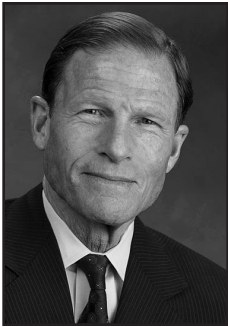


Should Congress Act to Reduce Gun Violence?



Honorable Richard Blumenthal

United States Senator, Connecticut, Democrat

Senator Blumenthal was elected to the U.S. Senate in 2010. He was Connecticut's Attorney General from 1991 to 2011. He serves on the following committees: Armed Services; Commerce, Science, and Transportation; Judiciary; and Veterans' Affairs. He also serves on the Special Committee on Aging. The following is from the September 17, 2019, Senate remarks on "Gun Control Measures."

"[This statute] works. It saves lives. It prevents suicides. It helps stop domestic violence that can lead to fatalities. These laws work."

I am here after talking to my good friend Fred Guttenberg, who visited my office just minutes ago to talk about what we are doing here on the floor of the Senate — what we are failing to do, more precisely, and what we have an obligation to do at this moment in history. Fred Guttenberg lost his precious, beautiful daughter Jaime in Parkland at Marjory Stoneman Douglas High School in a tragedy that we all recall — at least I do — as though it happened yesterday.

Fred Guttenberg has made it his life's mission now, in his daughter's memory, to fight for common-sense steps to save other children from that kind of violence and other parents from all of our worst nightmare — I say that as a father of four. But Fred Guttenberg, being the enormously hopeful, energetic, and positive person that he is, talked to me about Florida's extreme risk protection order statute — or, as it is known there, red flag statute — and about how it is working to save lives and how it has been used more than 2,000 times since it was passed barely a year ago and how it, in fact, worked most recently in the case of a young man who made threats online with a stash of firearms in his home that were turned over to law enforcement voluntarily when they came to his home. They were turned over voluntarily by his parents.

They didn't need to use the warrant because his parents knew that a risk warrant was telling them something they already knew, which is that their son was dangerous and that firearms in that home posed a clear and present and urgent threat of another Marjory Stoneman Douglas tragedy.

So using that red flag or emergency risk protection order statute was actually unnecessary there, but it provided the police and law enforcement with a means to an end, and it has been used more than 2,000 times. In fact, in our Judiciary Committee, a nominee for the Southern District of Florida, who is now a sitting State court judge, related to us how he has applied this statute. What he said to us is it works. It saves lives. It prevents suicides. It helps stop domestic violence that can lead to fatalities. These laws work.

These laws work to save lives, as we have seen in Connecticut, where proudly we have led the Nation in adopting a comprehensive set of gun violence prevention laws. The experience of Connecticut, the empirical evidence, the facts on the ground, the testimony of law enforcement all tell us these laws work. It isn't just one law. There is no single panacea. There is no one solution. It is a comprehensive set of common-sense measures. The opponents of these measures will point to one tragedy or another that could not have been prevented by one law or another, and that is the reason that it has

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and Cons of Gun Control Measures



Should Congress Act to Reduce Gun Violence?

Honorable Debbie Lesko

United States Representative, Arizona, Republican

Representative Lesko, of Arizona's Eighth District, was elected to the U.S. House of Representatives in 2018. Previously, she served in the Arizona Senate from 2015 to 2018. She sits on the Homeland Security, Judiciary, and Rules Committees. The following is from a February 26, 2019, House floor debate on H.R. 8, the Bipartisan Background Checks of 2019, and H.R. 1112, the Enhanced Background Checks Act of 2019.



All of us, Republicans and Democrats, want to reduce gun violence. I think there is just a difference of opinion on how we get there. Unfortunately, H.R. 8 and H.R. 1112, although well-intentioned, will not reduce gun violence and instead will turn everyday, law-abiding individuals into criminals and could actually do more harm than good.

I grew up in a family that didn't have guns. After my dad returned from World War II, he stopped hunting. So, because I wasn't around them, I have to admit I had an irrational fear of guns for a while.

It wasn't until I became an adult that I got educated. I remember I first went to a debate where the person who was talking for gun rights said, "Do you know who follows the laws? Law-abiding people follow the laws. Who doesn't follow the laws? Criminals do not follow the laws." So although well-intentioned, often laws are unenforceable, and criminals just do not follow them.

H.R. 8, again, I believe, is well-intentioned. But it will not solve the problem. H.R. 8 would not have prevented any of the mass shootings in the last 20 years, not one of them. In most cases, guns were obtained legally. Recent attackers have passed background checks to acquire their firearms, including the attackers at the Thousand Oaks, California, shooting; the Tree of Life synagogue in Pittsburgh, Pennsylvania, shooting; the attacker in the Marjory Stoneman Douglas High School, Parkland, Florida, shooting; the shooting at the Pulse nightclub in Orlando, Florida; and the Las Vegas, Nevada, shooting. None of these attacks would have been prevented if H.R. 8 or H.R. 1112 were law.

The attackers in the Columbine High School [shooting in Colorado] used straw purchasers for their weapons, an act that is already illegal and has been illegal since at least the 1960s. Adam Lanza, the attacker in the Sandy Hook Elementary School [shooting in Newtown, Connecticut,] used his mother's firearms [that] were legally purchased by his mother. So as you can see — and I have each one of them listed how the attackers got their guns — H.R. 8 and H.R. 1112 would not have prevented any of these shootings.

Not only would none of the mass shootings be prevented by H.R. 8 and H.R. 1112, but the Department of Justice under President [Barack] Obama said that in order for universal background checks to actually work and be enforceable, a Federal gun registry is needed. Yet this legislation in H.R. 8 specifically prohibits a registry; thus, again, it is unenforceable. The fact is criminals don't get their guns legally and will not

"H.R. 8 would not have prevented any of the mass shootings in the last 20 years, not one of them."

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to be comprehensive, and it will never prevent all of the tragedies. There will still be gun deaths in this country, but these laws work to save lives. And as Fred and I said to each other, if one life has been saved in the State of Florida by its emergency risk protection order statute, it was worth doing. If one daughter of one potentially grieving parent was saved, it was worth doing.

But it is many more than one life that will be saved if we adopt the measures that are before us. Ideally, H.R. 8, universal background checks that has come to us from the House, the closing of the Charleston loophole, which I have long championed and I have introduced as a separate measure here, emergency risk protection order or red flag statutes that my colleague and I, Senator Lindsey Graham [R-SC], have worked on, negotiated over months and now is on the verge of introduction — we know that the task before us is to keep guns out of the hands of dangerous people, to prevent people who will kill or injure themselves or others from having those firearms.

