

H.R. 1247: Mr. PICKERING, Mr. REYES, and Mr. BUYER.
 H.R. 1287: Mr. LEACH.
 H.R. 1288: Ms. KILPATRICK and Ms. NORTON.
 H.R. 1290: Mr. RYAN of Wisconsin.
 H.R. 1293: Mr. LaFALCE, Mrs. JONES of Ohio, Mr. UDALL of New Mexico, Mr. MOORE, Mr. HILL of Indiana, Mr. PHELPS, and Mr. PASCRELL.
 H.R. 1304: Mr. LAMPSON, Mr. TIAHRT, Mr. SNYDER, Mr. SHAW, Mr. ABERCROMBIE, and Mr. MORAN of Virginia.
 H.R. 1305: Mr. BROWN of Ohio.
 H.R. 1312: Ms. SLAUGHTER.
 H.R. 1315: Mr. HORN.
 H.R. 1327: Mr. WALDEN of Oregon, Mr. BLUMENAUER, Mr. DEFAZIO, and Mr. WU.
 H.R. 1382: Mr. GILLMOR, Mr. HOUGHTON, Mr. SENSENBRENNER, Mr. PALLONE, and Mr. MCINNIS.
 H.R. 1389: Mr. HASTERT and Mrs. EMERSON.
 H.R. 1413: Mr. HALL of Texas.
 H.R. 1421: Mr. MARTINEZ and Mr. ANDREWS.
 H.R. 1432: Mr. GILMAN.
 H.R. 1433: Mr. SCARBOROUGH, Ms. DUNN, Mr. COMBEST, Mr. WAMP, Mr. HILLEARY, Mr. METCALF, and Mr. NETHERCUTT.
 H.R. 1452: Mr. GARY MILLER of California.
 H.R. 1592: Mr. DUNCAN, Mr. OSE, Mr. ROGERS, and Mr. THUNE.
 H.R. 1601: Ms. DUNN, Mr. KASICH, Mr. WU, Mr. RAMSTAD, and Mr. DOOLITTLE.
 H.R. 1606: Mr. GEJDENSON.
 H.R. 1634: Mr. GOODE.
 H.R. 1649: Mr. SCARBOROUGH and Mr. TANCREDO.
 H.R. 1658: Mr. COBLE and Mr. PAUL.
 H.R. 1665: Mr. LANTOS, Mr. SKELTON, Mr. NEAL of Massachusetts, Mr. FROST, and Mr. SNYDER.
 H.R. 1684: Mr. DIXON.
 H.R. 1687: Mrs. MYRICK.
 H.R. 1706: Mr. GRAHAM.
 H.R. 1746: Mr. REYNOLDS and Mr. CHABOT.
 H.R. 1760: Mr. MINGE.
 H.R. 1777: Mr. BONIOR and Mr. KLECZKA.
 H.R. 1794: Mr. ANDREWS and Mr. HALL of Texas.
 H.R. 1806: Mr. ABERCROMBIE, Mr. BOUCHER, Ms. BERKLEY, and Mr. CALLAHAN.
 H.R. 1837: Mr. MCINTOSH, Mr. GARY MILLER of California, Mr. HULSHOF, Mr. ANDREWS, Mr. TRAFICANT, Mr. DEUTSCH, Mr. RAHALL, Mr. BARCIA, Ms. ESHOO, Mr. FRANK of Massachusetts, Mr. FORD, and Mr. HILLIARD.
 H.R. 1841: Mr. ABERCROMBIE.
 H.R. 1844: Mr. RAHALL.
 H.R. 1858: Mr. CLAY, Ms. ESHOO, Mr. DEAL of Georgia, and Mr. THOMPSON of Mississippi.
 H.R. 1881: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. HILLIARD.
 H.R. 1883: Mr. NORWOOD, Mr. SHOWS, Mr. PASTOR, Mr. BACHUS, Mr. FORBES, Mr. STUMP, Mr. CAMPBELL, Mr. KING, Mr. GORDON, Mr. ACKERMAN, Mr. BILIRAKIS, Mr. CROWLEY, Mr. SHERMAN, Mr. TIERNEY, Mr. GUTIERREZ, Mr. SALMON, Mr. MCGOVERN, Mr. GRAHAM, Mr. MCINTOSH, Mr. HOLT, Ms. SCHAKOWSKY, Mr. FORD, Mr. PALLONE, Mr. DIXON, Mrs. MYRICK, Mrs. MORELLA, Mr. ARMEY, Ms. WOOLSEY, Mr. DOYLE, Mr. WYNN, Mr. WEINER, Mr. MCCOLLUM, Mr. SCARBOROUGH, Mr. COBLE, Mrs. NORTHUP, Mr. SHADEGG, Mr. GONZALEZ, Mr. FROST, Mr. MENENDEZ, Mr. HAYES, Mr. FOLEY, Mrs. LOWEY, Mr. WEXLER, Mr. DEUTSCH, Mr. McNULTY, Mr. HAYWORTH, and Mr. KINGSTON.
 H.R. 1890: Mr. GEORGE MILLER of California.
 H.R. 1907: Mrs. KELLY.
 H.R. 1993: Mr. BOHLERT.
 H.R. 2028: Mr. COBURN.
 H.R. 2040: Mr. DOYLE and Mr. REYES.
 H.R. 2125: Mr. HILLIARD and Mr. BECERRA.
 H.R. 2238: Mr. BRADY of Pennsylvania and Ms. KILPATRICK.
 H.R. 2240: Mr. MURTHA and Mr. BONIOR.
 H.R. 2241: Mr. DIAZ-BALART.
 H.R. 2243: Mr. TRAFICANT and Mr. DUNCAN.

H.J. Res. 55: Mr. BAIRD and Mr. TANCREDO.
 H.J. Res. 57: Ms. PELOSI and Mr. LIPINSKI.
 H. Con. Res. 30: Mr. JONES of North Carolina.
 H. Con. Res. 109: Mr. BURTON of Indiana, Ms. KAPTUR, Mr. SAWYER, and Mr. BERREUTER.
 H. Con. Res. 112: Mr. SERRANO, Mr. HALL of Texas, Mr. CONDIT, Mr. CRAMER, Mr. SISISKY, Mr. MCINTYRE, Mr. ROGAN, Mr. CALLAHAN, Mrs. CUBIN, Mr. EVERETT, Mr. FOSSELLA, Mr. TIAHRT, Mr. NEAL of Massachusetts, Mr. CAPUANO, Mr. MOAKLEY, Mr. MEEHAN, Mr. VITTER, Mr. JONES of North Carolina, Mr. WHITFIELD, Mr. FRELINGHUYSEN, Mr. BASS, Mr. NORWOOD, Mr. GREEN of Wisconsin, Mr. EHLERS, Mr. BACHUS, Mr. OSE, Mr. GARY MILLER of California, Mr. KASICH, Mr. HOEKSTRA, Mr. PACKARD, Mr. GEKAS, Mr. LEWIS of Kentucky, Mr. BARRETT of Nebraska, Mr. HOBSON, Mr. PORTMAN, and Mrs. MYRICK.
 H. Con. Res. 124: Mr. BLBRAY and Mr. OBERSTAR.
 H. Con. Res. 129: Mr. MCHUGH and Mr. MORAN of Virginia.
 H. Con. Res. 130: Mr. WATT of North Carolina, Mr. GUTIERREZ, Ms. BROWN of Florida, Mr. TOWNS, Mr. MEEKS of New York, and Mr. PAYNE.
 H. Con. Res. 132: Mr. CAMPBELL.
 H. Con. Res. 133: Mr. ROMERO-BARCELO and Mrs. KELLY.
 H. Res. 41: Mr. KUYKENDALL and Ms. SANCHEZ.
 H. Res. 107: Mrs. CAPPS, Ms. VELAZQUEZ, Ms. BALDWIN, and Ms. EDDIE BERNICE JOHNSON of Texas.
 H. Res. 109: Mr. LEWIS of Kentucky, Mr. GOODLATTE, and Mr. WATKINS.
 H. Res. 115: Ms. KAPTUR.
 H. Res. 211: Mrs. MYRICK, Mr. LAZIO, Mr. HAYWORTH, Mr. WATT of North Carolina, and Mr. RUSH.

FRIDAY, JUNE 18, 1999 (67)

The House was called to order by the SPEAKER.

¶67.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, June 17, 1999.

Pursuant to clause 1, rule I, the Journal was approved.

¶67.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2665. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Horses From Australia and New Zealand; Quarantine Requirements [Docket No. 98-069-2] received June 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2666. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Propamocarb Hydrochloride; Extension of Tolerance for Emergency Exemptions [OPP-300826; FRL-6070-1] (RIN: 2070-AB78) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2667. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Public Housing Development Rule: Information Collection Approval Numbers [Docket No. FR-4443-F-05] received April 8, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2668. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2669. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2670. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-7288] received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2671. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits—received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2672. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Leesville, Louisiana) [MM Docket No. 98-191] (RM-9351) received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2673. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, Office of Governmentwide Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Circular 97-12; Introduction—received June 14, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2674. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule—Matching Credit Card and Debit Card Contributions in Presidential Campaigns [Notice 1999-9] received June 14, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

2675. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Migratory Bird Special Canada Goose Permit (RIN: 1018-AE46) received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2676. A letter from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking and Importing Marine Mammals; Taking of Marine Mammals Incidental to Power Plant Operations [Docket No. 970703165-9117-03; I.D. 062397A] (RIN: 0648-AK00) received June 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2677. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to amend title XVIII of the Social Security Act to increase flexibility in Medicare claims processing; jointly to the Committees on Ways and Means and Commerce.

¶67.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 40. Concurrent resolution commending the President and the Armed Forces for the success of Operation Allied Force.

The message also announced that pursuant to Public Law 96-388, as amended by Public Law 97-84, the Chair, on behalf of the President pro tempore, appoints the following Senators to the United States Holocaust Memorial Council—

- the Senator from Utah (Mr. HATCH);
- the Senator from Alaska (Mr. MURKOWSKI); and
- the Senator from Michigan (Mr. ABRAHAM).

¶67.4 MANDATORY GUN SHOW BACKGROUND CHECK

The SPEAKER, pursuant to House Resolution 209 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2122) to require background checks at gun shows, and for other purposes.

Mr. THORNBERRY, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶67.5 RECORDED VOTE

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

At the end of the bill, insert the following:

TITLE —CHILD HANDGUN SAFETY

SEC. 1. SHORT TITLE.

This title may be cited as the “Safe Handgun Storage and Child Handgun Safety Act of 1999”.

SEC. 2. PURPOSES.

The purposes of this title are as follows:

- (1) To promote the safe storage and use of handguns by consumers.
- (2) To prevent unauthorized persons from gaining access to or use of a handgun, including children who may not be in possession of a handgun, unless it is under one of the circumstances provided for in the Youth Handgun Safety Act.
- (3) To avoid hindering industry from supplying law abiding citizens firearms for all lawful purposes, including hunting, self-defense, collecting and competitive or recreational shooting.

“(z) SECURE GUN STORAGE OR SAFETY DEVICE.—

SEC. 3. FIREARMS SAFETY.

(a) UNLAWFUL ACTS.—

(1) MANDATORY TRANSFER OF SECURE GUN STORAGE OR SAFETY DEVICE.—Section 922 of title 18, United States Code, is amended by inserting after subsection (y) the following:

“(z) SECURE GUN STORAGE OR SAFETY DEVICE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for any licensed manufacturer, licensed importer, or licensed dealer to sell, deliver, or transfer any handgun to any person other than any person licensed under the provisions of this chapter, unless the transferee is provided with a secure gun storage or safety device, as described in section 921(a)(34), for that handgun.

