have to hide their religious beliefs because they are afraid that when it comes to promotions, when it comes to hiring, when it comes to firing, it could affect them negatively because such a high percentage of jobs come with the government.

It is not just that. In a pure socialist society, because there is a shortage of goods, the ability to purchase goods can also be dependent on toeing the party line. We know that in Russia, or previously Cuba, the ability to purchase things is dependent on toeing the party line. You can work all you want but unless you are a member of the party or toe the party line, you can't get the quality of goods that are there. That is inevitably something that happens when the government becomes so powerful.

Other perks are restricted if you don't toe the party line, things like travel in a socialist state. Over time, you begin to have restrictions and maybe the opportunities to travel abroad are only given to people who have displayed fealty to the state.

One of the things I am told to look out for in Cuba is—Cuba, of course, being an island nation—you would expect to have lots of boats all around the island for people to go and fish, people just to take advantage of the Caribbean. But in fact, there are very few boats because Cuba is a socialist country and they are afraid people would use those boats to leave the country. That is another trait that you have in advanced socialism.

Other things they may stamp down on you for, they restrict your free speech because they don't want anybody saying anything that might be something the government disagrees with.

If you look at Communist China, even though to a degree they have a free market, the huge government, because they are afraid of any dissent, anybody telling the truth, cracks down on churches. It seems hard to believe that you cannot openly talk about Christianity, openly talk about Christ in China, but I am afraid you can't.

You hear about Falun Gong in China saying things that maybe aren't approved by the government and therefore people crack down on that organization as well.

In any event, when young people say they are for socialism or if you have any children or grandchildren out there who say there is socialism, point out to them the inevitable lack of freedom that comes with it, that a high number of people have to work for the government. And if you have to work for the government, they can promote you or hire you or fire you based upon political beliefs, based upon religious beliefs.

In a free market system, there are really an almost unlimited number of people you can work with. There are so many different businesses in the free market system. If you don't like to work for someone else, you can always start your own business. That is something that you can't do under socialism, or they want to make it very difficult.

So I am glad that the United States Congress, at least later this week or early next week, is going to go on record saying that we don't like socialism. It should be completely unnecessary. And the fact that so many young people think socialism might be okay is really a damning indictment of the educational, both K-12 and university, system in this country.

Mr. JOHNSON of Louisiana. Mr. Speaker, I thank my friend, the gentleman from Wisconsin. That is very well said. The evils of socialism have crept into all manner of our politics and areas of our culture.

Mr. Speaker, I will end our Special Order hour by just reminding the American people here watching and keeping track of this, that again, as I said in the opening, the Republican majority is in charge. The Congress is now fully operational and we are back to work for the American people.

Every week now, we will be passing substantive legislation that will send a message to the people that there is a new sheriff in town.

Today, in our House Committee on the Judiciary, we had an hour's long hearing on the catastrophe at the border, hearing from those who are down there contending with that situation every single day. The hearings like that one will lead us to legislative repairs for some of these problems that have been created by the Biden administration and the Democrats in charge here the last couple of years.

This week, we are voting to end the COVID pandemic emergency order at long last. We are passing the SHOW UP Act to get all these Federal employees back to work. And as Mr. GROTHMAN indicated, tomorrow we will be voting to condemn socialism.

There is going to be a dramatic change between the Republicans in charge of this House and the Democrats. We are grateful for the opportunity to lead. We will do that every day and we will make the American people proud with our policy reforms and our process reforms.

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

□ 1815

PROTECTING PISTOL-BRACED FIREARMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 9, 2023, the Chair recognizes the gentleman from Georgia (Mr. CLYDE) for 30 minutes.

GENERAL LEAVE

Mr. CLYDE. 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 materials.

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

There was no objection.