The universal background check goal is to enforce a statute that was adopted many years ago that keeps guns out of the hands of specific people who are dangerous because they are convicted felons or drug addicts or fall into other categories, keeps guns out of the hands of dangerous people before they are hurt. An extreme risk protection order statute keeps guns out of the hands of people who, like the shooter in Parkland, as my colleague Senator Graham says, all but took out an ad in the newspaper saying he was going to kill people — as this young man did in Coral Springs, when he went on the internet.

Under our statute, there is complete due process because not only must a statutory standard of proof be met for the warrant — the risk warrant, much like an arrest warrant or a search warrant — but then, in a subsequent hearing within a week or two or three weeks under other jurisdictions, there is a right to a hearing, and the burden of proof is even higher for that gun to be kept away. Then the order itself lasts for a specific period of time. There are guarantees of due process here. Every one of these proposals — universal background checks and extreme risk protection orders — is within the decision in *District of Columbia v. Heller*, 554 U.S. 570 (2008), consistent with the Second Amendment. We respect the Second Amendment. It is the law of the land, but [background checks] can help save lives. That is why ninety percent of the American people support universal background checks, and they support extreme risk protection order laws. They know lives can be saved if guns are kept out of the hands of dangerous people.

These stories are so common and so tragic: A young man exhibits disturbing behavior. He is clearly troubled. His friends, relatives, teachers, even law enforcement are aware of his hateful rants. He posts pro-Nazi photos online. We know the end of this story too. It is the story of Dakota Reed that started like so many others — Charleston, Pittsburgh, Orlando, Dayton, El Paso. He posted on November 11, 2018: “I’m shooting for 30 Jews.” Except here is how that story ended: When this young man threatened an anti-Semitism fueled massacre, law enforcement was granted an extreme risk protection order. Dakota Reed was online, threatening to kill people, and law enforcement seized his 12 firearms.

For so long, we have been told there is nothing that can be done, but this one example, like the young man in Coral Springs, shows there are effective solutions. These laws work. As so many Americans know, there is no shortage of ideas to stop preventable gun violence. There is only a shortage of courage. There is only a dearth of will. For too long, Congress has been complicit.

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**“... ninety percent
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go through a background check to get their guns even if this bill were signed into law. A recent Department of Justice report of prison inmates that used guns in their crimes showed that 56 percent obtained their guns illegally and another 25 percent received them from family members — which, by the way, family members are still allowed to get the guns under this law.

It is obvious, then, that they did not get their guns from a gun show or private sales, as Mr. [Representative Jamie] Raskin [D-MD] is concerned about. H.R. 8 will also turn everyday, law-abiding citizens into criminals if it becomes law. Let's look at the amendments that were rejected by the Democrats in the Rules Committee and in the Committee on the Judiciary that offered to protect law-abiding citizens from becoming criminals.

First, there was an amendment — I thought common-sense — that someone thinking of committing suicide would be exempted from temporarily turning over their gun to a friend, and it is not allowed under this bill. They would become a criminal. So somebody who wants to commit suicide could not transfer their gun to someone else. If a law-abiding citizen wanted to let someone temporarily use their gun on their own property, they would become a criminal under this bill.

If a farmer or rancher wanted to temporarily lend a gun to a ranch hand for the purposes of ranch activities, the farmer would become a criminal under this law. If a domestic violence victim was in fear for her life and wanted to temporarily borrow a gun from a friend to protect herself, she would become a criminal under this law.

Let's also look at some common-sense amendments rejected by the Democrats that would have prevented undue burdens and duplication on law-abiding citizens who have already passed a background check but now have to go through another background check under this law — people who have security clearances. This is the application to get a government security clearance, page upon page, background check, extensive background check. Yet, someone who has this and has gone through this still has to get another background check.

People who have a concealed carry weapon issued by a State, they have to go through another background check. People who have already gotten a gun permit from States [that] require them; they have to go through another background check. People who have Global Entry, who have gone through a background check, they have got to do it again under this bill. Even law enforcement officers. Law enforcement officers have to go through another background check under this bill. This is placing undue burden on law-abiding citizens.

Now I want to share testimony from a young woman from the Judiciary Committee. This woman was a victim of rape on her college campus. And the reason I am bringing it up is because well-meaning gun control laws actually prevented her from carrying a gun to school because the State she traveled through did not allow her to carry a gun in order to defend herself. This is a clear example of how law-abiding citizens — not criminals, law-abiding citizens — who follow the law and how this young woman and others like her were actually harmed by well-intentioned gun control laws.

As a survivor of domestic violence, I know all too well how hard it can be to protect oneself or find a lifeline out. My abuser often controlled all my finances. I wouldn't have been able to pay for a background check or a gun. Sometimes getting a gun from a friend could actually be your only option; yet, unfortunately, under this bill, I tried to offer an amendment, but it was rejected.

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“H.R. 8 will also turn everyday, law-abiding citizens into criminals if it becomes law.”

**"Congress has blood
on its hands if it
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are now."**

Congress has blood on its hands if it continues to fail in meeting this basic responsibility to keep Americans safer than they are now.

Almost every community has been affected by this national epidemic of gun violence. Massacres in El Paso and Dayton within a 24-hour period left 31 dead. Before Congress returned from its recess, a shooter in Odessa, Texas, killed another seven. Communities are forever changed by these events. The fear that is engendered and the trauma of these shootings affects a community and tears it apart in ways that take years to recover from it.

Like my colleagues from Connecticut in the House and in the Senate, I will live forever with the sights and sounds of that day in Sandy Hook, the cries of grief in that afternoon and afterward, when 26 beautiful people — six great educators and 20 young children — were killed. I was at the firehouse where parents went to find out if their children were dead or alive. They found out by waiting as the children arrived — but not all of the children. That is how the parents who lost their children found out.

Those anguished cries, the sobbing, the grief have been repeated 2,226 times since in mass shootings. They have left 2,000 communities grieving, but more than those mass shootings, there are the deaths — every day, 90 deaths; 36,000 Americans killed by gun violence every year. That is about 100 every day, and gun deaths are on the rise, not reducing. There were 39,773 gun deaths for 2017, the most recent year for which it is available. That is not even counting the physically wounded, those who escaped mass shootings physically unscathed but with lifelong mental scars, and the thousands of friends and family members of victims and near-victims whose lives are forever altered by these incidents of gun violence.