“(2) EXCEPTIONS.—Paragraph (1) does not apply to the—

- “(A)(i) manufacture for, transfer to, or possession by, the United States or a State or a department or agency of the United States, or a State or a department, agency, or political subdivision of a State, of a handgun; or
- “(ii) transfer to, or possession by, a law enforcement officer employed by an entity re-

ferred to in clause (i) of a handgun for law enforcement purposes (whether on or off duty); or

“(B) transfer to, or possession by, a rail police officer employed by a rail carrier and certified or commissioned as a police officer under the laws of a State of a handgun for purposes of law enforcement (whether on or off duty);

“(C) transfer to any person of a handgun listed as a curio or relic by the Secretary pursuant to section 921(a)(13); or

“(D) transfer to any person of a handgun for which a secure gun storage or safety device is temporarily unavailable for the reasons described in the exceptions stated in section 923(e): *Provided*, That the licensed manufacturer, licensed importer, or licensed dealer delivers to the transferee within 10 calendar days from the date of the delivery of the handgun to the transferee a secure gun storage or safety device for the handgun.

“(3) LIABILITY FOR USE.—(A) Notwithstanding any other provision of law, a person who has lawful possession and control of a handgun, and who uses a secure gun storage or safety device with the handgun, shall be entitled to immunity from a civil liability action as described in this paragraph.

“(B) PROSPECTIVE ACTIONS.—A qualified civil liability action may not be brought in any Federal or State court. The term ‘qualified civil liability action’ means a civil action brought by any person against a person described in subparagraph (A) for damages resulting from the criminal or unlawful misuse of the handgun by a third party, where—

“(i) the handgun was accessed by another person who did not have the permission or authorization of the person having lawful possession and control of the handgun to have access to it; and

“(ii) at the time access was gained by the person not so authorized, the handgun had been made inoperable by use of a secure gun storage or safety device.

A ‘qualified civil liability action’ shall not include an action brought against the person having lawful possession and control of the handgun for negligent entrustment or negligence per se.”

(b) CIVIL PENALTIES.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (a)(1), by striking “or (f)” and inserting “(f), or (p)”;

(2) by adding at the end the following:

“(p) PENALTIES RELATING TO SECURE GUN STORAGE OR SAFETY DEVICE.—

“(1) IN GENERAL.—

“(A) SUSPENSION OR REVOCATION OF LICENSE; CIVIL PENALTIES.—With respect to each violation of section 922(z)(1) by a licensed manufacturer, licensed importer, or licensed dealer, the Secretary may, after notice and opportunity for hearing—

“(i) suspend for up to six months, or revoke, the license issued to the licensee under this chapter that was used to conduct the firearms transfer; or

“(ii) subject the licensee to a civil penalty in an amount equal to not more than \$2,500.

“(B) REVIEW.—An action of the Secretary under this paragraph may be reviewed only as provided in section 923(f).

“(2) ADMINISTRATIVE REMEDIES.—The suspension or revocation of a license or the imposition of a civil penalty under paragraph (1) does not preclude any administrative remedy that is otherwise available to the Secretary.”

(c) MODIFICATION OF DEFINITION OF SECURE GUN STORAGE OR SAFETY DEVICE.—Section 921(a)(34) of title 18, United States Code, is amended—

(1) by striking “or” at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting “; or”; and

(3) by adding at the end the following:

“(D) a device that is easily removable from a firearm and that, if removed from a firearm, is designed to prevent the discharge of the firearm by any person who does not have access to the device.”

(d) LIABILITY; EVIDENCE.—

(1) LIABILITY.—Nothing in this title shall be construed to—

(A) create a cause of action against any Federal firearms licensee or any other person for any civil liability; or

(B) establish any standard of care.

(2) EVIDENCE.—Notwithstanding any other provision of law, evidence regarding compliance or noncompliance with the amendments made by this title shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity, except with respect to an action to enforce paragraphs (1) and (2) of section 922(z), or to give effect to paragraph (3) of section 922(z).

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to bar a governmental action to impose a penalty under section 924(p) of title 18, United States Code, for a failure to comply with section 922(z) of that title.

It was decided in the { Yeas 311
affirmative } Nays 115

¶67.6 [Roll No. 236] AYES—311

Abercrombie	DeGette	Holt
Ackerman	DeLauro	Hooley
Allen	Deutsch	Horn
Andrews	Diaz-Balart	Hoyer
Archer	Dickey	Hutchinson
Baird	Dicks	Hyde
Baker	Dingell	Inslee
Baldacci	Dixon	Isakson
Baldwin	Doggett	Jackson (IL)
Barcia	Dooley	Jackson-Lee
Barrett (NE)	Doyle	(TX)
Barrett (WI)	Dreier	Jefferson
Bartlett	Dunn	John
Bass	Edwards	Johnson (CT)
Bateman	Ehlers	Johnson, E. B.
Becerra	Ehrlich	Jones (OH)
Bereuter	Engel	Kanjorski
Berkley	English	Kasich
Berman	Eshoo	Kelly
Berry	Etheridge	Kennedy
Biggett	Evans	Kildee
Bilbray	Ewing	Kilpatrick
Bilirakis	Farr	Kind (WI)
Bishop	Fattah	King (NY)
Blagojevich	Filner	Kleczka
Bliley	Fletcher	Klink
Blumenauer	Foley	Knollenberg
Boehlert	Forbes	Kolbe
Bonior	Ford	Kucinich
Bono	Fossella	Kuykendall
Borski	Fowler	LaFalce
Boswell	Frank (MA)	LaHood
Boyd	Frank (NJ)	Lampson
Brady (PA)	Frelinghuysen	Lantos
Brady (TX)	Gallagher	Larson
Brown (FL)	Gejdenson	Latham
Brown (OH)	Gekas	LaTourette
Calvert	Gephardt	Lazio
Camp	Gilchrest	Leach
Campbell	Gillmor	Lee
Canady	Gilman	Levin
Capps	Gonzalez	Lewis (GA)
Capuano	Goodling	Lipinski
Cardin	Gordon	Lipinski
Carson	Goss	LoBiondo
Castle	Graham	Lofgren
Clay	Granger	Lowey
Clayton	Green (WI)	Luther
Clement	Greenwood	Maloney (CT)
Clyburn	Gutierrez	Maloney (NY)
Conyers	Hall (OH)	Markey
Cook	Hall (TX)	Martinez
Costello	Hastings (FL)	Mascara
Cox	Hefley	Matsui
Coyne	Hill (IN)	McCarthy (MO)
Crowley	Hinches	McCarthy (NY)
Cummings	Hinojosa	McCormack
Cunningham	Hobson	McDermott
Davis (FL)	Hoefel	McGovern
Davis (IL)	Hoekstra	McHugh
Davis (VA)	Holden	McInnis
DeFazio		McIntosh
		McKeon

McKinney	Price (NC)	Stearns
McNulty	Pryce (OH)	Strickland
Meehan	Quinn	Stupak
Meek (FL)	Rahall	Sununu
Meeks (NY)	Ramstad	Sweeney
Menendez	Rangel	Talent
Millender-	Regula	Tancredo
McDonald	Reyes	Tanner
Miller (FL)	Reynolds	Tauscher
Miller, Gary	Rivers	Tauzin
Miller, George	Rodriguez	Taylor (MS)
Mink	Roemer	Thompson (MS)
Moakley	Rogan	Thurman
Mollohan	Rohrabacher	Tierney
Moore	Ros-Lehtinen	Toomey
Moran (VA)	Rothman	Towns
Morella	Roukema	Traficant
Murtha	Roybal-Allard	Udall (CO)
Myrick	Royce	Udall (NM)
Nadler	Rush	Upton
Napolitano	Ryan (WI)	Velazquez
Neal	Sabo	Vento
Northup	Sanchez	Visclosky
Nussle	Sanders	Walden
Oberstar	Sawyer	Walsh
Obey	Saxton	Waters
Olver	Schakowsky	Watt (NC)
Ortiz	Scott	Waxman
Ose	Serrano	Weiner
Owens	Shaw	Weldon (FL)
Oxley	Shays	Weldon (PA)
Pallone	Sherman	Weller
Pascarella	Simpson	Wexler
Pastor	Sisisky	Weygand
Payne	Slaughter	Wilson
Pelosi	Smith (MI)	Wise
Petri	Smith (NJ)	Wolf
Phelps	Smith (WA)	Woolsey
Pickett	Snyder	Wu
Pombo	Spence	Wynn
Pomeroy	Spratt	Young (FL)
Porter	Stabenow	
Portman	Stark	

NOES—115

Aderholt	Goode	Pickering
Armey	Goodlatte	Pitts
Bachus	Green (TX)	Radanovich
Ballenger	Gutknecht	Riley
Barr	Hansen	Rogers
Barton	Hastings (WA)	Ryun (KS)
Bentsen	Hayes	Sandlin
Blunt	Hayworth	Sanford
Boehner	Heger	Scarborough
Bonilla	Hill (MT)	Schaffer
Boucher	Hilleary	Sensenbrenner
Bryant	Hilliard	Sessions
Burr	Hostettler	Shadegg
Burton	Hulshof	Sherwood
Buyer	Hunter	Shimkus
Callahan	Istook	Shows
Cannon	Jenkins	Shuster
Chabot	Johnson, Sam	Skeen
Chambliss	Jones (NC)	Skelton
Chenoweth	Kingston	Smith (TX)
Coble	Largent	Souder
Coburn	Lewis (KY)	Stenholm
Collins	Linder	Stump
Combest	Lucas (KY)	Taylor (NC)
Condit	Lucas (OK)	Terry
Cooksey	Manzullo	Thompson (CA)
Cramer	McCreery	Thornberry
Crane	McIntyre	Thune
Cubin	Metcalf	Tiahrt
Danner	Mica	Turner
Deal	Moran (KS)	Vitter
DeLay	Nethercutt	Wamp
DeMint	Ney	Watkins
Doolittle	Norwood	Watts (OK)
Duncan	Packard	Whitfield
Emerson	Paul	Wicker
Everett	Pease	Young (AK)
Ganske	Peterson (MN)	
Gibbons	Peterson (PA)	

NOT VOTING—8

Brown (CA)	Kaptur	Salmon
Frost	Lewis (CA)	Thomas
Houghton	Minge	

So the amendment was agreed to.

¶67.7 RECORDED VOTE

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

At the end of the bill, insert the following:

TITLE —COMMUNITY PROTECTION ACT

SEC. 1. SHORT TITLE.

This title may be cited as the "Community Protection Act of 1999".

SEC. 2. EXEMPTION OF QUALIFIED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926A the following:

“§ 926B. Carrying of concealed firearms by qualified law enforcement officers

“(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

“(b) This section shall not be construed to supersede or limit the laws of any State that—

“(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

“(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

“(c) As used in this section, the term ‘qualified law enforcement officer’ means an employee of a governmental agency who—

“(1) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers of arrest;

“(2) is authorized by the agency to carry a firearm;

“(3) is not the subject of any disciplinary action by the agency; and

“(4) meets standards, if any, established by the agency which require the employee to regularly qualify in the use of a firearm.

“(d) The identification required by this subsection is the official badge and photographic identification issued by the governmental agency for which the individual is, or was, employed as a law enforcement officer.”.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by inserting after the item relating to section 926A the following:

“§926B. Carrying of concealed firearms by qualified law enforcement officers.”.

SEC. 3. EXEMPTION OF QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is further amended by inserting after section 926B the following:

“§ 926C. Carrying of concealed firearms by qualified retired law enforcement officers

“(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified retired law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

“(b) This section shall not be construed to supersede or limit the laws of any State that—

“(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

“(2) prohibit or restrict the possession of firearms on any State or local government

property, installation, building, base, or park.

“(c) As used in this section, the term ‘qualified retired law enforcement officer’ means an individual who—

“(1) retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;

“(2) before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

“(3)(A) before such retirement, was regularly employed as a law enforcement officer for an aggregate of 5 years or more; or

“(B) retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

“(4) has a nonforfeitable right to benefits under the retirement plan of the agency;

“(5) during the most recent 12-month period or, if the agency requires active duty officers to do so with lesser frequency than every 12 months, during such most recent period as the agency requires with respect to active duty officers, has completed, at the expense of the individual, a program approved by the State for training or qualification in the use of firearms; and

“(6) is not prohibited by Federal law from receiving a firearm.

“(d) The identification required by this subsection is photographic identification issued by the State in which the agency for which the individual was employed as a law enforcement officer is located.”.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is further amended by inserting after the item relating to section 926B the following:

“§926C. Carrying of concealed firearms by qualified retired law enforcement officers.”.

