

Table with 3 columns: Name, State, Name. Includes Rogers (NJ), Rohrabacher (WA), Roth (Solomon), Roukema (Souder), Royce (Spence), Salmon (Spratt), Sanford (Stearns), Saxton (Stenholm), Scarborough (Stockman), Schaefer (Stump), Schiff (Stupak), Seastrand (Talent), Sensenbrenner (Tanner), Shadegg (Tate), Shaw (Tauzin), Shays (Taylor (MS)), Shuster (Taylor (NC)), Sisisky (Thomas), Skeen (Thornberry), Skelton (Thurman), Smith (MI) (Tiaht).

NOT VOTING—10

Table with 3 columns: Name, Name, Name. Includes Bevill (Molinari), English (Paxon), Houghton (Schroeder), Laughlin (Smith (TX)), Torricelli (Weldon (PA)).

So the amendments en bloc were not agreed to.

After some further time,

55.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. DURBIN:

At the end of title V of the bill, insert the following new section:

SEC. 515. PROHIBITION AGAINST ILLEGAL POSSESSION OR DISCHARGE OF FIREARMS IN PUBLIC HOUSING ZONES.

(a) CONGRESSIONAL FINDINGS.—The Congress finds and declares that—

(A) crime, particularly crime involving firearms, is a pervasive, nationwide problem;

(B) crime at the local level is exacerbated by the interstate movement of firearms;

(C) firearms and ammunition move easily in interstate commerce and illegal firearms have been found in increasing numbers in and around public housing zones;

(D) in fact, even before the sale of a firearm, the gun, its component parts, ammunition, and the raw materials from which they are made have considerably moved in interstate commerce;

(E) while criminals freely move from State to State, ordinary citizens and foreign visitors may fear to travel to or through certain parts of the country due to concern about violent crime and gun violence;

(F) the occurrence of violent crime in public housing zones has resulted in a decline in the quality of public housing in our country;

(G) this decline in the quality of public housing has an adverse impact on interstate commerce and the foreign commerce of the United States;

(H) States, localities, and local housing and management authorities find it almost impossible to handle gun-related crime by themselves; even States, localities, and local housing and management authorities that have made strong efforts to prevent, detect, and punish gun-related crime find their efforts unavailing due in part to the failure or inability of other States or localities to take strong measures; and

(I) the Congress has power, under the interstate commerce clause and other provisions of the Constitution, to enact measures to ensure the integrity and safety of the Nation's public housing by enactment of this section.

(b) PROHIBITIONS.—

(1) POSSESSION.—It shall be unlawful for any person, in or affecting interstate or foreign commerce, to possess a firearm in violation of any other Federal law or of any State or local law, at a place that the person knows is in a public housing zone.

(2) DISCHARGE.— (A) IN GENERAL.—It shall be unlawful for any person, in or affecting interstate or foreign commerce, to discharge or attempt to discharge a firearm, knowingly or with reckless disregard for the safety of another, at a place that the person knows is in a public housing zone.

(B) EXCEPTIONS.—Subparagraph (A) shall not apply to the discharge of a firearm—

(i) by a person employed by a local housing and management authority to provide security for a public housing development in the public housing zone, acting within the scope of such employment; or

(ii) by a law enforcement officer acting in his or her official capacity.

(c) PENALTIES.—Whoever violates subsection (b) shall be fined under title 18, United States Code, imprisoned for not more than 5 years, or both. Notwithstanding any other provision of law, a term of imprisonment imposed under this subsection shall not run concurrently with any other term of imprisonment imposed under any other provision of law. Except for the authorization of a term of imprisonment of not more than 5 years made in this subsection, for the purposes of any other law a violation of subsection (b) shall be deemed to be a misdemeanor.

(d) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) The terms "firearm", "interstate or foreign commerce", "person", and "whoever", have the meanings given such terms in section 921(a) of title 18, United States Code.

(2) The term "public housing zone" means in or upon—

(A) the real property comprising the public housing developments of any local housing and management authority; or

(B) any public property which is at a distance of not more than 1,000 feet from property referred to in subparagraph (A).

(e) EFFECTIVE DATE.—This section shall apply to conduct engaged in after the end of the 60-day period that begins with the date of the enactment of this Act.