Despite this unconscionable loss of life, Congress has done nothing, complicit in the mass shootings but also in the suicides and domestic violence. Lori Jackson's death in Connecticut was at the hand of her estranged husband. Her children were traumatized losing their mother, and her parents became active advocates — courageous and strong advocates for a change in the law. We have an obligation to act regardless of whatever the President says or does. There is nothing in the Constitution that says the U.S. Senate can act only if the President commits to signing some law.

There is nothing in the Constitution that says we can act only if the President endorses a specific measure. We have that duty, independent of the President. We have a constitutional duty. We have already ceded too much of our power in too many areas. We cannot, we need not, we must not cede that independent obligation we have to act and act now. Medical research tells us that 80 percent of the perpetrators of mass violence exhibit clear signs that they are going to carry out an attack, often including explicit threats of violence. The Parkland shooter is one of the latest examples. In all of those jurisdictions that have extreme risk protection order statutes, the experience is that they work.

I have introduced Jaime's Law that would provide for background checks on ammunition purchases — there should be universal background checks on purchases — in honor of Fred Guttenberg's daughter, Jaime. I have supported a ghost gun statute that would take account of the need to act on weapons that are literally made in people's homes using kits like the one used by the Rancho Tehama gunman. They are referred to as "ghost guns" because they possess no serial number or any kind of traceable identification or registration. One scholar estimates that at least hundreds of thousands of unmarked receivers already have been sold in the United States.

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Lesko,

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Now let's turn to H.R. 1112, which changes the length of time that a background check has to be completed from the current three days to 10 business days and then another 10 business days for an appeal. So it could be 20-plus days. The reason I am bringing this up is I want to tell you a story — a real story — about Carol Bowne. She was a New Jersey woman who was stabbed to death while waiting to be approved for her firearm application. She already had an order of protection through the courts, but that wasn't enough. She needed more than just that piece of paper.

H.R. 1112 will make the realities of Carol's story happen across the country, putting millions of women and law-abiding citizens in danger. Women who seek avenues of protection will be forced to wait almost a month — 20 days to a month — like Carol. How many women will potentially suffer like Carol? H.R. 8 also has other problems.

Unfortunately, the debate in the Judiciary Committee was cut short. Many common-sense amendments were not even heard. Only 10 amendments out of 100 were heard before the chairman cut off debate. Because of the rush to get this bill through, there is another problem. There is vague language that is not defined and, thus, is open to interpretation.

I know, in some of the amendments, the majority party has tried to give an alternative to my good, common-sense domestic violence amendments, but it doesn't do any good. And this is the reason; it is because the language is so vague. It says: Under H.R. 8, a person is allowed to temporarily transfer a firearm if it is necessary to prevent imminent death or great bodily harm.

The question is: There is no definition of this, so how long is a temporary transfer? Who determines that? Does the victim determine it? Who determines if there is imminent death? Does it qualify if a victim of domestic violence thinks they will be killed? Or does the person transferring the gun have to be in the same room and there be some kind of shootout and they throw a gun to them? What do "imminent danger" and "imminent death" mean?

With something as important as the Second Amendment, I think we owe it to the American people to do our work and take as long as we have to in order to have a fair and open debate on major pieces of legislation. I had sponsored an amendment, as a survivor of domestic violence, to allow victims of domestic violence and sexual abuse who have orders of protection to be able to get transferred a gun if they might be in fear for their life.

As I have said, often victims of domestic violence don't have the financial means or they are so restricted by their perpetrator that it is difficult for them to go out and purchase a gun, let alone get a background check, and so they might have a friend whom they can borrow it from. Now, in response, I think, Mr. Raskin, if I am not mistaken, said that the Democrats did help domestic violence victims. I just don't think that their amendment cuts it, and I am going to read the amendment if this is the one that the gentleman is talking about.

It says: A temporary transfer that is necessary to prevent imminent death or great bodily harm, if the possession by the transferee lasts only as long as immediately necessary to prevent the imminent death or great bodily harm — and then here is the amendment — including the harm of domestic violence, dating partner violence, sexual assault, stalking, and domestic abuse. I would say just because you add the words "domestic violence," "victims of domestic abuse" doesn't mean this is going to help; and the reason is simply because of what I said before: that these terms in here are really

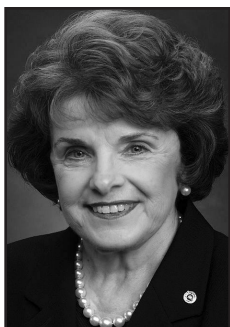
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"With something as important as the Second Amendment, I think we owe it to the American people to do our work . . ."

Blumenthal,
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We need to harness the power of American innovation and create smarter, safer firearms. There is no reason to wait another day before passing these laws. We know there is a political movement that is gaining strength from groups like Moms Demand Action, Everytown for Gun Safety, Students Demand Action, Brady, Giffords, the Coalition [to Stop] Gun Violence, the Connecticut Coalition, the Newtown Action Alliance, and Sandy Hook Promise. So many of these organizations are coming together to create a seismic change, a tectonic groundswell of support. That is the reason we are here tonight and the reason the President is even talking about a measure or set of measures that will help prevent gun violence.

We can do this. We can pass this measure. The President can stand up to the gun lobby and the NRA. The Republican leadership has it within their power to seize this moment made possible by the American public expecting and demanding that we act and saying to us, "Enough is enough. Truly, enough is enough."



Honorable Dianne Feinstein
United States Senator, California, Democrat

Senator Feinstein was elected to the U.S. Senate in 1992. She served as the Mayor of San Francisco from 1978 to 1988. In addition to being Ranking Member on the Judiciary Committee, she sits on the Intelligence, Rules and Administration, and Appropriations Committees. The following is from the September 17, 2019, Senate remarks on "Gun Control Measures."

To my right is an August 11, 2019, cover from the *Washington Post*. It shows the faces of the 423 people killed in mass shootings between the Sandy Hook massacre in 2012 and the recent shooting in Dayton, Ohio. This is more than a third of the 1,196 people killed in mass shootings since 1966, so shootings have grown dramatically in this country. This should not be the face of America. I think we have got to do much more to stop the plague of gun violence that continues to take the lives of the most innocent among us, including the 20 small beautiful children who lost their lives that December in Newtown.