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

Mr. Speaker, on January 13 of this year, the ATF finalized its unconstitutional rule pertaining to firearms with stabilizing braces. Under this new ATF rule, any pistol-braced firearm would be considered an illegal short-barreled rifle, subjecting these firearms to draconian regulations under the NFA, the National Firearms Act of 1934, and turning millions of law-abiding gun owners into criminals literally overnight.

Unlected antigun bureaucrats informed law-abiding gun owners possessing pistols with these braces attached that they will have only 120 days to register them once the rule is published in the Federal Register. This 120-day amnesty window started yesterday, January 31.

As we have seen across the world time and time again, what comes before gun confiscation? Gun registration. That is right. That is exactly what ATF is now demanding.

For stabilizer brace owners who do not wish to register their firearms, the ATF provides four alternatives.

The first: Turn in the entire firearm with the attached stabilizing brace to the ATF. That means forfeiting your firearm.

The second: Destroy the whole firearm. Again, another forfeiture of your firearm.

The third: Convert the pistol brace into a long-barreled rifle that does not require registration but is also much more difficult to use with a brace.

The fourth: Permanently remove and dispose of, or alter the stabilizing brace, from the firearm so that it cannot be reattached.

If gun owners who possess braced firearms refuse to register, destroy, turn in, or alter their firearm after this 120-day window, they face National Firearms Act violations, felony violations, including hefty fines of up to \$250,000 and up to 10 years in prison for having an unregistered short-barreled rifle.

In other words, the ATF's rule turns law-abiding gun owners into criminals, into felons, for simply doing nothing.

That is right. If they do nothing, then after 120 days, they are in felony violation of ATF's reinterpreted law, all for simply maintaining their Second Amendment freedoms.

What exactly are these alleged hazardous stabilizing braces? A pistol brace, also known as a stabilizing brace, is simply an accessory that is attached to the rear of a large firearm in order to anchor the gun to the shooter's arm to better stabilize it, allowing them to be more accurately shot one-handed, just like what you see right here. This is a stabilizing brace.

These braces were actually designed to help disabled veterans enjoy the sport of shooting. In fact, as a Federal firearms licensee, my company has sold many of these pistol brace firearms to assist disabled veterans so they can improve their shooting capabilities and their accuracy.

Unfortunately, these beneficial braces have faced uninformed and unwarranted backlash from unelected bureaucrats for years.

In 2012, the ATF provided a letter determining that pistol braces were legal to use and to shoulder. This decision was then reversed 3 years later by the ATF. In 2015, stabilizing braces became illegal to shoulder, turning braced firearms into unregistered short-barreled rifles. The braces remained legal if held at arm's length but illegal if brought back to the shoulder. How does that make any sense?

This flip-flopped again in 2017 when stabilizing braces were once more determined to be legal to shoulder by the ATF, as long as the original design of the brace remained unmodified.

Here we are in 2023 as braced pistols are vilified yet again, declared by the ATF to be unregistered short-barreled rifles requiring registration and their owners classified as felons if they simply do nothing.

Clearly, as in most cases of unconstitutional gun control, unelected bureaucrats who have little to no knowledge of firearms or respect for Second Amendment rights are steamrolling ahead with unlawful restrictions, which will impact, estimates say, anywhere from 3 million to up to 40 million firearms across the country.

Why? To advance the less dangerous dream of disarming our Nation and dismantling our Second Amendment rights. That is what gun control is all about.

The ultimate goal is an unarmed and subjugated America. I can assure gun owners across this great Nation that I and Second Amendment-loving Republican colleagues will do everything in our power to never allow that to happen.

We are fighting this, and we are not going to give up. Congress cannot allow the ATF to brazenly disregard both our Constitution and Congress' role, its sole role in legislation, its legislative authority.

I don't know if ATF Director Dettelbach needs a copy of the Constitution to revisit the explicit language of the Second Amendment or the direct powers granted to the three branches of government, but the last time I checked, only Congress has the authority to make laws.

Let me say that again. Congress makes laws, not unelected antigun bureaucrats at the ATF or any other part of the executive branch, for that matter.