It was decided in the { Yeas 372 affirmative } Nays 53

¶67.8

[Roll No. 237]

AYES—372

Abercrombie	Borski	Cunningham
Ackerman	Boswell	Danner
Aderholt	Boucher	Davis (FL)
Andrews	Boyd	Davis (VA)
Archer	Brady (PA)	Deal
Armey	Brown (FL)	DeFazio
Bachus	Brown (OH)	DeGette
Baird	Bryant	Delahunt
Baker	Burr	DeLauro
Baldacci	Burton	DeLay
Baldwin	Buyer	DeMint
Ballenger	Callahan	Deutsch
Barcia	Calvert	Diaz-Balart
Barr	Camp	Dickey
Barrett (NE)	Canady	Dicks
Barrett (WI)	Cannon	Dingell
Bartlett	Capps	Dixon
Barton	Cardin	Doggett
Bass	Carson	Dooley
Bateman	Castle	Doolittle
Becerra	Chabot	Doyle
Bentsen	Chambliss	Dreier
Bereuter	Clement	Duncan
Berkley	Clyburn	Edwards
Berman	Coble	Ehlers
Berry	Coburn	Ehrlich
Biggart	Collins	Emerson
Bilbray	Combest	English
Bilirakis	Condit	Etheridge
Bishop	Cook	Evans
Blagojevich	Cooksey	Everett
Bliley	Costello	Ewing
Blumenauer	Cox	Farr
Blunt	Coyne	Filner
Boehlert	Cramer	Fletcher
Boehner	Crane	Foley
Bonilla	Crowley	Forbes
Bonior	Cubin	Ford
Bono	Cummings	Fossella

Fowler	Lazio	Rogan
Frank (MA)	Leach	Rogers
Franks (NJ)	Levin	Ros-Lehtinen
Frelinghuysen	Lewis (KY)	Roukema
Gallegly	Linder	Roybal-Allard
Ganske	Lipinski	Royce
Gejdenson	LoBiondo	Ryan (WI)
Gekas	Lofgren	Ryun (KS)
Gephardt	Lowey	Sabo
Gibbons	Lucas (KY)	Sanchez
Gilchrest	Lucas (OK)	Sanders
Gillmor	Luther	Sandlin
Gilman	Maloney (CT)	Sanford
Gonzalez	Maloney (NY)	Sawyer
Goode	Manzullo	Saxton
Goodlatte	Markey	Scarborough
Goodling	Martinez	Sessions
Goodson	Mascara	Shadegg
Goss	Matsui	Shaw
Graham	McCarthy (MO)	Shays
Granger	McCarthy (NY)	Sherman
Green (TX)	McCollum	Sherwood
Green (WI)	McGovern	Shimkus
Greenwood	McHugh	Shows
Gutierrez	McInnis	Shuster
Gutknecht	McIntosh	Simpson
Hall (OH)	McIntyre	Sisisky
Hall (TX)	McKeon	Skeen
Hansen	McNulty	Skelton
Hastings (FL)	Meehan	Slaughter
Hastings (WA)	Menendez	Smith (NJ)
Hayes	Metcalf	Smith (TX)
Hayworth	Mica	Smith (WA)
Hefley	Millender-	Snyder
Heger	McDonald	Souder
Hill (IN)	Miller, Gary	Spence
Hill (MT)	Moakley	Spratt
Hilleary	Mollohan	Stabenow
Hilliard	Moore	Stearns
Hinchey	Moran (KS)	Stenholm
Hinojosa	Moran (VA)	Strickland
Hobson	Morella	Stump
Hoefel	Murtha	Stupak
Hoekstra	Myrick	Sununu
Holden	Nadler	Sweeney
Holt	Neal	Talent
Hoolley	Nethercutt	Tancredo
Horn	Ney	Tanner
Hostettler	Northup	Tauzin
Hoyer	Norwood	Taylor (MS)
Hulshof	Nussle	Taylor (NC)
Hunter	Oberstar	Terry
Hutchinson	Obey	Thompson (CA)
Hyde	Oliver	Thompson (MS)
Inslee	Ortiz	Thornberry
Isakson	Ose	Thune
Istook	Packard	Thurman
Jackson-Lee	Pallone	Tiahrt
(TX)	Pascrell	Toomey
Jefferson	Pastor	Trafficant
Jenkins	Pease	Turner
John	Peterson (MN)	Udall (CO)
Johnson (CT)	Peterson (PA)	Udall (NM)
Johnson, Sam	Petri	Upton
Jones (NC)	Phelps	Vento
Jones (OH)	Pickering	Vitter
Kanjorski	Pickett	Walden
Kasich	Pitts	Walsh
Kelly	Pombo	Wamp
Kennedy	Pomeroy	Watkins
Kildee	Porter	Watts (OK)
Kind (WI)	Portman	Weiner
King (NY)	Price (NC)	Weldon (FL)
Kingston	Pryce (OH)	Weldon (PA)
Klecicka	Quinn	Weller
Klink	Radanovich	Weygand
Knollenberg	Rahall	Whitfield
Kucinich	Ramstad	Wicker
Kuykendall	Rangel	Wilson
LaHood	Regula	Wise
Lampson	Reyes	Wolf
Lantos	Reynolds	Wu
Largent	Riley	Wynn
Larson	Rivers	Young (AK)
Latham	Rodriguez	Young (FL)
LaTourette	Roemer	

NOES—53

Allen	Jackson (IL)	Miller (FL)
Brady (TX)	Johnson, E. B.	Miller, George
Campbell	Kilpatrick	Mink
Capuano	Kolbe	Napolitano
Chenoweth	LaFalce	Owens
Clay	Lee	Oxley
Clayton	Lewis (GA)	Paul
Conyers	McCrary	Payne
Davis (IL)	McDermott	Pelosi
Engel	McKinney	Rohrabacher
Eshoo	Meek (FL)	Rothman
Fattah	Meeks (NY)	Rush

Schaffer	Stark	Waters
Schakowsky	Tauscher	Watt (NC)
Scott	Tierney	Waxman
Sensenbrenner	Towns	Wexler
Serrano	Velazquez	Woolsey
Smith (MI)	Visclosky	

NOT VOTING—9

Brown (CA)	Houghton	Minge
Dunn	Kaptur	Salmon
Frost	Lewis (CA)	Thomas

So the amendment was agreed to.

¶67.9 RECORDED VOTE

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

At the end of the bill, insert the following:

SEC. ____ PROHIBITING JUVENILES FROM POSSESSING SEMIAUTOMATIC ASSAULT WEAPONS.

Section 922(x) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “or” at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(C) by adding at the end the following:

“(C) a semiautomatic assault weapon; or

“(D) a large capacity ammunition feeding device.”;

(2) in paragraph (2)—

(A) by striking “or” at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(C) by inserting at the end the following:

“(C) a semiautomatic assault weapon; or

“(D) a large capacity ammunition feeding device.”; and

(3) by striking paragraph (3) and inserting the following:

“(3) This subsection shall not apply to—

“(A) a temporary transfer of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon to a juvenile or to the temporary possession or use of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon by a juvenile—

“(i) if the handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon are possessed and used by the juvenile—

“(I) in the course of employment,

“(II) in the course of ranching or farming related to activities at the residence of the juvenile (or on property used for ranching or farming at which the juvenile, with the permission of the property owner or lessee, is performing activities related to the operation of the farm or ranch),

“(III) for target practice,

“(IV) for hunting, or

“(V) for a course of instruction in the safe and lawful use of a firearm;

“(ii) clause (i) shall apply only if the juvenile’s possession and use of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon under this subparagraph are in accordance with State and local law, and the following conditions are met—

“(I) except when a parent or guardian of the juvenile is in the immediate and supervisory presence of the juvenile, the juvenile shall have in the juvenile’s possession at all times when a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon is in the possession of the juvenile, the prior written consent of the juvenile’s parent or guardian who is not prohibited by Federal, State, or local

law from possessing a firearm or ammunition; and

“(II)(aa) during transportation by the juvenile directly from the place of transfer to a place at which an activity described in clause (i) is to take place the firearm shall be unloaded and in a locked container or case, and during the transportation by the juvenile of that firearm, directly from the place at which such an activity took place to the transferor, the firearm shall also be unloaded and in a locked container or case; or

“(bb) with respect to employment, ranching or farming activities as described in clause (i), a juvenile may possess and use a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon with the prior written approval of the juvenile’s parent or legal guardian, if such approval is on file with the adult who is not prohibited by Federal, State, or local law from possessing a firearm or ammunition and that person is directing the ranching or farming activities of the juvenile;

“(B) a juvenile who is a member of the Armed Forces of the United States or the National Guard who possesses or is armed with a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon in the line of duty;

“(C) a transfer by inheritance of title (but not possession) of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon to a juvenile; or

“(D) the possession of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon taken in lawful defense of the juvenile or other persons in the residence of the juvenile or a residence in which the juvenile is an invited guest.

“(4) A handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon, the possession of which is transferred to a juvenile in circumstances in which the transferor is not in violation of this subsection, shall not be subject to permanent confiscation by the Government if its possession by the juvenile subsequently becomes unlawful because of the conduct of the juvenile, but shall be returned to the lawful owner when such handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon is no longer required by the Government for the purposes of investigation or prosecution.

“(5) For purposes of this subsection, the term ‘juvenile’ means a person who is less than 18 years of age.

“(6)(A) In a prosecution of a violation of this subsection, the court shall require the presence of a juvenile defendant’s parent or legal guardian at all proceedings.

“(B) The court may use the contempt power to enforce subparagraph (A).

“(C) The court may excuse attendance of a parent or legal guardian of a juvenile defendant at a proceeding in a prosecution of a violation of this subsection for good cause shown.

“(7) For purposes of this subsection only, the term ‘large capacity ammunition feeding device’ has the same meaning as in section 921(a)(31) of title 18 and includes similar devices manufactured before the effective date of the Violent Crime Control and Law Enforcement Act of 1994.”