I have their photo at home, and I look at it almost every day, and it is indeed a heartbreaker. Today, I would like to speak about a few bills that I believe the Senate should be voting on right now. Specifically, we should be voting on requiring universal background checks, banning assault weapons, banning high-capacity magazines, and supporting enactment of extreme risk laws.

The House passed a strong bill on universal background checks that has been sitting on Leader [Mitch] McConnell's [R-KY] desk now for more than 200 days. According to a *Washington Post*-ABC News poll, 89 percent of Americans support universal background checks, and that includes 83 percent of Republicans; yet that bill sits on Leader McConnell's desk.

We have seen even more lives lost in the last several weeks while this bill languishes on the Senate calendar. The shootings in Gilroy, Dayton, El Paso, Midland-Odessa took the lives of 41 people, including a six-year-old boy named Steven Romero. A background
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**"I think we have got
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that continues
to take the lives of
the most innocent
among us . . ."**

Lesko,

continued from page 17

unclear. I really would like somebody to explain, and they are not defined anywhere, who determines “prevent imminent death” or “great bodily harm”?

So, let’s say I am a victim of domestic violence, and I think my perpetrator is going to kill me. Does imminent death last only as long as immediately necessary to prevent the imminent death?

So does that mean the person who — my friend who can lend me a gun — has to be right there in the same room and see that there is imminent death coming? I mean, there is no definition here. So it is unclear to me that this would help at all.

Honorable Doug Collins

United States Representative, Georgia, Republican

Representative Collins, of Georgia’s Ninth Congressional District, was elected to the U.S. House of Representatives in 2012. He served in the Georgia House of Representatives from 2007 to 2012. He is Ranking Member of the Judiciary Committee. The following is from a February 26, 2019, House floor debate on H.R. 8, the Bipartisan Background Checks of 2019, and H.R. 1112, the Enhanced Background Checks Act of 2019.

I rise in strong opposition to H.R. 8, the so-called Bipartisan Background Checks Act of 2019. This is bad legislation that fails to make anyone safer in any regard. I have been listening here, sitting on the floor for just the last few minutes and listening to those who came up and were happy about this bill coming forward today, and they mentioned many acts of mass violence and situations that have happened. The sad part about it is they claim this is the answer and the first step.

In actuality, it is, at best, a side step, and it may actually be a step backward and will not do what it is being claimed to do.

All this legislation will do is burden law-abiding citizens wishing to exercise their Second Amendment rights, including defending themselves from the gun-toting criminals this bill does nothing to combat.

H.R. 8 foolishly presumes criminals who flout existing laws will suddenly submit themselves to background checks. Are Members who support this bill delusional enough to think a criminal trading cocaine to another criminal for a firearm will give consideration to H.R. 8 and go to the nearest gun store to submit to a background check? That is absurd. Most of us will agree that criminals are not going to do that anyway. My concern is what it actually does in practice to those who are not criminals. Not only is it foolish to think they will start following the law, it is also foolish to think it is going to in any way make our country safer.

My Democratic friends have exploited every mass shooting, calling for universal background checks, but H.R. 8 would not have stopped a single mass shooting. These strategies do, however, share one thing in common. Over and over, we see issues of mental health and missed opportunities for authorities to intercede.

Let me just say, I share the concern. I am going to share, in just a moment, actual, real things that actually could make a difference in helping to stem the tide of mass violence in our country.



“All this legislation will do is burden law-abiding citizens wishing to exercise their Second Amendment rights . . .”

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**"I strongly believe
that reinstating
the Federal ban on
assault weapons
could have saved
some of the lives
that have been
recently lost."**

Feinstein,

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check could have prevented the shooter in Odessa and Midland from getting his gun. Unfortunately, he was able to purchase a firearm through a private sale that does not require a background check, and still, we wait for a vote on this bill to close the gaping loopholes of our background check system.

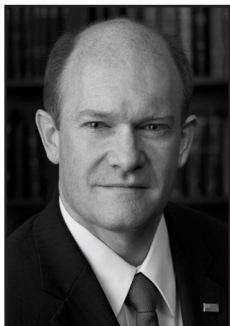
Sadly, what has become all too common is that each of the shootings I mentioned involved an assault weapon. The Gilroy shooter used a WASR 10, which is an AK-47-style semiautomatic weapon. The rifle was equipped with a 75-round drum magazine. In this case, the shooter intentionally crossed into Nevada to purchase the gun, as the sale of assault weapons is banned in California. The Dayton shooter used an AM-15 assault rifle equipped with a 100-round drum magazine. The El Paso shooter also used a WASR 10 rifle, and the shooter in Midland and Odessa used an AR-15-style rifle.

These are weapons of war, plain and simple. Their main function is to kill as many people as possible. In fact, in two of these shootings — Gilroy and Dayton — law enforcement arrived in less than a minute, but in that time, dozens of people had been injured or killed. I strongly believe that reinstating the Federal ban on assault weapons could have saved some of the lives that have been recently lost.

As the *New York Times* reported in an op-ed titled, "That Assault Weapons Ban? It Really Did Work," data show that, compared with the decade before its adoption, the Federal assault weapons ban, in effect from September 1994 through 2004, was associated with a 25 percent drop in gun massacres — a massacre is from six to eight people — and a 40 percent drop in fatalities from 81 to 49. We need to reinstate the Federal assault weapons ban.

It worked before, and it will work again. We also need to ban high-capacity magazines. My legislation to ban assault weapons includes this provision, and there are stand-alone bills as well. Just a few weeks ago, at Northern Police Station in San Francisco, I had the opportunity to examine a 100-round magazine personally — two rounds that fit on a rifle or a revolver. I couldn't believe it, 100 rounds that could be used just round after round after round so easily. It is lightweight. It is simple to use. It is diabolical. And the only purpose of it is to kill as many people as possible as fast as possible.

Keeping high-capacity magazines out of the hands of mass shooters is particularly important because, many times, shootings are only stopped when the shooter has to pause and reload. In 2011, the shooter in Tucson, who shot then-Congresswoman Gabrielle Giffords, was only stopped when bystanders wrestled the shooter to the ground after he stopped firing to reload. Civilians have no use for these devices, so all they are doing is costing innocent life.



Honorable Chris Coons

United States Senator, Delaware, Democrat

Senator Coons was elected to the U.S. Senate in 2010. He served as New Castle County (Delaware) Executive from 2000 to 2004 and the New Castle County Council President from 2004 to 2010. He serves on the following committees: Appropriations, Foreign Relations, Judiciary, Small Business and Entrepreneurship, and Ethics. The following is from the September 17, 2019, Senate remarks on "Gun Control Measures."