Yet, given the ATF's severely misguided decision to advance its unconstitutional pistol brace rule, I am actively leading the fight to stop this grave injustice.

We have three key tools available to us in Congress to fight the ATF's tyranny.

The first is H.R. 646, the Stop Harassing Owners of Rifles Today Act, or the SHORT Act, which I reintroduced yesterday with Senators ROGER MARSHALL and JOHN KENNEDY. This legislation repeals elements of the National Firearms Act, thereby prohibiting the ATF from registering and banning pistols with stabilizing braces.

The second element is a joint resolution of disapproval under the Congressional Review Act, which we will introduce in a matter of days to block the ATF's rule from infringing on Americans' Second Amendment rights. Congressman RICHARD HUDSON, our NRCC chair, has joined me in co-leading this in the House, while Senators JOHN KENNEDY and ROGER MARSHALL will introduce the resolution in the Senate.

The third way that we can fight this here in Congress is through the power of the purse. As we write the ATF's appropriations for fiscal year 2024, we can prevent taxpayer dollars from funding this backdoor gun control through what is called a limitation amendment. As a new member on the Appropriations Committee and the Subcommittee on Commerce, Justice,

Science, and Related Agencies, I look forward to assisting in this effort.

With these three initiatives, we can work together to stop the ATF's unconstitutional overreach.

It would be better if the ATF simply decided to rescind the pistol brace rule so we would not have to take these permanent measures, but we are fully prepared to do so if they will not rescind it.

I am proud to have several of my colleagues here tonight to expose the ATF's unconstitutional rule, as well as to highlight how Congress can stop this latest form of gun control from infringing on law-abiding gun owners' Second Amendment freedoms.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. VAN DREW).

Mr. VAN DREW. Mr. Speaker, I thank the gentleman for doing this today, and I thank him for leading the fight.

Yesterday, I stood on this floor fighting to protect Americans' First Amendment rights. Today, I am standing here fighting to protect Americans' Second Amendment rights. God help our Constitution.

Congress has afforded far too much deference to unelected D.C. bureaucrats in Federal agencies, and it is time, with our majority, to rein in that extreme power.

The left has talked about taking your gas stoves away, has censored your speech, and now the ATF, under the guidance of this administration, is coming to take away millions of pistols from law-abiding gun owners, individuals who own pistol braces, which were originally approved by the ATF themselves.

What has changed? What is different? What is new? I will tell you what has changed. What has changed is now we have an administration that is desperate to erode our Second Amendment rights in more and more pervasive ways as every year passes. It has continually chipped away at Americans' constitutional rights because of the lack of understanding of what the actual roots of gun violence are.

The administration is abusing the powers delegated to the ATF to illegally track gun owners, perform unauthorized compliance checks at people's homes, and now banning popular modifications that, I will say it again, they approved in the first place.

It has to stop. We are tired of it. Americans are tired of it. This has to end. That is why I am proud to join these efforts to protect gun owners across this great United States of America.

As their duly elected Representatives, we must fight back. We must stand tall. We must be tough and stand against this abuse of power on their behalf.

Let me say this: As a duly elected official and a gun owner myself, all I have left to say to the ATF is enough is enough. Our right to keep and bear arms shall not be infringed.

Mr. CLYDE. I thank my good friend from New Jersey, from one of those blue States where you don't necessarily think that there are passionate gun owners. I appreciate them.

Mr. VAN DREW. South Jersey. I am going to teach you that. South Jersey is a lot different.

Mr. CLYDE. Mr. Speaker, I yield to the gentlewoman from Colorado (Mrs. BOEBERT), who is also the co-chair of our Second Amendment Caucus here in Congress and my good friend.

Mrs. BOEBERT. Mr. Speaker, first, I thank my friend, fellow Freedom Caucus colleague, and proven fighter for the Second Amendment, Mr. CLYDE, for organizing this Special Order. I thank him for highlighting what is going on here.