It was decided in the { Yeas 354 affirmative } Nays 69

¶67.10 [Roll No. 238] AYES—354

Abercrombie	Allen	Archer
Ackerman	Andrews	Army

Bachus	Fossella	McGovern	Spratt	Thompson (MS)	Watt (NC)	Edwards	Knollenberg	Rush
Baird	Fowler	McHugh	Stabenow	Thune	Waxman	Ehlers	Kuykendall	Ryan (WI)
Baker	Frank (MA)	McInnis	Stark	Thurman	Weiner	Ehrlich	LaHood	Ryun (KS)
Baldacci	Franks (NJ)	McIntosh	Stearns	Tierney	Weldon (FL)	Emerson	Lampson	Sanchez
Baldwin	Frelinghuysen	McIntyre	Stenholm	Toomey	Weldon (PA)	English	Largent	Sandlin
Ballenger	Galleghy	McKeon	Strickland	Towns	Weller	Everett	Latham	Sanford
Barrett (NE)	Ganske	McKinney	Stupak	Trafigant	Wexler	Ewing	LaTourrette	Schaffer
Barrett (WI)	Gejdenson	McNulty	Sununu	Turner	Weygand	Fletcher	Lazio	Sensenbrenner
Bartlett	Gekas	Meehan	Sweeney	Udall (CO)	Whitfield	Foley	Lewis (KY)	Sessions
Bass	Gephardt	Meek (FL)	Talent	Udall (NM)	Wilson	Ford	Linder	Shaw
Bateman	Gilchrest	Meeks (NY)	Tancred	Upton	Wise	Fowler	Lucas (KY)	Sherwood
Becerra	Gillmor	Menendez	Tanner	Velazquez	Wolf	Frost	Manzullo	Shimkus
Bentsen	Gilman	Mica	Tauscher	Vento	Woolsey	Gallegly	Mascara	Shows
Bereuter	Gonzalez	Millender-	Tauzin	Visclosky	Wu	Gekas	McCollum	Shuster
Berkley	Goodlatte	McDonald	Taylor (MS)	Walden	Wynn	Gibbons	McCrery	Simpson
Berman	Goodling	Miller (FL)	Terry	Walsh	Young (FL)	Gillmor	McHugh	Sisisky
Berry	Gordon	Miller, Gary	Thompson (CA)	Waters		Gonzalez	McInnis	Skeen
Biggett	Goss	Miller, George				Goode	McIntosh	Skelton
Bilbray	Graham	Mink				Goodlatte	McIntyre	Smith (MI)
Bilirakis	Granger	Moakley	Aderholt	Goode	Peterson (MN)	Goodling	McKeon	Smith (NJ)
Bishop	Green (TX)	Moore	Barcia	Hansen	Peterson (PA)	Gordon	Menendez	Smith (TX)
Blagojevich	Green (WI)	Moran (KS)	Barr	Hastings (WA)	Pickering	Goss	Miller (FL)	Souder
Bliley	Greenwood	Moran (VA)	Barton	Hayworth	Pombo	Graham	Miller, Gary	Spence
Blumenauer	Gutierrez	Morella	Bonilla	Herger	Riley	Granger	Mollohan	Spratt
Boehlert	Gutknecht	Murtha	Burr	Hill (MT)	Sandlin	Green (TX)	Moore	Stearns
Boehner	Hall (OH)	Myrick	Burton	Hostettler	Sanford	Green (WI)	Murtha	Stenholm
Bonior	Hall (TX)	Nadler	Callahan	Hunter	Scarborough	Gutierrez	Myrick	Strickland
Bono	Hastings (FL)	Napolitano	Campbell	Istook	Schaffer	Gutknecht	Nethercutt	Stump
Borski	Hayes	Neal	Cannon	Johnson, Sam	Sessions	Hall (OH)	Ney	Stupak
Boswell	Hefley	Northup	Chenoweth	Jones (NC)	Shadegg	Hall (TX)	Norhup	Sununu
Boucher	Hill (IN)	Norwood	Clay	Largent	Skeen	Hansen	Norwood	Sweeney
Boyd	Hilleary	Nussle	Coble	Lewis (KY)	Spence	Hastings (WA)	Nussle	Talent
Brady (PA)	Hilliard	Oberstar	Coburn	Loftgren	Stump	Hayes	Hayes	Tancred
Brady (TX)	Hinche	Obey	Combest	Lucas (KY)	Taylor (NC)	Hayworth	Obey	Tanner
Brown (FL)	Hinojosa	Oliver	Crane	Lucas (OK)	Thornberry	Hefley	Herger	Ortiz
Brown (OH)	Hobson	Ortiz	Cubin	McCrary	Tiahrt	Hefley	Hill (IN)	Ose
Bryant	Hoefel	Ose	DeLay	Metcalf	Vitter	Hill (MT)	Hill (IN)	Oxley
Buyer	Hoekstra	Owens	Dingell	Mollohan	Wamp	Hill (MT)	Hill (MT)	Packard
Calvert	Holden	Oxley	Doolittle	Nethercutt	Watkins	Hilleary	Hilleary	Paul
Camp	Holt	Pallone	Emerson	Ney	Watts (OK)	Hilliard	Hilliard	Pease
Canady	Hooley	Pascrell	Everett	Packard	Wicker	Hinojosa	Hinojosa	Peterson (MN)
Capps	Horn	Pastor	Gibbons	Paul	Young (AK)	Hobson	Hobson	Peterson (PA)
Capuano	Hoyer	Payne				Hoekstra	Hoekstra	Petri
Cardin	Hulshof	Pease				Holden	Holden	Phelps
Carson	Hutchinson	Pelosi	Blunt	Kaptur	Radanovich	Hostettler	Hostettler	Pickering
Castle	Hyde	Petri	Brown (CA)	Lewis (CA)	Salmon	Houghton	Houghton	Pickett
Chabot	Inslee	Phelps	Frost	Minge	Thomas	Hulshof	Hulshof	Pitts
Chambliss	Isakson	Pickett	Houghton	Pomeroy		Hunter	Hunter	Pombo
Clayton	Jackson (IL)	Pitts				Hutchinson	Hutchinson	Portman
Clement	Jackson-Lee	Porter				Hyde	Hyde	Pryce (OH)
Clyburn	(TX)	Portman				Isakson	Isakson	Quinn
Collins	Jefferson	Price (NC)				Istook	Istook	Radanovich
Condit	Jenkins	Pryce (OH)				Jackson (IL)	Jackson (IL)	Rahall
Conyers	John	Quinn				Jenkins	Jenkins	Regula
Cook	Johnson (CT)	Rahall				John	John	Reyes
Cooksey	Johnson, E.B.	Ramstad				Johnson, Sam	Johnson, Sam	Reynolds
Costello	Jones (OH)	Rangel				Jones (NC)	Jones (NC)	Riley
Cox	Kanjorski	Regula				Kanjorski	Kanjorski	Rodriguez
Coyne	Kasich	Reyes				Kasich	Kasich	Rogers
Cramer	Kelly	Reynolds				Kind (WI)	Kind (WI)	Rohrabacher
Crowley	Kennedy	Rivers				Kingston	Kingston	Ros-Lehtinen
Cummings	Kildee	Rodriguez				Klink	Klink	Royce
Cunningham	Kilpatrick	Roemer						
Danner	Kind (WI)	Rogan						
Davis (FL)	King (NY)	Rogers						
Davis (IL)	Kingston	Rohrabacher						
Davis (VA)	Kleczka	Ros-Lehtinen						
Deal	Klink	Rothman						
DeFazio	Knollenberg	Roukema						
DeGette	Kolbe	Roybal-Allard						
Delahunt	Kucinich	Royce						
DeLauro	Kuykendall	Rush						
DeMint	LaFalce	Ryan (WI)						
Deutsch	LaHood	Ryun (KS)						
Diaz-Balart	Lampson	Sabo						
Dickey	Lantos	Sanchez						
Dicks	Larson	Sanders						
Dixon	Latham	Sawyer						
Doggett	LaTourrette	Saxton						
Dooley	Lazio	Schakowsky						
Doyle	Leach	Scott						
Dreier	Lee	Sensenbrenner						
Duncan	Levin	Serrano						
Dunn	Lewis (GA)	Shaw						
Edwards	Linder	Shays						
Ehlers	Lipinski	Sherman						
Ehrlich	LoBiondo	Sherwood						
Engel	Lowe	Shimkus						
English	Luther	Shows						
Eshoo	Maloney (CT)	Shuster						
Etheridge	Maloney (NY)	Simpson						
Evans	Manzullo	Sisisky						
Ewing	Markey	Skelton						
Farr	Martinez	Slaughter						
Fattah	Mascara	Smith (MI)						
Filner	Matsui	Smith (NJ)						
Fletcher	McCarthy (MO)	Smith (TX)						
Foley	McCarthy (NY)	Smith (WA)						
Forbes	McCollum	Snyder						
Ford	McDermott	Souder						

NOES—69

NOT VOTING—11

So the amendment was agreed to.
After some further time,

¶67.11 RECORDED VOTE

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

At the end of the bill, insert the following:
SEC. ____ . GUNS PAWNED FOR MORE THAN 1 YEAR REQUIRE BACKGROUND CHECK.

Section 922(t) of title 18, United States Code, is amended by adding at the end the following:

“(7) Paragraph (1) shall not apply in connection with the redemption from a licensee of a firearm that, during the preceding 365 days, was delivered to the licensee as collateral for a loan.”.

It was decided in the { Yeas 247
affirmative } Nays 181

¶67.12 [Roll No. 239]
AYES—247

NOES—181

Aderholt	Bonilla	Cook	Abercrombie
Archer	Bono	Cooksey	Ackerman
Armey	Boswell	Costello	Allen
Bachus	Bryant	Cox	Andrews
Baker	Burr	Cramer	Baird
Ballenger	Burton	Crane	Baldacci
Barcia	Buyer	Cunningham	Baldwin
Barr	Callahan	Danner	Barrett (WI)
Barrett (NE)	Calvert	Davis (VA)	Becerra
Bartlett	Camp	Deal	Berkley
Barton	Canady	DeLay	Berman
Bass	Cannon	DeMint	Biggett
Bateman	Capps	Diaz-Balart	Bilbray
Bentsen	Carson	Dickey	Blagojevich
Bereuter	Chabot	Dingell	Blumenauer
Berry	Chambliss	Doggett	Boehlert
Bilirakis	Chenoweth	Doyle	Bonior
Bishop	Coble	Dreier	Borski
Bliley	Collins	Duncan	Boucher
Blunt	Combest		Boyd
Boehner	Condit		Brady (PA)

Cummings	Hoyer
Davis (FL)	Inslee
Davis (IL)	Jackson-Lee
DeFazio	(TX)
DeGette	Jefferson
Delahunt	Johnson (CT)
DeLauro	Johnson, E. B.
Deutsch	Jones (OH)
Dicks	Kaptur
Dixon	Kelly
Dooley	Kennedy
Dunn	Kildee
Engel	Kilpatrick
Eshoo	King (NY)
Etheridge	Kleczka
Evans	Kolbe
Farr	Kucinich
Fattah	LaFalce
Filner	Lantos
Forbes	Larson
Fossella	Leach
Frank (MA)	Lee
Franks (NJ)	Levin
Frelinghuysen	Lewis (GA)
Ganske	Lipinski
Gejdenson	LoBiondo
Gephardt	Lofgren
Gilchrest	Lowe
Gilman	Lucas (OK)
Greenwood	Luther
Hastings (FL)	Maloney (CT)
Hinche	Maloney (NY)
Hoefel	Markey
Holt	Martinez
Hooley	Matsui
Horn	McCarthy (MO)

McCarthy (NY) Payne
McDermott Pelosi
McGovern Pomeroy
McKinney Porter
McNulty Price (NC)
Meehan Ramstad
Meek (FL) Rangel
Meeks (NY) Rivers
Metcalfe Roemer
Mica Rogan
Millender-Rothman
McDonald Roukema
Miller, George Roybal-Allard
Mink Sabo
Moakley Sanders
Moran (KS) Sawyer
Moran (VA) Saxton
Morella Scarborough
Nadler Schakowsky
Napolitano Scott
Neal Serrano
Oliver Shadegg
Owens Shays
Pallone Sherman
Pastor Slaughter

NOT VOTING—6

Brown (CA) Minge
Lewis (CA) Pascrell

So the amendment was agreed to.

¶67.13 RECORDED VOTE

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

At the end of the bill, insert the following:

SEC. . REPEAL OF LAW BANNING FIREARMS IN THE DISTRICT OF COLUMBIA.

D.C. Law 1-85, enacted September 24, 1976, is hereby repealed, and any provisions of law amended or repealed by such Act are restored and revived as if such Act had not been enacted.