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But doing this, we have to understand that this bill does not do that, and what may make you feel good may not heal you. That has to be understood. Look at the recent workplace shooting in Illinois, where the gunman murdered five people. That could have been prevented, but not by H.R. 8. All law enforcement had to do was enforce existing law. The gunman was prohibited from possessing firearms.

In January 2014, he was issued an Illinois firearm owner's identification card. That March, he applied to buy a handgun from a gun dealer. Five days later, he took possession of the gun, having inexplicably passed a background check. That month, he applied for a concealed carry permit. During a background check for the permit, his felony conviction was flagged. Illinois police revoked his firearm card and sent him a letter telling him to relinquish the firearm. Not surprisingly, the felon did not comply.

Had authorities seized the firearm between March 2014 and February 2019, they could have saved five lives. Aurora, Illinois, is not the only missed opportunity to prevent tragedy. We know about missed opportunities in Parkland; Aurora, Colorado; Sutherland Springs; Virginia Tech; and others. The common problem here is clear. It is not a lack of background checks.

With H.R. 8, Democrats refuse to acknowledge the human factors leading to these events, but Republicans have a bill to help law enforcement coordinate responses to mental health concerns and other mass violent threat information. You know what else H.R. 8 doesn't address? The primary ways criminals acquire firearms. Last month, DOJ [Department of Justice] revealed nearly half of criminals obtained firearms via theft or the black market. The survey also revealed that a mere 0.8 percent of criminals purchased their firearms at gun shows.

If this bill won't prevent mass shootings and address violent crime, what will it do? It will keep law-abiding citizens from protecting themselves. Under this bill, a battered woman with a protection order against her abuser who borrows a firearm for self-defense would be a criminal. It would criminalize the selling of a firearm without a background check to someone with a valid permit allowing them to possess, acquire, or carry a firearm. If that person walked into a gun store, they could present that permit and not undergo a NICS check.

On the other hand, there are solutions to prevent mass violence and gun crime. The Mass Violence Prevention Act [MVP Act], which I introduced earlier this week, is one. The MVP Act directly addresses challenges in law enforcement coordination and response. It would reduce the flow of firearms into the black market, and it would bolster law enforcement's ability to prosecute criminals for firearm offenses. If reducing gun violence is the Democrats' concern, the MVP Act is legislation that we should be considering today, not H.R. 8.

Talk to me or my staff about co-sponsoring this evidence-based, common-sense legislation. Unlike H.R. 8, the MVP Act could have prevented tragedies such as Parkland. Unfortunately, my Democratic colleagues, by putting this forward and continuing the same narrative, are not actually interested in stopping gun violence. I take the intent to be good; I do not question the motive. All of us in our life do not want to see the tragedies unfold. But this is not the way forward. This is another thing put out to the very ones who have suffered, telling them we are helping them, while at the same time not telling them the truth about the bill, a bill that guts its own ability to enforce itself, a bill that actually, possibly, would keep people from purchasing firearms because of an unlimited price of a background check.

"Under this bill, a battered woman with a protection order against her abuser who borrows a firearm for self-defense would be a criminal."

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Coons,*continued from page 20*

We have an opportunity to make real progress on bipartisan gun reforms that will help keep our communities safer while respecting our treasured Second Amendment rights. America's epidemic of gun violence continues to devastate communities and families across our Nation. Last month, in just August alone, mass shootings in El Paso, in Dayton, and in Odessa claimed the lives of more than 50 innocent Americans. Individual Americans, meanwhile, fall victim to gun violence every single day. Whether through suicide or homicide, they take far too many lives far too early.

Just this past weekend, four Delawareans in my hometown were shot, and in 2017, up and down my home State, 111 Delawareans were killed by firearms. Guns are now the third leading cause of death for Delaware's children under age 17. Folks, these are not just numbers; each gun death is a son, a daughter, a neighbor, a congregation member, or a friend.

In a recent meeting with Moms Demand Action in my office in Wilmington, I listened to young parents who were confronting for the first time the reality of active shooter drills in schools as they sent their children to school for the first time and had them come home and ask questions about why we as parents could not do more to keep them safe in school. Viewing this ongoing crisis through the eyes of our children — those who are told to be quiet, to hide in a closet, to wait out a moment of sheer terror — is a reminder that our children are scared, that our families are scared, that our neighbors are scared, and that we can and must do more to address this epidemic. Some of the most crucial steps we take must be taken at the Federal level.

It is clear to me, from poll after poll, survey after survey, and tragic story after tragic story, that the American people want us to act, and they want us to act on background checks. We should vote on the Senate companion to H.R. 8. It is long past time for our leader, the majority leader, to join with the majority of the country and put that bill on the Senate floor. Just last week, the House Committee on the Judiciary passed the Keep Americans Safe Act, which would prohibit the high-capacity magazines that have been used in so many of these recent, tragic mass shootings.

What I hear, time and again in town halls back home in Delaware, is that folks want us to enforce our existing gun laws more thoroughly and more wisely, and that is exactly what this proposal would do. In Delaware, I have met with and heard from law enforcement leaders up and down our State. The chiefs of police from our State police, our county police, and our municipal police have uniformly said they would welcome the information of those convicted felons in their towns, in their counties, or in our State who are trying to get their hands on guns.

If the leader were to bring this to the floor and it were to pass, it, along with all of the other bills I just referenced, would help to save lives. It is my hope that our President will see this moment as an opportunity for real leadership and will listen to the majority of Americans, the majority of Democrats, the majority of Republicans, and the majority of gun owners who would like to see us act in a responsible and bipartisan way in order to reduce the easy access criminals have to guns and will take an important step forward in making our country, our schools, our communities, and our families safe. What I hear back home in Delaware is that the overwhelming majority of Americans are sick and tired of our thoughts and prayers after every shooting. They would be so much more inspired if we actually took the risk of enacting legislation together. I think it is long past time for us to do just that, and I hope we will in the days ahead.

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**“... the
overwhelming
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our thoughts
and prayers after
every shooting.”**

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The question that I have about this bill is not what actually could happen with this. It is what actually will be hurt by this as we move forward. With that, I believe that we are being misled. The victims of mass violence are being misled by this bill, H.R. 8, because it would not stop what they have been promised that it would stop. For that, I am profoundly sorry. But because of that, I call on my colleagues to reject H.R. 8 and to support real solutions.