Mr. Speaker, the ATF's new pistol brace rule violates the separation of powers. Bureaucrats don't create laws; Congress does. This rule functions like a law that Congress never passed.

ATF—Alcohol, Tobacco, and Firearms. In western Colorado, we call that a fun weekend, but D.C. bureaucrats have used this agency to infringe on the rights of the American people.

When you research how many pistol braces the ATF expects to be registered, the number varies. Some say 10 million, others say 20 million, and it may even be 40 million.

Why such disparity? Because the ATF doesn't know how many are out there because law-abiding Americans do not trust them enough to tell them.

In fact, there are probably going to be many more boating accidents this spring and summer than we have ever encountered in U.S. history from law-abiding gun owners.

We don't trust the ATF because of their overreaching actions, exactly like we are seeing with this rule.

There has been a lot of talk about defunding the ATF, even abolishing the agency altogether. I am still waiting to hear a good reason why the ATF should remain an agency at all. I have yet to hear one.

Instead of providing regulations that keep our communities safe, this agency has made our communities more dangerous by laundering weapons to the cartels. Operation Fast and Furious exposed the recklessness of the ATF, how little regard they have for the rule of law, and Americans have had a hard time viewing this agency and its rules as legitimate.

Think about it. The ATF had about 1,700 firearms that were being tracked. They had tracers on them. They were selling to known criminals during this Operation Fast and Furious. They lost 1,700 traced firearms, and now they expect to go after law-abiding American citizens for firearm accessories?

Are they really that competent to go after this many millions of Americans for a firearm accessory, a stabilizing brace, when they had 1,700 tracked firearms in the hands of known criminals that they just lost?

I think that alone proves the legitimacy of this agency, and I am very ex-

cited to bring them into an Oversight and Accountability Committee hearing so they can speak for themselves as to why they should remain an agency in our Federal Government and not have the appropriate features of their agency put under another, like the FBI, once we clean that out.

□ 1830

But other than that, the Second Amendment, it is absolute.

All the regulations the bureaucrats make, the laws that bureaucrats are trying to make, the unconstitutional laws that are passed by the Federal Government, the State legislatures, they make our country less safe. Gun-free zones are the most dangerous places in our country.

The Second Amendment is absolute, and it is here to stay.

A recent report states that Americans own 46 percent of the world's guns. I think we need to get our numbers up, boys and girls.

Mr. Speaker, I thank Mr. CLYDE for hosting this Special Order. I thank him for bringing us all together on this topic and, hopefully, we can shed some light to the American people and let them know that we are fighting against this agency and their abuse of separation of powers.

Mr. CLYDE. Mr. Speaker, I thank the gentlewoman from Colorado for her unwavering defense of the Second Amendment of our Constitution.

Mr. Speaker, I yield to the gentleman from Texas (Mr. CRENSHAW).

Mr. CRENSHAW. Mr. Speaker, I thank the gentleman for his leadership on this important issue because the unelected career bureaucrats are at it again. They are launching attacks on our constitutional rights, the constitutional rights of law-abiding gun owners.

This seems to be the sole purpose of the agency lately, attacking the Second Amendment. Now they want to ban pistol braces.

Americans who don't know what a pistol brace is might have some obvious questions after hearing about this ban. What is a pistol brace? Obviously, it makes guns more deadly, right? It makes guns shoot faster. It makes them want to be used only by people who want to murder other people.

Why else would the ATF want to ban it?

But the Americans who actually use pistol braces know the reality: There is zero logical reason to ban pistol braces. It is a device used by a lot of disabled veterans, a lot of people I know, to provide more stability when shooting a gun.

Tens of millions of Americans own this brace, but they would immediately become felons when this goes into effect. That is not even practical from a law enforcement perspective.