It was decided in the negative
Yeas 175
Nays 250
Answered present 2

¶67.14 [Roll No. 240] AYES—175

Aderholt DeMint Knollenberg
Archer Diaz-Balart Lampson
Armey Dickey Largent
Bachus Dingell Lazio
Baker Doolittle Lewis (KY)
Ballenger Dreier Lucas (KY)
Barcia Duncan Lucas (OK)
Barr Dunn Manzullo
Bartlett Edwards McCrery
Barton Ehrlich McHugh
Bass Emerson McInnis
Bateman Everett McIntosh
Berry Fletcher McIntyre
Bilbray Gekas McKeon
Bishop Gibbons Metcalf
Bliley Goode Mica
Blunt Goodlatte Miller, Gary
Boucher Gordon Myrick
Bryant Goss Nethercutt
Burr Graham Ney
Burton Granger Norwood
Buyer Green (TX) Ortiz
Callahan Gutknecht Packard
Calvert Hall (TX) Paul
Camp Hansen Pease
Canady Hastings (WA) Peterson (MN)
Cannon Hayes Peterson (PA)
Chabot Hayworth Phelps
Chambliss Hefley Pickering
Chenoweth Herger Pickert
Coble Hill (MT) Pitts
Coburn Hilleary Pombo
Collins Hinchey Radanovich
Combust Hostettler Rahall
Cook Hulshof Ramstad
Cox Hunter Reyes
Cramer Isakson Reynolds
Crane Istook Riley
Cubin Jenkins Rogan
Cunningham John Rogers
Danner Johnson, Sam Rohrabacher
Deal Jones (NC) Roukema
DeLay Kingston Royce

Ryun (KS) Souder
Sandlin Spence
Sanford Stearns
Scarborough Stenholm
Schaffer Stump
Sensenbrenner Sununu
Sessions Sweeney
Shadegg Talent
Shimkus Tancredo
Shows Tanner
Shuster Tauzin
Simpson Taylor (MS)
Skeen Taylor (NC)
Skelton Terry
Smith (NJ) Thornberry
Smith (TX) Thune

NOES—250

Abercrombie Gilchrest
Ackerman Gillmor
Allen Gilman
Andrews Gonzalez
Baird Goodling
Baldacci Green (WI)
Baldwin Greenwood
Barrett (NE) Gutierrez
Barrett (WI) Hall (OH)
Becerra Hastings (FL)
Bentsen Hill (IN)
Bereuter Hilliard
Berkley Hinojosa
Berman Hobson
Biggart Hoeffl
Bilirakis Hoekstra
Blagojevich Holden
Blumenauer Holt
Boehlert Hooley
Boehner Horn
Bonior Houghton
Bono Hoyer
Borski Hutchinson
Boswell Hyde
Boyd Inslee
Brady (PA) Jackson (IL)
Brady (TX) Jackson-Lee
Brown (FL) (TX)
Brown (OH) Jefferson
Campbell Johnson (CT)
Capps Johnson, E.B.
Capuano Jones (OH)
Cardin Kanjorski
Carson Kaptur
Castle Kasich
Clay Kelly
Clayton Kennedy
Clement Kildee
Clyburn Kilpatrick
Condit Kind (WI)
Conyers King (NY)
Cooksey Kleczka
Costello Klink
Coyne Kolbe
Crowley Kucinich
Cummings Kuykendall
Davis (FL) LaFalce
Davis (IL) LaHood
Davis (VA) Lantos
DeFazio Larson
DeGette Latham
Delahunt LaTourette
DeLauro Leach
Deutsch Lee
Dicks Levin
Dixon Lewis (GA)
Doggett Linder
Dooley Lipinski
Doyle LoBiondo
Ehlers Lofgren
Engel Lowey
English Luther
Eshoo Maloney (CT)
Etheridge Maloney (NY)
Evans Markey
Ewing Martinez
Farr Mascara
Fattah Matsui
Filner McCarthy (MO)
Foley McCarthy (NY)
Forbes McCollum
Ford McDermott
Fossella McGovern
Fowler McKinney
Frank (MA) McNulty
Frank (NJ) Meehan
Frelinghuysen Meek (FL)
Frost Meeks (NY)
Gallegly Menendez
Ganske Millender-
Gephardt McDonald
Miller (FL)

Wise Woolsey Wynn
Wolf Wu Young (FL)

ANSWERED "PRESENT"—2

Obey Strickland
NOT VOTING—7

Bonilla Minge Thomas
Brown (CA) Pascrell
Lewis (CA) Salmon

So the amendment was not agreed to.

¶67.15 RECORDED VOTE

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

Add at the end the following:

SEC. . RIGHT OF LAW-ABIDING RESIDENTS OF THE DISTRICT OF COLUMBIA TO KEEP A HANDGUN IN THE HOME.

(a) DEFENSE.—Notwithstanding any provision of law, a person may not be held criminally responsible for the possession of a handgun, or ammunition appropriate to the handgun, if each of the following elements are established:

(1) The person is a law-abiding individual not less than 18 years of age.

(2) The person is the sole owner of the handgun and is in compliance with all applicable Federal and State registration laws and regulations with respect to the handgun.

(3) The possession occurred in the District of Columbia—

(A) in a place of residence of the person; or
(B) if the handgun is unloaded, while the person was traveling to or from a place of residence of the person solely for the purpose of transporting the handgun in connection with an otherwise lawful transaction or activity relating to the handgun.

(b) DEFINITIONS.—For purposes of this section:

(1) The term "handgun" has the meaning given such term in section 921 of title 18, United States Code.

(2) The term "law-abiding individual" means an individual who has never been convicted of a criminal offense for which the person actually served time in jail or prison, and has never been convicted of battery, assault, or any other violent criminal offense.

It was decided in the affirmative
Yeas 213
Nays 208
Answered present 3

¶67.16 [Roll No. 241] AYES—213

Aderholt Campbell English
Armey Canady Everett
Bachus Cannon Fletcher
Baker Chabot Fossella
Ballenger Chambliss Franks (NJ)
Barcia Chenoweth Gallegly
Barr Coble Gekas
Barrett (NE) Coburn Gibbons
Bartlett Collins Gilchrest
Barton Combust Gillmor
Bass Condit Goode
Bateman Cook Goodlatte
Bereuter Cramer Gordon
Berry Crane Goss
Bilbray Cubin Graham
Bilirakis Cunningham Granger
Bishop Danner Green (TX)
Bliley Deal Gutknecht
Blunt DeLay Hall (TX)
Boehner DeMint Hansen
Bono Diaz-Balart Hastings (WA)
Boswell Dickey Hayes
Boucher Dingell Hayworth
Bryant Doolittle Hefley
Burr Dreier Herger
Burton Duncan Hill (MT)
Buyer Dunn Hilleary
Callahan Edwards Hinchey
Calvert Ehrlich Hobson
Camp Emerson Holden

Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kasich
Kingston
Knollenberg
Kuykendall
Lampson
Largent
Latham
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
McCullum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller, Gary
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood

NOES—208

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Biggett
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Conyers
Cooksey
Costello
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Ehlers
Engel
Eshoo
Etheridge
Evans
Ewing

Fattah
Filner
Foley
Forbes
Fowler
Frank (MA)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gilman
Gonzalez
Goodling
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinojosa
Hoeffel
Hoekstra
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Klecicka
Klink
Kolbe
Kucinich
LaFalce
LaHood
Lantos
Larson
LaTourette
Lazio
Leach
Lee

Shuster
Simpson
Skeen
Skelton
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Miller (FL)
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Oliver
Owens
Oxley
Pallone
Pastor
Payne
Pelosi
Petri
Porter
Price (NC)
Quinn
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders

Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sisisky
Slaughter
Smith (MI)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Tauscher
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn

ANSWERED "PRESENT"—3
Green (WI) Obey Strickland
NOT VOTING—10
Archer Farr Salmon
Bonilla Lewis (CA) Thomas
Brown (CA) Minge
Cox Pascrell

So the amendment was agreed to.

¶67.17 RECORDED VOTE

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

At the end of the bill, insert the following:
SEC. . . . PROHIBITION ON FIREARMS POSSESSION BY VIOLENT JUVENILE OFFENDERS.

(a) DEFINITION.—Section 921(a)(20) of title 18, United States Code, is amended—
(1) by inserting “(A)” after “(20)”;
(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;
(3) by inserting after subparagraph (A) the following:

“(B) For purposes of subsections (d) and (g) of section 922, the term ‘adjudicated to have committed an act of violent juvenile delinquency’ means an adjudication of delinquency in Federal or State court, based on a finding of the commission of an act by a person prior to his or her eighteenth birthday that, if committed by an adult, would be a serious or violent felony (as defined in section 3559(c)(2)(F)(i)) had Federal jurisdiction existed and been exercised.”; and
(4) in the undesignated paragraph following subparagraph (B) (as added by paragraph (3) of this subsection), by striking “What constitutes” and all that follows through “this chapter,” and inserting the following:

“(C) What constitutes a conviction of such a crime or an adjudication of an act of violent juvenile delinquency shall be determined in accordance with the law of the jurisdiction in which the proceedings were held. Any State conviction or adjudication of an act of violent juvenile delinquency that has been expunged or set aside, or for which a person has been pardoned or has had civil rights restored, by the jurisdiction in which the conviction or adjudication of an act of violent juvenile delinquency occurred shall not be considered to be a conviction or adjudication of an act of violent juvenile delinquency for purposes of this chapter.”
(b) PROHIBITION.—Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)—
(A) in paragraph (8), by striking “or” at the end;
(B) in paragraph (9), by striking the period at the end and inserting “; or”; and
(C) by inserting after paragraph (9) the following:
“(10) has been adjudicated to have committed an act of violent juvenile delinquency.”; and
(2) in subsection (g)—
(A) in paragraph (8), by striking “or” at the end;
(B) in paragraph (9), by striking the comma at the end and inserting “; or”; and
(C) by inserting after paragraph (9) the following:

“(10) who has been adjudicated to have committed an act of violent juvenile delinquency,”.
(c) EFFECTIVE DATE.—The amendments made by this section shall only apply to an act of violent juvenile delinquency that occurs 180 days or more after the date of the enactment of this Act.

It was decided in the { Yeas 395
affirmative } Nays 27

¶67.18 [Roll No. 242] AYES—395

Abercrombie
Ackerman
Allen
Andrews
Armedy
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggett
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chenoweth
Clay
Clayton
Clement
Clyburn
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt

DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hilleary
Hilliard
Hinojosa
Hobson
Hoefel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)

Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Klecicka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCullum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-
McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha

Myrick	Rothman	Tancredo
Nadler	Roukema	Tanner
Napolitano	Royal-Allard	Tauscher
Neal	Royce	Tauzin
Nethercutt	Rush	Taylor (MS)
Ney	Ryan (WI)	Terry
Northup	Ryun (KS)	Thompson (CA)
Norwood	Sabo	Thompson (MS)
Nussle	Sanchez	Thornberry
Oberstar	Sanders	Thune
Oliver	Sandlin	Thurman
Ortiz	Sanford	Tierney
Ose	Sawyer	Toomey
Owens	Saxton	Towns
Oxley	Schaffer	Trafficant
Packard	Schakowsky	Turner
Pallone	Scott	Udall (CO)
Pastor	Sensenbrenner	Udall (NM)
Payne	Serrano	Upton
Pease	Shaw	Velazquez
Pelosi	Shays	Vento
Peterson (MN)	Sherman	Visclosky
Peterson (PA)	Sherwood	Vitter
Petri	Shimkus	Walden
Phelps	Shows	Walsh
Pickering	Shuster	Waters
Pickett	Simpson	Watkins
Pitts	Sisisky	Watt (NC)
Pombo	Skeen	Watts (OK)
Pomeroy	Skelton	Waxman
Porter	Slaughter	Weiner
Portman	Smith (MI)	Weldon (FL)
Price (NC)	Smith (NJ)	Weldon (PA)
Pryce (OH)	Smith (TX)	Weller
Quinn	Smith (WA)	Wexler
Radanovich	Snyder	Weygand
Rahall	Souder	Whitfield
Ramstad	Spence	Wicker
Rangel	Spratt	Wilson
Regula	Stabenow	Wise
Reyes	Stark	Wolf
Reynolds	Stearns	Woolsey
Rivers	Stenholm	Wu
Rodriguez	Strickland	Wynn
Roemer	Stupak	Young (AK)
Rogers	Sununu	Young (FL)
Rohrabacher	Sweeney	
Ros-Lehtinen	Talent	

NOES—27

Aderholt	Dickey	Paul
Archer	Doolittle	Riley
Barton	Hansen	Scarborough
Blunt	Hill (MT)	Sessions
Burton	Hinches	Shadegg
Chambliss	Hostettler	Stump
Coble	Kingston	Taylor (NC)
Cubin	Linder	Tiahrt
DeLay	Obey	Wamp

NOT VOTING—12

Bonilla	Forbes	Pascrell
Brown (CA)	Graham	Rogan
Cooksey	Lewis (CA)	Salmon
Everett	Minge	Thomas

So the amendment was agreed to.
After some further time,

67.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment, in the nature of a substitute as modified, submitted by Mr. CONYERS:

Strike all after the enacting clause and insert the following:

TITLE I—GENERAL FIREARM PROVISIONS
SECTION. 101. EXTENSION OF BRADY BACKGROUND CHECKS TO GUN SHOWS.