The moments of silence may not have stopped, but it did call upon a higher power to realize that we are fragile human beings involved in tragedies. I will also remind the folks that this bill will also not do what it has many times been promoted for it to do because any of these mass violence episodes would not have been affected by this bill.

I understand the need or want to do this is to make many things that actually came in discussions in our committee about some of the problems that we found here, and the mere submission is another tacit admission that the Democrats understand the flaws in this bill.

It is not something that I am going to relitigate here, but also, when debate is cut short, this is what happens when you get to the floor. When debate is cut short in committee, this is what happens. They realize that good [points] were brought up, but yet they chose to push through a bill because they had a timeline. We went through this in the Rules Committee. I get it. This is what is coming up. But, again, to put this in, “great bodily harm,” it is minimally helpful at this point. It goes back to the problem we had with “imminent” in the last one.

These are all things, frankly, that could have been — even in a bill that I would disagree with at the end of the day on this — this is, again, not something that is going to fix it. A victim of domestic abuse can live in constant fear of her abuser and feel threatened at all times. I understand at least the attempt to fix something, because they understand that there were problems and they don’t want to make it worse, but I have advocated all along that what this does help, it also hurts. And this is, again, just another attempt to do that.

“The moments of silence may not have stopped, but it did call upon a higher power to realize that we are fragile human beings involved in tragedies.”

Honorable Richard Hudson
United States Representative, North Carolina, Republican

Representative Hudson, of North Carolina’s Eighth Congressional District, was elected to the U.S. House of Representatives in November 2012. He served as the district director for Representative Robin Hayes (R-NC) from 1999 to 2005. He serves on the House Energy and Commerce Committee. The following is from a February 26, 2019, House floor debate on H.R. 8, the Bipartisan Background Checks Act of 2019 and H.R. 1112, Enhanced Background Checks Act of 2019.



We all share the same goal: to end gun violence. But in the course of this debate, House Democrats say they want to do something to end gun violence and anyone who disagrees with their policies doesn’t care. I believe in my heart that the gentleman from Maryland [Representative Jamie Raskin] and the folks on the other side of this debate care about the victims of gun violence and the children in this country, and I know in my heart that my colleagues on this side of the aisle and I care, too. It is a shame that

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**“... we are acting
because of the
urgent need to
respond to the
daily toll of gun
violence in our
communities ...”**

Honorable Jerrold Nadler **United States Representative, New York, Democrat**

Representative Nadler, of the Tenth District of New York, was elected to the U.S. House of Representatives in 1992. He served in the New York Assembly from 1976 to 1992. He currently serves as Chairman of the Judiciary Committee. The following is from the September 10, 2019, markup of H.R. 1236, the Extreme Risk Protection Order Act of 2019.

Last month, the country was rocked by news of mass shootings on two successive days, in El Paso, Texas — where 22 people were killed and 26 were wounded — and in Dayton, Ohio — where nine people were killed and 27 others were injured. Just a few weeks later, a gunman in Odessa, Texas, took the lives of seven more people. In total, 53 people were killed in mass shootings in August alone.

At a vigil to commemorate the victims in Dayton, the governor’s speech was drowned out by calls to “Do something!” Today, we will. This [Judiciary] Committee has already passed two important gun safety measures, the Bipartisan Background Checks Act and the Enhanced Background Checks Act, both of which passed the House in February and are being blocked in the Senate by the Republican majority. But that will not stop this committee. Today, we consider three more measures that would help prevent the tragic gun violence that has engulfed this nation in recent years.

I want to emphasize, however, that we are not taking these additional actions simply to respond to mass shootings. As has been our motivation with respect to the gun safety bills the committee has already considered, we are acting because of the urgent need to respond to the daily toll of gun violence in our communities, whether they are mass shootings or not and whether or not they make national headlines. There is no single bill that will address all of these issues, and that is why we are considering additional bills today.

More than 35,000 Americans lose their lives because of guns every year. Every day in America, on average, 34 people are murdered with a firearm. Gun violence of this magnitude is a distinctly American problem. A country-to-country comparison is shocking. For example, in 2011 the United Kingdom had 146 deaths due to gun violence; Denmark, 71; Portugal, 142; and Japan, just 30. But in the United States, more than 35,000. Even when you adjust for population differences, Americans are disproportionately killed by gun violence.

A recent study in the *American Journal of Medicine* found that, compared to 22 other high-income countries, the gun-related murder rate in the United States is 25 times higher. The President and others try to pin blame for gun violence on mental illness, but we know that the United States does not have a rate of mental illness that is 25 times higher than the rest of the world. That is clearly not the source of our gun violence crisis.

We must approach this issue with a range of solutions and with a sense of urgency. That is why we are taking action today. The first gun safety bill we will consider, H.R. 1236, the “Extreme Risk Protection Order Act of 2019,” provides funding to States to enact extreme risk protection statutes that empower law enforcement and families to petition courts to intervene when individuals in crisis pose a danger to themselves or others. This bill encourages States and localities to take meaningful steps to prevent gun

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in their rush to do something, anything, Democrats have made this a partisan show. They won't even allow my bipartisan concealed carry reciprocity bill that passed this House last Congress to be debated on the House floor today.

What about the single mother victim of assault, like Shaneen Allen [who was arrested in 2013 for having a gun in her car]? Does she not have the right to defend herself? Instead of working on common-sense solutions that can actually help prevent tragedies — like supporting local law enforcement, ensuring laws and protocols are followed, improving mental health, and implementing my concealed carry reciprocity — they are targeting law-abiding citizens, and they are disregarding existing Federal law.

There is no gun show loophole. Federal law already requires a background check on every commercial gun purchase in America no matter where it takes place. Federal law already prohibits so-called straw purchases.

Let's make one thing clear: H.R. 8 would not have stopped Newtown. H.R. 8 would not have stopped Parkland. It would not have stopped Las Vegas or Sutherland Springs or San Bernardino or the tragic attack on our former colleague, Congresswoman Gabrielle Giffords [D-AZ].

But the proponents of gun control don't want you to judge them based on outcomes; they want you to judge them based on intentions. And they say anyone who points out the facts, anyone who dares observe the obvious flaws in their legislation, does so because they don't care.

In their rush to do something, House Democrats ignore that House Republicans have done many things, like strengthening the background check system, which would have prevented Sutherland Springs; improving mental healthcare, which would have prevented many of these shootings such as Newtown and Charleston and Parkland; and giving schools the tools they need to protect students.