Now, you could argue, actually, that the pistol brace makes the gun safer; it makes it less likely to shoot things they are not aiming at.

But no, the impulsive leaders at ATF have once again failed to apply simple logic and reason to their decision-making and, instead, chose to apply the mindset of the authoritarian, gun-grabbing bureaucrats we all know that they are.

Congress cannot sit idly by. I recently re-introduced a bipartisan piece of legislation that would create an appeals process for small business owners hurt by these haphazard rulings. Right now, the only recourse that exists is for these gun shop owners and manufacturers to sue the Federal Government in court.

Now, for the average American, that is not exactly doable. It takes time and a lot of money and a lot of resources.

My bill would put the ATF in line with every other Federal regulatory agency's appeal process and ensure Americans can petition their government for the redress of grievances and get decisions handed down in a timely manner.

These taxpayer-funded, anti-gun activists at the ATF cannot continue to trample on our Second Amendment rights without a response from Congress.

We must never cease fighting against these shameless power grabs, and Republican must use our House majority to protect law-abiding gun owners.

Mr. CLYDE. Mr. Speaker, I thank my good friend from Texas for those inspiring words.

I yield to the gentleman from Kentucky (Mr. MASSIE), my good friend.

Mr. MASSIE. Mr. Speaker, I thank the gentleman from Georgia for organizing this time on the floor. I think it is so important.

We are talking about the brace ruling from the ATF. A brace is a firearm accessory for disabled individuals. But I am sure Biden went to his Attorney General and to the ATF and said, you know what, I hate guns. How can I take millions of them off the street, without regard for if they are legally owned? And how can I do it without going to Congress because I really don't want to do that.

Now, keep in mind, this is administrative law. Our Founders were against this type of thing because they knew that the laws shouldn't change with each administration.

When Democrats controlled both Chambers of Congress and the White House, they didn't pass this legislation.

This ATF rule says that gun owners have 120 days of amnesty to register or destroy their firearm if it has this firearm accessory. If you don't obey, you become a felon.

What this administrative rule does not do is it does not make people safer. This ruling turns millions of law-abiding gun owners into criminals. Tens of millions of pistol braces have been sold in the United States, with the permission of the ATF, the written permission of the ATF.

They are telling you to take this off, or transfer it, or register it like a machine gun, basically, the same paperwork.

If you want to turn it into a short-barreled rifle, guess what? Twenty-six percent of Americans live in a State where the ATF has left them with no option. They will create an illegal gun in their State if they comply with the ATF ruling in order to keep their gun.

How much compliance do we think there is going to be?

Well, there was a bump stock rule similar to this. There are about half a million bump stocks estimated in circulation; 526 have been returned to the government. So they have made half a million felons is what they have done.

Now, Mr. CLYDE has several bills to fix this. I can anticipate—or I believe Justice Scalia, if he were alive, I can tell you, I believe, based on a meeting that I had with him, which one he would prefer.

Several of us had breakfast with Scalia, and we said, oh, Obama is so bad, and we don't have the constitutional balance of government. Fix this for us, Supreme Court.

Scalia said, this is not my job to referee fights between you and the executive branch. By the way, you are the most powerful, powerful branch. You are Article I, and you can't—you have all the tools you need to stop what he is doing.

One of my colleagues said, well, impeachment is so hard. Scalia said, I am not talking about impeachment. You are funding everything you complain about.

So I believe that his favorite method here, and it is certainly my favorite method, would have been to defund this activity.

The ruling is unconstitutional. The Second Amendment is clear. Shall not be infringed means shall not be infringed.

I urge all Americans to call their Representatives and support ANDREW CLYDE's bill.

Mr. CLYDE. I thank my good friend from Kentucky because he is absolutely right. We have the power of the purse.

I yield to the gentleman from Texas (Mr. WEBER), my good friend.

Mr. WEBER of Texas. Mr. Speaker, I thank the gentleman from Georgia for yielding to me and for his efforts in leading this fight.