(a) FINDINGS.—Congress finds that—

(1) more than 4,400 traditional gun shows are held annually across the United States, attracting thousands of attendees per show and hundreds of Federal firearms licensees and nonlicensed firearms sellers;

(2) traditional gun shows, as well as flea markets and other organized events, at which a large number of firearms are offered for sale by Federal firearms licensees and nonlicensed firearms sellers, form a significant part of the national firearms market;

(3) firearms and ammunition that are exhibited or offered for sale or exchange at gun shows, flea markets, and other organized

events move easily in and substantially affect interstate commerce;

(4) in fact, even before a firearm is exhibited or offered for sale or exchange at a gun show, flea market, or other organized event, the gun, its component parts, ammunition, and the raw materials from which it is manufactured have moved in interstate commerce;

(5) gun shows, flea markets, and other organized events at which firearms are exhibited or offered for sale or exchange, provide a convenient and centralized commercial location at which firearms may be bought and sold anonymously, often without background checks and without records that enable gun tracing;

(6) at gun shows, flea markets, and other organized events at which guns are exhibited or offered for sale or exchange, criminals and other prohibited persons obtain guns without background checks and frequently use guns that cannot be traced to later commit crimes;

(7) many persons who buy and sell firearms at gun shows, flea markets, and other organized events cross State lines to attend these events and engage in the interstate transportation of firearms obtained at these events;

(8) gun violence is a pervasive, national problem that is exacerbated by the availability of guns at gun shows, flea markets, and other organized events;

(9) firearms associated with gun shows have been transferred illegally to residents of another State by Federal firearms licensees and nonlicensed firearms sellers, and have been involved in subsequent crimes including drug offenses, crimes of violence, property crimes, and illegal possession of firearms by felons and other prohibited persons; and

(10) Congress has the power, under the interstate commerce clause and other provisions of the Constitution of the United States, to ensure, by enactment of this Act, that criminals and other prohibited persons do not obtain firearms at gun shows, flea markets, and other organized events.

(b) DEFINITIONS.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

“(35) GUN SHOW.—The term ‘gun show’ means any event—

“(A) at which 50 or more firearms are offered or exhibited for sale, transfer, or exchange, if 1 or more of the firearms has been shipped or transported in, or otherwise affects, interstate or foreign commerce; and

“(B) at which—

“(i) not less than 20 percent of the exhibitors are firearm exhibitors;

“(ii) there are not less than 10 firearm exhibitors; or

“(iii) 50 or more firearms are offered for sale, transfer, or exchange.

“(36) GUN SHOW PROMOTER.—The term ‘gun show promoter’ means any person who organizes, plans, promotes, or operates a gun show.

“(37) GUN SHOW VENDOR.—The term ‘gun show vendor’ means any person who exhibits, sells, offers for sale, transfers, or exchanges 1 or more firearms at a gun show, regardless of whether or not the person arranges with the gun show promoter for a fixed location from which to exhibit, sell, offer for sale, transfer, or exchange 1 or more firearms.”

(c) REGULATION OF FIREARMS TRANSFERS AT GUN SHOWS.—

(1) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by adding at the end the following:

“§931. Regulation of firearms transfers at gun shows

“(a) REGISTRATION OF GUN SHOW PROMOTERS.—It shall be unlawful for any person to organize, plan, promote, or operate a gun show unless that person—

“(1) registers with the Secretary in accordance with regulations promulgated by the Secretary; and

“(2) pays a registration fee, in an amount determined by the Secretary.

“(b) RESPONSIBILITIES OF GUN SHOW PROMOTERS.—It shall be unlawful for any person to organize, plan, promote, or operate a gun show unless that person—

“(1) before commencement of the gun show, verifies the identity of each gun show vendor participating in the gun show by examining a valid identification document (as defined in section 1028(d)(1)) of the vendor containing a photograph of the vendor;

“(2) before commencement of the gun show, requires each gun show vendor to sign—

“(A) a ledger with identifying information concerning the vendor; and

“(B) a notice advising the vendor of the obligations of the vendor under this chapter; and

“(3) notifies each person who attends the gun show of the requirements of this chapter, in accordance with such regulations as the Secretary shall prescribe; and

“(4) maintains a copy of the records described in paragraphs (1) and (2) at the permanent place of business of the gun show promoter for such period of time and in such form as the Secretary shall require by regulation.

“(c) RESPONSIBILITIES OF TRANSFERORS OTHER THAN LICENSEES.—

“(1) IN GENERAL.—If any part of a firearm transaction takes place at a gun show, it shall be unlawful for any person who is not licensed under this chapter to transfer a firearm to another person who is not licensed under this chapter, unless the firearm is transferred through a licensed importer, licensed manufacturer, or licensed dealer in accordance with subsection (e).

“(2) CRIMINAL BACKGROUND CHECKS.—A person who is subject to the requirement of paragraph (1)—

“(A) shall not transfer the firearm to the transferee until the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(A); and

“(B) notwithstanding subparagraph (A), shall not transfer the firearm to the transferee if the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(B).

“(3) ABSENCE OF RECORDKEEPING REQUIREMENTS.—Nothing in this section shall permit or authorize the Secretary to impose recordkeeping requirements on any nonlicensed vendor.

“(d) RESPONSIBILITIES OF TRANSFEREES OTHER THAN LICENSEES.—

“(1) IN GENERAL.—If any part of a firearm transaction takes place at a gun show, it shall be unlawful for any person who is not licensed under this chapter to receive a firearm from another person who is not licensed under this chapter, unless the firearm is transferred through a licensed importer, licensed manufacturer, or licensed dealer in accordance with subsection (e).

“(2) CRIMINAL BACKGROUND CHECKS.—A person who is subject to the requirement of paragraph (1)—

“(A) shall not receive the firearm from the transferor until the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(A); and

“(B) notwithstanding subparagraph (A), shall not receive the firearm from the transferor if the licensed importer, licensed manufacturer, or licensed dealer through which

the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(B).

“(e) RESPONSIBILITIES OF LICENSEES.—A licensed importer, licensed manufacturer, or licensed dealer who agrees to assist a person who is not licensed under this chapter in carrying out the responsibilities of that person under subsection (c) or (d) with respect to the transfer of a firearm shall—

“(1) enter such information about the firearm as the Secretary may require by regulation into a separate bound record;

“(2) record the transfer on a form specified by the Secretary;

“(3) comply with section 922(t) as if transferring the firearm from the inventory of the licensed importer, licensed manufacturer, or licensed dealer to the designated transferee (although a licensed importer, licensed manufacturer, or licensed dealer complying with this subsection shall not be required to comply again with the requirements of section 922(t) in delivering the firearm to the nonlicensed transferor), and notify the nonlicensed transferor and the nonlicensed transferee—

“(A) of such compliance; and

“(B) if the transfer is subject to the requirements of section 922(t)(1), of any receipt by the licensed importer, licensed manufacturer, or licensed dealer of a notification from the national instant criminal background check system that the transfer would violate section 922 or would violate State law;

“(4) not later than 10 days after the date on which the transfer occurs, submit to the Secretary a report of the transfer, which report—

“(A) shall be on a form specified by the Secretary by regulation; and

“(B) shall not include the name of or other identifying information relating to any person involved in the transfer who is not licensed under this chapter;

“(5) if the licensed importer, licensed manufacturer, or licensed dealer assists a person other than a licensee in transferring, at 1 time or during any 5 consecutive business days, 2 or more pistols or revolvers, or any combination of pistols and revolvers totaling 2 or more, to the same nonlicensed person, in addition to the reports required under paragraph (4), prepare a report of the multiple transfers, which report shall be—

“(A) prepared on a form specified by the Secretary; and

“(B) not later than the close of business on the date on which the transfer occurs, forwarded to—

“(i) the office specified on the form described in subparagraph (A); and

“(ii) the appropriate State law enforcement agency of the jurisdiction in which the transfer occurs; and

“(6) retain a record of the transfer as part of the permanent business records of the licensed importer, licensed manufacturer, or licensed dealer.

“(f) RECORDS OF LICENSEE TRANSFERS.—If any part of a firearm transaction takes place at a gun show, each licensed importer, licensed manufacturer, and licensed dealer who transfers 1 or more firearms to a person who is not licensed under this chapter shall, not later than 10 days after the date on which the transfer occurs, submit to the Secretary a report of the transfer, which report—

“(1) shall be in a form specified by the Secretary by regulation;

“(2) shall not include the name of or other identifying information relating to the transferee; and

“(3) shall not duplicate information provided in any report required under subsection (e)(4).

“(g) FIREARM TRANSACTION DEFINED.—In this section, the term ‘firearm transaction’—

“(1) includes the offer for sale, sale, transfer, or exchange of a firearm; and

“(2) does not include the mere exhibition of a firearm.”

(2) PENALTIES.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following:

“(7)(A) Whoever knowingly violates section 931(a) shall be fined under this title, imprisoned not more than 5 years, or both.

“(B) Whoever knowingly violates subsection (b) or (c) of section 931, shall be—

“(i) fined under this title, imprisoned not more than 2 years, or both; and

“(ii) in the case of a second or subsequent conviction, such person shall be fined under this title, imprisoned not more than 5 years, or both.

“(C) Whoever willfully violates section 931(d), shall be—

“(i) fined under this title, imprisoned not more than 2 years, or both; and

“(ii) in the case of a second or subsequent conviction, such person shall be fined under this title, imprisoned not more than 5 years, or both.

“(D) Whoever knowingly violates subsection (e) or (f) of section 931 shall be fined under this title, imprisoned not more than 5 years, or both.

“(E) In addition to any other penalties imposed under this paragraph, the Secretary may, with respect to any person who knowingly violates any provision of section 931—

“(i) if the person is registered pursuant to section 931(a), after notice and opportunity for a hearing, suspend for not more than 6 months or revoke the registration of that person under section 931(a); and

“(ii) impose a civil fine in an amount equal to not more than \$10,000.”

(3) TECHNICAL AND CONFORMING AMENDMENTS.—Chapter 44 of title 18, United States Code, is amended—

(A) in the chapter analysis, by adding at the end the following:

“931. Regulation of firearms transfers at gun shows.”;

and

(B) in the first sentence of section 923(j), by striking “a gun show or event” and inserting “an event”; and

(d) INSPECTION AUTHORITY.—Section 923(g)(1) is amended by adding at the end the following:

“(E) Notwithstanding subparagraph (B), the Secretary may enter during business hours the place of business of any gun show promoter and any place where a gun show is held for the purposes of examining the records required by sections 923 and 931 and the inventory of licensees conducting business at the gun show. Such entry and examination shall be conducted for the purposes of determining compliance with this chapter by gun show promoters and licensees conducting business at the gun show and shall not require a showing of reasonable cause or a warrant.”

(e) INCREASED PENALTIES FOR SERIOUS RECORDKEEPING VIOLATIONS BY LICENSEES.—Section 924(a)(3) of title 18, United States Code, is amended to read as follows:

“(3)(A) Except as provided in subparagraph (B), any licensed dealer, licensed importer, licensed manufacturer, or licensed collector who knowingly makes any false statement or representation with respect to the information required by this chapter to be kept in the records of a person, in or affecting interstate commerce, licensed under this chapter, or violates section 922(m) shall be fined under this title, imprisoned not more than 1 year, or both.

“(B) If the violation described in subparagraph (A) is in relation to an offense—

“(i) under paragraph (1) or (3) of section 922(b), such person, in or affecting interstate commerce where the proof of such is an element of the offense, shall be fined under this title, imprisoned not more than 5 years, or both; or

“(ii) under subsection (a)(6) or (d) of section 922, such person shall be fined under this title, imprisoned not more than 10 years, or both.”

(f) INCREASED PENALTIES FOR VIOLATIONS OF CRIMINAL BACKGROUND CHECK REQUIREMENTS.—

(1) PENALTIES.—Section 924 of title 18, United States Code, is amended—

(A) in paragraph (5), by striking “subsection (s) or (t) of section 922” and inserting “section 922(s)”;

(B) by adding at the end the following:

“(8) Whoever knowingly violates section 922(t) shall be fined under this title, imprisoned not more than 5 years, or both.”

(2) ELIMINATION OF CERTAIN ELEMENTS OF OFFENSE.—Section 922(t)(5) of title 18, United States Code, is amended by striking “and, at the time” and all that follows through “State law”.