All these bills received bipartisan support in the last Congress, but we don't get credit for real action because they say our intentions weren't good enough.

We owe it to the American people to look past the intention and the emotion and focus like a laser on outcomes. What can we do to actually end gun violence once and for all? So what is this bill actually going to do? It is going to turn a law-abiding American into a criminal when you loan your shotgun to your buddy to go dove hunting. It is going to make it illegal for a victim of stalking to borrow a gun from a neighbor for protection.

It is going to make the cost of background checks so expensive that the average American can't afford to buy a gun. Meanwhile, criminals are going to continue to get their firearms, whether it is through theft or the black market or on the street. I applaud President Donald Trump for standing with us against this ineffective legislation, and I encourage my colleagues to vote "no."

The American people want us to work together to solve this problem and stop gun violence. Can't we come together in a bipartisan way and not just do something, but do something that will actually make a difference?

I am calling on my colleagues to put partisanship aside. Work together on ideas that will actually make a difference. I stand ready to continue this work. I will work with anyone to end gun violence while also protecting the rights of law-abiding citizens, and I reject the false dilemma that we can't do both.

**"Let's make one
thing clear: H.R.
8 would not have
stopped Newtown."**

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violence tragedies at home and in their communities, while at the same time protecting the due process rights of those individuals in crisis. Under this legislation, States and localities are encouraged, through funding assistance, to pass laws that ensure a court may issue an extreme risk protection order removing firearms from a person in crisis and preventing them from purchasing firearms only after making a finding that there is evidence demonstrating that the person poses a significant danger of injuring himself, herself, or others.

The judge considering the petition from law enforcement or family members would authorize temporary firearms restrictions for up to 30 days. To extend the length of the firearms restriction for up to a year, the court must afford the firearm owner a full hearing, ensuring the person's due process rights, to contest the petition. H.R. 1236 strikes the appropriate balance between protecting the rights of the gun owner and ensuring community safety.

The Amendment in the Nature of a Substitute that I will offer shortly will include provisions based on H.R. 3076 — introduced by our colleague, the Gentlewoman from Georgia, Ms. [Lucy] McBath [D-GA] — that authorize the issuance of an extreme risk protection order by a Federal court when law enforcement, family members, or household members seek one.

The inclusion of this Federal mechanism is an explicit acknowledgement that gun violence and mass shootings, unfortunately, have no bounds. Every jurisdiction in this country has been touched by gun violence. The Federal provision ensures consistent access to courts and enables continuity of enforcement across State lines.

Federal courts have long been bastions of due process — and the protections included in the federal ERPO [extreme risk protection order] provisions protect respondents' due process rights. It is important to note that the duration of an order issued pursuant to an *ex parte* proceeding contemplated in this bill, during which a neutral Federal judge must weigh whether a threat is imminent, is limited to 14 days, during which the court will determine, after a hearing including participation by the respondent, if a long-term order is appropriate.

Taken together, the grant provisions in H.R. 1236 and the Federal petition provisions incorporated from H.R. 3076 provide a sensible means by which an individual who exhibits dangerous behavior can be prevented from possessing or purchasing firearms. According to one study, over 50 [percent] of mass shooters exhibited some warning signs before the shooting. The combined bill before us authorizes an individual who has serious concerns that someone they know poses an extreme risk to take the action needed to save lives and prevent suicides. Seventeen States and the District of Columbia have passed extreme risk protection laws, which have proven to be effective. In California, one study found that extreme risk protection orders were issued under that State's law in 21 instances where there was concern of a mass casualty event.

After Connecticut enacted an extreme risk protection order law, the State experienced a 14 percent reduction in its firearm suicide rate. In Indiana, the number of suicides declined 7.5 percent in the ten years after it enacted its [ERPO] law.

The bottom line is that we know that extreme risk laws save lives. We have witnessed their effectiveness in State after State. So, let us continue to take the reasonable and measured steps that the American people demand. This week, it was reported that nearly 90 percent of Americans support extreme risk protection laws.

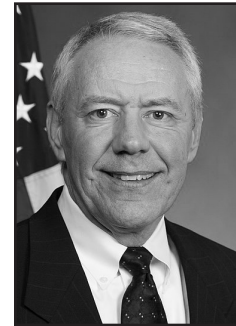
**"The bottom line is
that we know that
extreme risk laws
save lives."**

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Honorable Ken Buck

United States Representative, Colorado, Republican

Representative Buck, of Colorado's Fourth District, was elected to the U.S. House of Representatives in 2014. He served as the Weld County District Attorney from 2004 to 2013. He serves on the House Judiciary Committee and the House Foreign Affairs Committee. The following is from the February 27, 2019, House floor debate on H.R. 8, the Bipartisan Background Checks Act of 2019.



I rise to oppose H.R. 8, a bill that criminalizes gun transfers between law-abiding citizens who have no criminal record and no criminal intent. The bill includes several flawed and unworkable exceptions. Take the law enforcement exception. It allows the police to transfer a firearm, but criminalizes transfers to law enforcement. Under this bill, a parent whose child finds a gun in a park commits a Federal crime if the parent surrenders the gun to police. Under this bill, a citizen commits a Federal crime if they participate in a local gun buyback program. Under this bill, an attorney commits a Federal crime when they turn a client's gun over to the police to clear the client through ballistics testing.

Will criminalizing cooperation with law enforcement make us safer? The majority apparently thinks so, and I think it is crazy. The Democrats' bill gives special privileges to the bodyguards of the wealthy elite, like former [New York City] Mayor [Michael] Bloomberg, who is funding the special interest advocacy for this bill. He can afford to hire bodyguards. But average Americans, who rely on the Second Amendment as their source of personal protection, are not given similar protections. Nothing should be more offensive to this body than a bill that denies citizens their endowed rights while giving wealthy elites special protections, privileges, and dispensations. But that is H.R. 8.

Take the family exception; the rule allows a vote on an amendment to ensure that transfers between parent and child include stepparents and stepchildren. What about transfers between a foster parent and foster child? This bill says foster relationships are not worthy of the same respect and equal treatment.

Every Member of this body should be ashamed to vote for this bill that reflects such terrible policy and discrimination. Take the Good Samaritan exception, allowing transfers where a threat of death or harm is imminent. Imminent means death is menacingly near, a standard so strict that it is, frankly, too late to transfer a gun once it is obvious a gun is needed for protection. Under this standard, it is illegal to loan a gun to a victim of domestic violence for her protection until the transferor is practically witnessing a murder in progress.