Let's get something straight. I am a proud Texan, and let me tell you, Texans are not happy when the government comes after their Second Amendment right.

My District 14, on the Gulf Coast of Texas, has more concealed handgun licensees than any other congressional district in Texas, and I have to assume in the country, for that matter.

The Second Amendment is extremely clear: "The right of the people to keep and bear arms shall not be infringed." What is so hard to understand about that?

But, let's face it, folks. The far left's dangerous attack on the United States Constitution continues unabated, with yet another example right here with

the ATF's unconstitutional pistol brace rule, which bans millions of firearms with stabilizing braces.

The ATF ruling could turn as many as 40 million Americans into felons, and those 40 million Americans are sick and tired of faceless bureaucrats trying to destroy the Second Amendment.

Mr. Speaker, Thomas Jefferson once said, where the people fear the government, there is tyranny. Where the government fears the people, there is liberty.

I would add, Mr. Speaker, fear the government that fears your guns.

Mr. CLYDE. Mr. Speaker, I thank my good friend from Texas for those great words. He is absolutely correct. When the government fears the people, there is liberty.

I yield to the gentleman from Florida (Mr. GAETZ), my good friend.

Mr. GAETZ. Mr. Speaker, I thank the gentleman for his leadership and for yielding.

The ATF's new rule criminalizing pistol braces is a brazen and unlawful attempt to usurp congressional authority. This pistol brace rule will fail for the same reason the bump stock rule failed: The ATF does not have the authority to create Federal law. Nobody voted for the ATF, though I know a lot of people who would vote against them if they could.

This new rule will ban pistol braces on certain firearms, forcing users to jump through numerous hoops to comply with this new decree or risk becoming a felon.

Disabled veterans and others have used these braces for years to help them fire pistols, and the ATF has unilaterally decided that this is no longer acceptable. Now, otherwise law-abiding Americans will either have to destroy their newly illegal firearms, or figure out how to comply with an arbitrary and confusing regulatory scheme outlined in the National Firearms Act.

The ATF cannot be trusted to protect our rights to keep and bear arms. There is no timeline in which the ATF, under any administration, would become an ally. It needs to go. We need to abolish the ATF before they abolish our Second Amendment rights.

Alcohol, Tobacco, and Firearms should be the name of a chain of convenience stores in Florida, not a Federal agency.

I urge every red-blooded American and every conservative in this Congress to stand with Representative CLYDE on his legislation, and to stand with me and cosponsor my bill, the Abolish the ATF Act of 2023. Let's get rid of this unlawful agency once and for all, and let this Special Order be considered a shot across the bow.

Mr. CLYDE. Mr. Speaker, I thank my good friend from Florida for that is, indeed, a great statement: A shot across the bow; a great example of what the United States Navy would do.

Mr. Speaker, I yield to the gentleman from Tennessee (Mr. BURCHETT), my good friend.

Mr. BURCHETT. I thank Mr. CLYDE and the Speaker for your service to our great country.

I don't have any notes for this, but I do want to say the ATF, to me, is the swamp.

Now, here we have a group of unelected bureaucrats, dadgummit, that have taken upon themselves to interpret a law.

It always reminds me, when I was in Nashville one time. I was sitting at the Crown Plaza across the street from the Capitol with one of my dear friends who just passed away; his name was Tom Hensley. He was called the Golden Goose. He was the liquor lobbyist. I never voted for his bills, but he always liked me.

He told me one time, a guy came up and threatened him that worked for our Governor and threatened him; and he sat there, and he chomped on his cigar; and he walked away and he said—BURCHETT, he said, you know what? He said, in a few more years he will be gone and the old goose will still be sitting here. That is exactly, exactly the mentality of the swamp.

It is not like on an episode of The Simpsons where they are all—six people are sitting around at a table in the old cartoon, and they are deciding what is going on. It is a bunch of unelected, arrogant bureaucrats who think they know what is best for this country.