(g) GUN OWNER PRIVACY AND PREVENTION OF FRAUD AND ABUSE OF SYSTEM INFORMATION.—Section 922(t)(2)(C) of title 18, United States Code, is amended by inserting before the period at the end the following: “, as soon as possible, consistent with the responsibility of the Attorney General under section 103(h) of the Brady Handgun Violence Prevention Act to ensure the privacy and security of the system and to prevent system fraud and abuse, but in no event later than 90 days after the date on which the licensee first contacts the system with respect to the transfer”.

(h) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

TITLE II—RESTRICTING JUVENILE ACCESS TO CERTAIN FIREARMS

SEC. 201. PROHIBITION ON FIREARMS POSSESSION BY VIOLENT JUVENILE OFFENDERS.

(a) DEFINITION.—Section 921(a)(20) of title 18, United States Code, is amended—

(1) by inserting “(A)” after “(20)”;

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(3) by inserting after subparagraph (A) the following:

“(B) For purposes of subsections (d) and (g) of section 922, the term ‘act of violent juvenile delinquency’ means an adjudication of delinquency in Federal or State court, based on a finding of the commission of an act by a person prior to his or her eighteenth birthday that, if committed by an adult, would be a serious or violent felony, as defined in section 3559(c)(2)(F)(i) had Federal jurisdiction existed and been exercised (except that section 3559(c)(3)(A) shall not apply to this subparagraph).”;

(4) in the undesignated paragraph following subparagraph (B) (as added by paragraph (3) of this subsection), by striking “What constitutes” and all that follows through “this chapter,” and inserting the following:

“(C) What constitutes a conviction of such a crime or an adjudication of an act of violent juvenile delinquency shall be determined in accordance with the law of the jurisdiction in which the proceedings were held. Any State conviction or adjudication of an act of violent juvenile delinquency that has been expunged or set aside, or for which a person has been pardoned or has had civil rights restored, by the jurisdiction in which the conviction or adjudication of an act of violent juvenile delinquency occurred shall not be considered to be a conviction or adjudication of an act of violent juvenile delinquency for purposes of this chapter.”

(b) PROHIBITION.—Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)—
(A) in paragraph (8), by striking “or” at the end;

(B) in paragraph (9), by striking the period at the end and inserting “; or”; and

(C) by inserting after paragraph (9) the following:

“(10) has committed an act of violent juvenile delinquency.”; and

(2) in subsection (g)—
(A) in paragraph (8), by striking “or” at the end;

(B) in paragraph (9), by striking the comma at the end and inserting “; or”; and

(C) by inserting after paragraph (9) the following:

“(10) who has committed an act of violent juvenile delinquency.”.

(c) EFFECTIVE DATE OF ADJUDICATION PROVISIONS.—The amendments made by this section shall only apply to an adjudication of an act of violent juvenile delinquency that occurs after the date that is 30 days after the date on which the Attorney General certifies to Congress and separately notifies Federal firearms licensees, through publication in the Federal Register by the Secretary of the Treasury, that the records of such adjudications are routinely available in the national instant criminal background check system established under section 103(b) of the Brady Handgun Violence Prevention Act.

SEC. 202. PENALTIES FOR UNLAWFUL ACTS BY JUVENILES.

(a) JUVENILE WEAPONS PENALTIES.—Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (4) by striking “Whoever” at the beginning of the first sentence, and inserting in lieu thereof, “Except as provided in paragraph (6) of this subsection, whoever”; and

(2) in paragraph (6), by amending it to read as follows:

“(6)(A) A juvenile who violates section 922(x) shall be fined under this title, imprisoned not more than 1 year, or both, except—

“(i) a juvenile shall be sentenced to probation on appropriate conditions and shall not be incarcerated unless the juvenile fails to comply with a condition of probation, if—

“(I) the offense of which the juvenile is charged is possession of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon in violation of section 922(x)(2); and

“(II) the juvenile has not been convicted in any court of an offense (including an offense under section 922(x) or a similar State law, but not including any other offense consisting of conduct that if engaged in by an adult would not constitute an offense) or adjudicated as a juvenile delinquent for conduct that if engaged in by an adult would constitute an offense; or

“(ii) a juvenile shall be fined under this title, imprisoned not more than 20 years, or both, if—

“(I) the offense of which the juvenile is charged is possession of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon in violation of section 922(x)(2); and

“(II) during the same course of conduct in violating section 922(x)(2), the juvenile violated section 922(q), with the intent to carry or otherwise possess or discharge or otherwise use the handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon in the commission of a violent felony.

“(B) A person other than a juvenile who knowingly violates section 922(x)—

“(i) shall be fined under this title, imprisoned not more than 1 year, or both; and

“(ii) if the person sold, delivered, or otherwise transferred a handgun, ammunition,

large capacity ammunition feeding device or a semiautomatic assault weapon to a juvenile knowing or having reasonable cause to know that the juvenile intended to carry or otherwise possess or discharge or otherwise use the handgun, ammunition, large capacity ammunition feeding device or semiautomatic assault weapon in the commission of a violent felony, shall be fined under this title, imprisoned not more than 20 years, or both.

“(C) For purposes of this paragraph a ‘violent felony’ means conduct as described in section 924(e)(2)(B) of this title.

“(D) Except as otherwise provided in this chapter, in any case in which a juvenile is prosecuted in a district court of the United States, and the juvenile is subject to the penalties under clause (ii) of paragraph (A), the juvenile shall be subject to the same laws, rules, and proceedings regarding sentencing (including the availability of probation, restitution, fines, forfeiture, imprisonment, and supervised release) that would be applicable in the case of an adult. No juvenile sentenced to a term of imprisonment shall be released from custody simply because the juvenile reaches the age of 18 years.”.

(b) UNLAWFUL WEAPONS TRANSFERS TO JUVENILES.—Section 922(x) of title 18, United States Code, is amended to read as follows:

“(x)(1) It shall be unlawful for a person to sell, deliver, or otherwise transfer to a person who the transferor knows or has reasonable cause to believe is a juvenile—

“(A) a handgun;

“(B) ammunition that is suitable for use only in a handgun;

“(C) a semiautomatic assault weapon; or

“(D) a large capacity ammunition feeding device.

“(2) It shall be unlawful for any person who is a juvenile to knowingly possess—

“(A) a handgun;

“(B) ammunition that is suitable for use only in a handgun;

“(C) a semiautomatic assault weapon; or

“(D) a large capacity ammunition feeding device.

“(3) This subsection does not apply to—

“(A) a temporary transfer of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon to a juvenile or to the possession or use of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon by a juvenile—

“(i) if the handgun, ammunition, large capacity ammunition feeding device or semiautomatic assault weapon are possessed and used by the juvenile—

“(I) in the course of employment,

“(II) in the course of ranching or farming related to activities at the residence of the juvenile (or on property used for ranching or farming at which the juvenile, with the permission of the property owner or lessee, is performing activities related to the operation of the farm or ranch),

“(III) for target practice,

“(IV) for hunting, or

“(V) for a course of instruction in the safe and lawful use of a firearm;

“(ii) clause (i) shall apply only if the juvenile’s possession and use of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon under this subparagraph are in accordance with State and local law, and the following conditions are met—

“(I) except when a parent or guardian of the juvenile is in the immediate and supervisory presence of the juvenile, the juvenile shall have in the juvenile’s possession at all times when a handgun, ammunition, large capacity ammunition feeding device or semiautomatic assault weapon is in the possession of the juvenile, the prior written consent of the juvenile’s parent or guardian who

is not prohibited by Federal, State, or local law from possessing a firearm or ammunition; and

“(II) during transportation by the juvenile directly from the place of transfer to a place at which an activity described in clause (i) is to take place the firearm shall be unloaded and in a locked container or case, and during the transportation by the juvenile of that firearm, directly from the place at which such an activity took place to the transferor, the firearm shall also be unloaded and in a locked container or case; or

“(III) with respect to employment, ranching or farming activities as described in clause (i), a juvenile may possess and use a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault rifle with the prior written approval of the juvenile’s parent or legal guardian, if such approval is on file with the adult who is not prohibited by Federal, State, or local law from possessing a firearm or ammunition and that person is directing the ranching or farming activities of the juvenile;

“(B) a juvenile who is a member of the Armed Forces of the United States or the National Guard who possesses or is armed with a handgun, ammunition, large capacity ammunition feeding device or semiautomatic assault weapon in the line of duty;

“(C) a transfer by inheritance of title (but not possession) of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon to a juvenile; or

“(D) the possession of a handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon taken in lawful defense of the juvenile or other persons in the residence of the juvenile or a residence in which the juvenile is an invited guest.

“(4) A handgun, ammunition, large capacity ammunition feeding device or a semiautomatic assault weapon, the possession of which is transferred to a juvenile in circumstances in which the transferor is not in violation of this subsection, shall not be subject to permanent confiscation by the Government if its possession by the juvenile subsequently becomes unlawful because of the conduct of the juvenile, but shall be returned to the lawful owner when such handgun, ammunition, large capacity ammunition feeding device or semiautomatic assault weapon is no longer required by the Government for the purposes of investigation or prosecution.

“(5) For purposes of this subsection, the term ‘juvenile’ means a person who is less than 18 years of age.

“(6)(A) In a prosecution of a violation of this subsection, the court shall require the presence of a juvenile defendant’s parent or legal guardian at all proceedings.

“(B) The court may use the contempt power to enforce subparagraph (A).

“(C) The court may excuse attendance of a parent or legal guardian of a juvenile defendant at a proceeding in a prosecution of a violation of this subsection for good cause shown.

“(7) For purposes of this subsection only, the term ‘large capacity ammunition feeding device’ has the same meaning as in section 921(a)(31) of title 18 and includes similar devices manufactured before the effective date of the Violent Crime Control and Law Enforcement Act of 1994.”.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

TITLE III—ASSAULT WEAPONS

SEC. 301. SHORT TITLE.

This title may be cited as the “Juvenile Assault Weapon Loophole Closure Act of 1999”.

SEC. 302. BAN ON IMPORTING LARGE CAPACITY AMMUNITION FEEDING DEVICES.

Section 922(w) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking “(1) Except as provided in paragraph (2)” and inserting “(1)(A) Except as provided in subparagraph (B)”;

(2) in paragraph (2), by striking “(2) Paragraph (1)” and inserting “(B) Subparagraph (A)”;

(3) by inserting before paragraph (3) the following new paragraph (2):

“(2) It shall be unlawful for any person to import a large capacity ammunition feeding device.”; and

(4) in paragraph (4)—

(A) by striking “(1)” each place it appears and inserting “(1)(A)”;

(B) by striking “(2)” and inserting “(1)(B)”.

SEC. 303. DEFINITION OF LARGE CAPACITY AMMUNITION FEEDING DEVICE.

Section 921(a)(31) of title 18, United States Code, is amended by striking “manufactured after the date of enactment of the Violent Crime Control and Law Enforcement Act of 1994”.

TITLE IV—CHILD HANDGUN SAFETY

SEC. 401. SHORT TITLE.

This title may be cited as the “Safe Handgun Storage and Child Handgun Safety Act of 1999”.

SEC. 402. PURPOSES.

The purposes of this title are as follows:

(1) To promote the safe storage and use of handguns by consumers.

(2) To prevent unauthorized persons from gaining access to or use of a handgun, including children who may not be in possession of a handgun, unless it is under one of the circumstances provided for in the Safe Handgun Storage and Child Handgun Safety Act of 1999.

(3) To avoid hindering industry from supplying law abiding citizens firearms for all lawful purposes, including hunting, self-defense, collecting and competitive or recreational shooting.

SEC. 403. FIREARMS SAFETY.

(a) UNLAWFUL ACTS.—

(1) MANDATORY TRANSFER OF SECURE GUN STORAGE OR SAFETY DEVICE.—Section 922 of title 18, United States Code, is amended by inserting after subsection (y) the following:

“(z) SECURE GUN STORAGE OR SAFETY DEVICE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for any licensed manufacturer, licensed importer, or licensed dealer to sell, deliver, or transfer any handgun to any person who is not licensed under section 923, unless the licensee provides the transferee with a secure gun storage or safety device for the handgun.