(f) GUN-FREE ZONE SIGNS.—Federal, State, and local authorities (including local housing and management authorities) are encouraged to cause signs to be posted around public housing zones giving warning of the prohibition against the illegal possession of a firearm in such zones.

It was decided in the { Yeas ..... 106 negative ..... } Nays ..... 318

55.11 [Roll No. 158] AYES—106

Table with 3 columns: Name, Name, Name. Includes Abercrombie (Fields (LA)), Ackerman (Filner), Andrews (Flake), Baldacci (Foglietta), Barrett (WI) (Ford), Beilenson (Furse), Berman (Gejdenson), Boehlert (Gibbons), Bonior (Gutierrez), Borski (Hall (OH)), Brown (OH) (Harman), Bryant (TX) (Hinchev), Cardin (Horn), Coleman (Jackson-Lee), Conyers (TX), Coyne (Johnson, E. B.), Cummings (Johnston), Davis (Kaptur), DeLauro (Kennedy (MA)), Dellums (Kennedy (RI)), Dicks (Kennelly), Doggett (LaFalce), Dunn (Lantos), Durbin (LaTourrette), Engel (Leach), Eshoo (Levin), Evans (Lewis (GA)), Farr (Lofgren), Fattah (Lowey), Fawell (Luther).

Table with 3 columns: Name, Name, Name. Includes Rivers (Slaughter), Rose (Stark), Sawyer (Stokes), Schumer (Studds), Shays (Torres), Skaggs (Towns), Ward (Waxman), Wooldsey (Wynn), Yates (Zimmer).

NOES—318

Table with 3 columns: Name, Name, Name. Includes Allard (Ensign), Archer (Everett), Armye (Ewing), Bachus (Fazio), Baesler (Fields (TX)), Baker (CA) (Flanagan), Baker (LA) (Foley), Ballenger (Forbes), Barcia (Fowler), Barr (Fox), Barrett (NE) (Frank (MA)), Bartlett (Franks (CT)), Barton (Franks (NJ)), Bass (Frelinghuysen), Bateman (Frisa), Becerra (Frost), Bentsen (Funderburk), Bereuter (Gallegly), Bilbray (Ganske), Bilirakis (Gekas), Bishop (Gephardt), Biley (Geren), Blute (Gilchrest), Boehner (Gillmor), Bonilla (Gilman), Bono (Gonzalez), Boucher (Goodlatte), Brewster (Goodling), Browder (Gordon), Brown (CA) (Goss), Brown (FL) (Graham), Brownback (Green (TX)), Bryant (TN) (Greene (UT)), Bunn (Greenwood), Bunning (Gunderson), Burr (Gutknecht), Burton (Hall (TX)), Buyer (Hamilton), Callahan (Hancock), Calvert (Hansen), Camp (Hastert), Campbell (Hastings (FL)), Canady (Hastings (WA)), Castle (Hayes), Chabot (Hayworth), Chambliss (Hefley), Chapman (Hefner), Chenoweth (Heineman), Christensen (Herger), Chrysler (Hilleary), Clay (Hilliard), Clayton (Hobson), Clement (Hoekstra), Clinger (Hoke), Clyburn (Holden), Coble (Hostettler), Coburn (Hoyer), Collins (GA) (Hunter), Collins (IL) (Hutchinson), Collins (MI) (Hyde), Combest (Inglis), Condit (Istook), Cooley (Jackson (IL)), Costello (Jacobs), Cox (Jefferson), Cramer (Johnson (CT)), Crane (Johnson (SD)), Crapo (Johnson, Sam), Creameans (Jones), Cubin (Kanjorski), Cunningham (Kasich), Danner (Kelly), de la Garza (Kildee), Deal (Kim), DeFazio (King), DeLay (Kingston), Deutsch (Klecza), Diaz-Balart (Klink), Dickey (Klug), Dingell (Knollenberg), Dixon (Kolbe), Dooley (LaHood), Doolittle (Largent), Dornan (Latham), Doyle (Lazio), Dreier (Lewis (CA)), Duncan (Lewis (KY)), Edwards (Lightfoot), Ehlers (Lincoln), Ehrlich (Linder), Emerson (Lipinski), English (Livingston).