Dadgummit, the ATF has overstepped their bounds once again. Law-abiding Americans, law-abiding citizens, law-abiding Tennesseans should not be deemed criminal because of some bureaucratic whim.

I appreciate the gentleman, thank him for his service to our country, thank him for this bill. I look forward to voting with him on this bill and being a sponsor.

Mr. CLYDE. Mr. Speaker, I yield to the gentlewoman from the great State of Florida (Mrs. CAMMACK).

Mrs. CAMMACK. Mr. Speaker, I thank the gentleman from Georgia (Mr. CLYDE) for hosting this Special Order on an important topic.

My speech is well beyond the time I am allotted, so I am just going to dispense with the notes, really, and talk about how absolutely insane, ridiculous, and unconstitutional this new rule is.

Not only has it been completely blown out of proportion what the brace is, a brace that was originally designed for disabled veterans, increases stability, and since 2015, had been ruled as an accessory by the ATF which, under their own regulations, under their own guidance, they said that they didn't have jurisdiction over accessories.

So I thought that was very interesting that now we have an unelected swamp creature, a bureaucrat who thinks that they can now make felons—law-abiding citizens, felons by now instituting this 120-day rule.

A lot of people have talked about this, but few have talked about the

economic impact this will have. Based on the NICS data that we have, this is going to be a \$1.9 billion hit to the firearms industry; \$1.9 billion to law-abiding citizens.

Believe me, this rule has nothing to do with gun safety. This has nothing to do with making communities safer. This is just a backroom attempt, a backdoor attempt to get at the firearm industry. That is all this is and nothing more.

□ 1845

This is why, Mr. Speaker, we have to pass the SHORT Act. This is why we have to pass the REINS Act, because the REINS Act would prohibit any regulation that has a \$100 million or more impact to an industry to come back to Congress for an up or down vote.

You can fire your Congress-critter, but you cannot fire these unelected bureaucrats. We need to pass the REINS Act. We need to absolutely stop this regulation in its tracks. It is time to, once and for all, let those swamp creatures know that the Second Amendment shall not be infringed.

Mr. Speaker, thank you to the gentleman from Georgia and my friend, Mr. CLYDE, for hosting this special order on such an important topic. Most of you have likely heard about the new rule from the Bureau of Alcohol, Tobacco, Firearms and Explosives, or ATF, that targets stabilizing braces for pistols. The rule wrongly reclassifies these braces as “short rifles,” which are heavily regulated under that National Firearms Act. The final rule, published yesterday, January 31st started a 120-day clock for law-abiding gunowners to destroy, forfeit, or register their braces with the ATF. Otherwise, the new regulation will consider any unregistered stabilizing pistol brace as a short-barreled rifle and will subject the owner to penalties of up to 10 years of imprisonment, up to a \$10,000 fine, or both.

This is insane and it’s an infringement on Americans’ Second Amendment rights through bureaucratic rulemaking.

For those who aren’t familiar with stabilizing braces, these devices were originally designed with disabled veterans in mind and have been on the market for over a decade. Until last year, the ATF repeatedly stated that stabilizing braces did not convert the handguns into short-barreled rifles. In fact, they claimed going back to 2015 that braces were an accessory and therefore not subject to jurisdiction of the ATF. But Now, bureaucrats at the ATF are changing course. By changing this definition, the ATF is effectively making criminals out of millions of law-abiding Americans when they do not register by a certain date. The ATF is reversing over a decade of agency guidance and rulings on which the firearm industry and law-abiding gun owners have relied for years. The ATF estimates around three million stabilizing braces have been sold, however, a report from the Congressional Research Service puts that number much higher—between 10 million and 40 million.