This standard would also prevent a gun owner who has intermittent suicidal thoughts, a known side-effect of certain prescription medications, from legally transferring a gun — his own gun — to a friend for safekeeping. Because this bill criminalizes transfers between law-abiding Americans, while doing nothing to curb criminals' access to guns, this bill provides the American public with a false sense of security. Because this bill includes unworkable exceptions that will mislead people into thinking a gun transfer is legal when it is not, this bill provides law-abiding gun owners with a false sense of immunity. I urge a "no" vote on this totally and completely unconstitutional legislation that would deprive people of their constitutional rights to keep and bear arms.

"Every Member of this body should be ashamed to vote for this bill that reflects such terrible policy and discrimination."

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“No other developed, high-income country’s lethal gun violence even comes close to the American carnage allowed by our loophole-ridden gun laws.”

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Honorable Jamie Raskin
United States Representative, Maryland, Democrat

Representative Raskin, of the Eighth District of Maryland, was elected to the U.S. House of Representatives in 2016. He served in the Maryland State Senate from 2007 to 2016. He sits on the following committees: Judiciary, Oversight and Reform, Rules, and House Administration. The following is from a February 26, 2019, House floor debate on H.R. 8, the Bipartisan Background Checks of 2019, and H.R. 1112, the Enhanced Background Checks Act of 2019.

The Bipartisan Background Checks Act of 2019 and the Enhanced Background Checks Act of 2019 arrived at a time of emergency for America — a real emergency. Every year 120,000 Americans are shot in our country, and 35,000 of them are shot dead. Seventeen thousand of the people wounded or killed each year are children or teenagers, their families devastated, their lives forever changed.

In 2017, gun deaths in America hit the highest level in 40 years, with 40,000 Americans killed. We have lost more Americans to gun violence in our own communities than to the Vietnam war, the Revolutionary War, the Civil War, World War I, World War II, the Korean war, the Iraq war, and the Afghan war combined. This war at home never stops. Each day — yesterday, today, and tomorrow — another 100 people in America are shot and killed by gun violence.

This is not a global problem; it is an American problem. While 35,000 Americans are killed by gunfire here each year, it is 146 people in the United Kingdom, 142 in Portugal, and 30 in Japan. We lose more people to gun violence in a single weekend than England loses all year. We lost more people in the Las Vegas massacre alone, in one bloody night, than the nation of Japan lost to gun violence in eight years.

No other developed, high-income country’s lethal gun violence even comes close to the American carnage allowed by our loophole-ridden gun laws. The gun-related murder rate in the United States is 25 times higher than the average of other high-income countries and hundreds of times higher than some of them.

Now, the good news is that we know what to do to begin to end this crisis. We must close the loopholes. In 1994, the Brady Handgun Violence Prevention Act went into effect and required licensed firearm dealers to contact the FBI to run a background check through NICS, the National Instant Criminal Background Check System.

The Brady Act worked as far as it went. It stopped more than three million illegal purchases of firearms by convicted felons, violently abusive partners, fugitives, the mentally ill, and so on. But there are gaping loopholes in the law because unlicensed gun sellers, the people who sell guns online today or at gun shows or in other private transactions, can sell firearms without having to run any background check whatsoever. More than one-fifth of U.S. gun owners acquired their most recent firearm without any background check at all.

The criminals are not stupid. They follow the loopholes. They go to the Internet. They go to the gun shows. They go to the convenience store parking lots to get their weapons of mass destruction without any background check at all.

Our legislation will close these dangerous loopholes by guaranteeing that there is a thorough NICS background check on every gun sale or transfer, with only a few carefully defined exceptions for intrafamily gifts and a few other cases.

Honorable Steve Scalise
United States Representative, Louisiana, Republican

Representative Scalise, of Louisiana's First District, was elected to the U.S. House of Representatives in 2008. He served in the Louisiana State Legislature from 1996 to 2008. He is the House Republican Whip and serves on the Energy and Commerce Committee. The following is from the February 27, 2019, House floor debate on H.R. 8, the Bipartisan Background Checks Act of 2019.



I rise in strong opposition to these gun control bills that are being brought forward. They are brought forward under the guise of background checks. Let's look at what these bills would actually do. We had identified any number of problems with this bill that we were trying to improve, and every one of those was shut out, shut out by the Democratic majority who wanted to try to stifle the opposing side's debate because they think just saying background checks makes this a good bill.

Let's talk about what this bill will do to make criminals — felons — out of law-abiding citizens. If you loan your gun to a friend under this bill, maybe they are thinking of buying a similar gun to protect themselves and they want to go to a shooting range to see if this gun is the right kind of gun to protect themselves with, which they have a right to do under the Second Amendment of this Constitution, loaning your gun to that friend in that act would make you a felon subject to a year in jail and subject to a \$100,000 fine. We tried to fix that. They shut that amendment out. In this bill, if you loan your gun to a friend who maybe has been a victim of domestic violence — and one of my colleagues who is here in opposition to this bill is one of those victims of domestic violence. She had an amendment to fix this bill to say, if she has got a temporary restraining order against her boyfriend who has been beating her, and she is afraid he is going to come back tonight, under one of the bills, if she goes to buy a gun tonight and the ... NICS system isn't working, she may have 20 business days to get that gun.

Now, good luck if the boyfriend shows up to beat her up that night, and she says, "Don't worry, I am on day eight. I only have another 12 days before I can buy the gun. Will you come back so I can defend myself then?" Do you really think that is going to happen? You know what that means to her. So in the bill we said, "What if you can loan your gun to her?" She goes to a friend and says, "I know you have a gun. I don't have a gun. I am trying to protect myself because I have got a TRO [temporary restraining order], but I know he is probably going to come back."

Under this bill, you will be a felon, a year in jail, \$100,000 fine. That is what this bill does. Oh, by the way, we are talking about law-abiding citizens here. If you go hunting with a buddy and you try to loan your gun to a buddy, they say there is an exemption in the bill. But it is written so vaguely that you not only need to bring your hunting partner, you might need to bring your attorney to find out if loaning your shotgun to your friend makes you a felon under this bill.

These are law-abiding citizens. These are people who use guns to defend themselves, which is the basis of the Second Amendment. Our Founding Fathers believed every American has the right to defend themselves because every day, on average, in this country, guns are used by good people to defend themselves against bad people, and it is going to make it harder for them to get access to these guns to defend themselves from bad people.

**"Our Founding
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themselves . . ."**

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