If you look at just the cost—the cost of this new regulation—a rule put in place by unelected bureaucrats, this one rule will cost the firearm industry and gun owners a whopping \$1.9 billion! This number was calculated by using data in NICS and industry data on

the average cost of pistol braced firearms. Make no mistake. This new rule is not about gun safety. This is not about gun violence. This is a back door attempt to take down the firearm industry and make millions of law abiding citizens—felons. We must stop this unconstitutional overreach by the ATF and we will.

The Second Amendment is straightforward—the right to bears arms shall not be infringed. We cannot allow the federal government to make it harder—or impossible—for small business owners, homeowners, and law-abiding citizens to defend themselves. That is why we must pass the Joint Resolution of Disapproval for this rule, which prevents it from going into effect and prohibits the ATF from implementing a similar rule in the future. In addition, we must pass the SHORT Act, which would remove the unconstitutional taxation, registration, and regulation in the National Firearms Act of Short Barreled Rifles, Short Barreled Shotguns, and those classified as Any Other Weapons.

Finally, this is just another in a very long line of examples of why we must pass the REINS Act. The REINS Act would prohibit these swamp creatures—the unelected bureaucratic class from legislating from the agency rather than through Congress. The bill is simple. Any major rule or regulation would be required to come back to Congress for an up or down vote. Why? Because you can fire Your Congress-critter. But the big, government establishment has made it virtually impossible to fire these bureaucrats. Once passed, this rule would have never been allowed to go into effect. It’s time to pass the Reins act. Time to pass the short act and protect our constitutional rights.

I am proud to join Representative CLYDE in introducing these bills, and I appreciate the opportunity to speak on the issue here tonight.

Mr. CLYDE. Mr. Speaker, I thank my great colleague from the State of Florida for those encouraging remarks. I thank all of my colleagues who participated here in this Special Order tonight. It is incredibly important that we show Americans that we are united and unwavering in protecting and preserving our Second Amendment freedoms.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BOYLE of Pennsylvania (at the request of Mr. JEFFRIES) for today after 3 p.m. on account of a family religious obligation that required his presence in the district.

Ms. JACKSON LEE (at the request of Mr. JEFFRIES) for today after noon on account of official business related to the necessity of being unavoidably away in Memphis, Tennessee.

ADJOURNMENT

Mr. CLYDE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o’clock and 46 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 2, 2023, at 9:30 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

EC-303. A letter from the Deputy Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation’s Major final rule—Special Financial Assistance by PBGC-Withdrawal Liability Condition Exception (RIN: 1212-AB58) received January 30, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

EC-304. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department’s final rule—Energy Conservation Program: Test Procedure for Dishwashers (EERE-2016-BT-TP-0012) (RIN: 1904-AD96) received January 27, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-305. A letter from the Regulations Coordinator, National Institutes of Health, Department of Health and Human Services, transmitting the Department’s final rule—National Institutes of Health Loan Repayment Programs [Docket Number: NIH-2020-0001] (RIN: 0925-AA68) received January 25, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-306. A letter from the Director, RPMS, Department of Health and Human Services, transmitting the Department’s final rule—Radiological Health Regulations; Amendments to Records and Reports for Radiation Emitting Electronic Products; Amendments to Performance Standards for Diagnostic X-ray, Laser, and Ultrasonic Products [Docket No.: FDA-2018-N-3303] (RIN: 0910-AH65) received January 25, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-307. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department’s final rule—Listing of Color Additives Exempt From Certification; Calcium Carbonate; Confirmation of Effective Date [Docket No.: FDA-2017-C-6238] received January 27, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-308. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule—Second 10-Year Maintenance Plan for the Indian Wells Valley PM10 Planning Area; California [EPA-R09-OAR-2021-0549; FRL-8856-02-R9] received January 4, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-309. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule—Significant New Use Rules on Certain Chemical Substances (21-1.5e); Correction [EPA-HQ-OPPT-2020-0588; FRL-8582-03-OCSPP] (RIN: 2070-AB27) received January 24, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-310. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule—Air Plan Approval;