“(2) EXCEPTIONS.—Paragraph (1) shall not apply to the—

“(A)(i) manufacture for, transfer to, or possession by, the United States or a department or agency of the United States, or a State or a department, agency, or political subdivision of a State, of a handgun; or

“(ii) transfer to, or possession by, a law enforcement officer employed by an entity referred to in clause (i) of a handgun for law enforcement purposes (whether on or off duty); or

“(B) transfer to, or possession by, a rail police officer employed by a rail carrier and certified or commissioned as a police officer under the laws of a State of a handgun for purposes of law enforcement (whether on or off duty);

“(C) transfer to any person of a handgun listed as a curio or relic by the Secretary pursuant to section 921(a)(13); or

“(D) transfer to any person of a handgun for which a secure gun storage or safety de-

vice is temporarily unavailable for the reasons described in the exceptions stated in section 923(e): *Provided*, That the licensed manufacturer, licensed importer, or licensed dealer delivers to the transferee within 10 calendar days from the date of the delivery of the handgun to the transferee a secure gun storage or safety device for the handgun.

“(3) LIABILITY FOR USE.—(A) Notwithstanding any other provision of law, a person who has lawful possession and control of a handgun, and who uses a secure gun storage or safety device with the handgun, shall be entitled to immunity from a civil liability action as described in this paragraph.

“(B) PROSPECTIVE ACTIONS.—A qualified civil liability action may not be brought in any Federal or State court. The term ‘qualified civil liability action’ means a civil action brought by any person against a person described in subparagraph (A) for damages resulting from the unlawful misuse of the handgun by a third party, if—

“(i) the handgun was accessed by another person without authorization of the person so described; and

“(ii) when the handgun was so accessed, the handgun had been made inoperable by use of a secure gun storage or safety device.

A ‘qualified civil liability action’ shall not include an action brought against the person having lawful possession and control of the handgun for negligent entrustment or negligence per se.”.

(b) CIVIL PENALTIES.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (a)(1), by inserting “, or (p)” before “this section”; and

(2) by adding at the end the following:

“(p) PENALTIES RELATING TO SECURE GUN STORAGE OR SAFETY DEVICE.—

“(1) IN GENERAL.—

“(A) SUSPENSION OR REVOCATION OF LICENSE; CIVIL PENALTIES.—With respect to each violation of section 922(z)(1) by a licensed manufacturer, licensed importer, or licensed dealer, the Secretary may, after notice and opportunity for hearing—

“(i) suspend for up to six months, or revoke, the license issued to the licensee under this chapter that was used to conduct the firearms transfer; or

“(ii) subject the licensee to a civil penalty in an amount equal to not more than \$2,500.

“(B) REVIEW.—An action of the Secretary under this paragraph may be reviewed only as provided in section 923(f).

“(2) ADMINISTRATIVE REMEDIES.—The suspension or revocation of a license or the imposition of a civil penalty under paragraph (1) does not preclude any administrative remedy that is otherwise available to the Secretary.”.

(c) LIABILITY; EVIDENCE.—

(1) LIABILITY.—Nothing in this chapter shall be construed to—

(A) create a cause of action against any Federal firearms licensee or any other person for any civil liability; or

(B) establish any standard of care.

(2) EVIDENCE.—Notwithstanding any other provision of law, evidence regarding compliance or noncompliance with the amendments made by this chapter shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity, except with respect to an action to enforce paragraphs (1) and (2) of section 922(z), or to give effect to paragraph (3) of section 922(z).

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to bar a governmental action to impose a penalty under section 924(p) of title 18, United States Code, for a failure to comply with section 922(z) of that title.

SEC. 404. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect 180 days after the date of enactment of this Act.

It was decided in the { Yeas 184
negative Nays 242

¶67.20

[Roll No. 243]

AYES—184

Abercrombie	Gejdenson	Moran (VA)
Ackerman	Gephardt	Morella
Allen	Gilchrest	Nadler
Andrews	Gonzalez	Napolitano
Baldacci	Greenwood	Neal
Baldwin	Gutierrez	Olver
Barrett (WI)	Hall (OH)	Ose
Becerra	Hastings (FL)	Owens
Bentsen	Hinches	Pallone
Berkley	Hinojosa	Pastor
Berman	Hoeffel	Payne
Bilbray	Holt	Pelosi
Blagojevich	Hooley	Pomeroy
Blumenauer	Horn	Porter
Boehlert	Hoyer	Price (NC)
Bonior	Insee	Quinn
Borski	Jackson (IL)	Ramstad
Brady (PA)	Jackson-Lee	Rangel
Brown (FL)	(TX)	Reyes
Brown (OH)	Jefferson	Rivers
Campbell	Johnson (CT)	Rodriguez
Capps	Johnson, E.B.	Roemer
Capuano	Jones (OH)	Rogan
Cardin	Kaptur	Ros-Lehtinen
Carson	Kennedy	Rothman
Castle	Kildee	Roukema
Clay	Kilpatrick	Roybal-Allard
Clayton	Kleczka	Rush
Clyburn	Klink	Sabo
Condit	Kucinich	Sanchez
Conyers	Kuykendall	Sanders
Coyne	LaFalce	Sawyer
Crowley	Lantos	Schakowsky
Cummings	Larson	Scott
Davis (FL)	Leach	Serrano
Davis (IL)	Lee	Shays
Davis (VA)	Levin	Sherman
DeFazio	Lewis (GA)	Slaughter
DeGette	Lipinski	Snyder
DeLahunt	Lofgren	Spratt
DeLauro	Lowe	Stabenow
Deutsch	Luther	Stark
Diaz-Balart	Maloney (NY)	Stupak
Dicks	Markey	Tauscher
Dixon	Martinez	Thompson (CA)
Doggett	Matsui	Thompson (MS)
Dooley	McCarthy (MO)	Tierney
Doyle	McCarthy (NY)	Towns
Edwards	McDermott	Udall (CO)
Engel	McGovern	Udall (NM)
Eshoo	McKinney	Velazquez
Evans	McNulty	Vento
Farr	Meehan	Viscosky
Fattah	Meek (FL)	Walters
Filner	Meeks (NY)	Watt (NC)
Forbes	Menendez	Waxman
Ford	Millender-	Weiner
Frank (MA)	McDonald	Wexler
Franks (NJ)	Miller, George	Weygand
Frelinghuysen	Mink	Woolsey
Frost	Moakley	Wu
Ganske	Moore	Wynn

NOES—242

Aderholt	Buyer	Duncan
Archer	Callahan	Dunn
Armey	Calvert	Ehlers
Bachus	Camp	Ehrlich
Baird	Canady	Emerson
Baker	Cannon	English
Ballenger	Chabot	Etheridge
Barcia	Chambliss	Everett
Barr	Chenoweth	Ewing
Barrett (NE)	Clement	Fletcher
Bartlett	Coble	Foley
Barton	Coburn	Fossella
Bass	Collins	Fowler
Bateman	Combest	Gallagher
Bereuter	Cook	Gekas
Berry	Cooksey	Gibbons
Biggart	Costello	Gillmor
Bilirakis	Cox	Gilman
Bishop	Cramer	Goode
Biley	Crane	Goodlatte
Blunt	Cubin	Goodling
Boehner	Cunningham	Gordon
Bono	Danner	Goss
Boswell	Deal	Graham
Boucher	DeLay	Granger
Boyd	DeMint	Green (TX)
Brady (TX)	Dickey	Green (WI)
Bryant	Dingell	Gutknecht
Burr	Doolittle	Hall (TX)
Burton	Dreier	Hansen

Hastings (WA)	McKeon	Shimkus
Hayes	Metcalf	Shows
Hayworth	Mica	Shuster
Hefley	Miller (FL)	Simpson
Herger	Miller, Gary	Sisisky
Hill (IN)	Mollohan	Skeen
Hill (MT)	Moran (KS)	Skelton
Hilleary	Murtha	Smith (MI)
Hobson	Myrick	Smith (NJ)
Hoekstra	Nethercutt	Smith (TX)
Holden	Ney	Smith (WA)
Hostettler	Northup	Souder
Houghton	Norwood	Spence
Hulshof	Nussle	Stearns
Hunter	Oberstar	Stenholm
Hutchinson	Obey	Strickland
Hyde	Ortiz	Stump
Isakson	Oxley	Sununu
Istook	Packard	Sweeney
Jenkins	Paul	Talent
John	Pease	Tancredo
Johnson, Sam	Peterson (MN)	Tanner
Jones (NC)	Peterson (PA)	Tauzin
Kanjorski	Petri	Taylor (MS)
Kasich	Phelps	Taylor (NC)
Kelly	Pickering	Terry
Kind (WI)	Pickett	Thornberry
King (NY)	Pitts	Thune
Kingston	Pombo	Thurman
Knollenberg	Portman	Tiahrt
Kolbe	Pryce (OH)	Toomey
LaHood	Radanovich	Trafficant
Lampson	Rahall	Turner
Largent	Regula	Upton
Latham	Reynolds	Vitter
LaTourette	Riley	Walden
Lazio	Rogers	Walsh
Lewis (KY)	Rohrabacher	Wamp
Linder	Royce	Watkins
LoBiondo	Ryan (WI)	Watts (OK)
Lucas (KY)	Ryun (KS)	Weldon (FL)
Lucas (OK)	Sandlin	Weldon (PA)
Maloney (CT)	Sanford	Weller
Manzullo	Saxton	Whitfield
Mascara	Scarborough	Wicker
McCollum	Schaffer	Wilson
McCrery	Sensenbrenner	Wise
McHugh	Sessions	Wolf
McInnis	Shadegg	Young (AK)
McIntosh	Shaw	Young (FL)
McIntyre	Sherwood	

NOT VOTING—8

Bonilla	Lewis (CA)	Salmon
Brown (CA)	Minge	Thomas
Hilliard	Pascrell	

So the amendment was not agreed to. The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mr. THORNBERRY, Chairman, pursuant to House Resolution 209, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

In section 931(c)(1) of title 18, United States Code, as proposed to be added by section 2(c)(1) of the bill, strike "indicates a willingness to accept" and insert "accepts".

In section 931(c)(1)(B)(ii)(II) of title 18, United States Code, as proposed to be added by section 2(c)(1) of the bill, strike "72" and insert "24".

In section 931(c)(2) of title 18, United States Code, as proposed to be added by section 2(c)(1) of the bill, strike subparagraph (B) and insert the following:

"(B) For any instant background check conducted at a gun show, the time period stated in section 922(t)(1)(B)(ii) shall be 24 consecutive hours since the licensee contacted the system, and notwithstanding any other provision of this chapter, the system shall, in every instance of a request for an instant background check from a gun show, complete such check over instant checks not originating from a gun show.

In section 931(d) of title 18, United States Code, as proposed to be added by section

2(c)(1) of the bill, strike "indicates a willingness to accept" and insert "accepts".

At the end of section 3 of the bill, insert the following:

(c) DELIVERIES TO AVOID THEFT.—Section 922(a)(5) of title 18, United States Code, is amended—

(1) by striking "and (B)" and inserting "(B)"; and

(2) by inserting "and (C) firearms transfers and business away from their business premises with another licensee without regard to whether the business is conducted in the State specified on the license of either licensee" before the semicolon at the end.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act.

After section 3 of the bill, insert the following:

SEC. ____ . PENALTIES FOR USING A LARGE CAPACITY AMMUNITION FEEDING DEVICE DURING A CRIME OF VIOLENCE OR A DRUG TRAFFICKING CRIME.

(a) IN GENERAL.—Section 924(c) of title 18, United States Code, is amended—

(1) in paragraph (1)(B)(i), by inserting "large capacity ammunition feeding device," after "short-barreled rifle,"; and

(2) by adding at the end the following:

"(5) For purposes of this subsection, the term 'large capacity ammunition feeding device' means a device as defined in section 921(a)(31) regardless of the date it was manufactured."

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act.

At the end of the bill, insert the following:

TITLE ____ —ASSAULT WEAPONS

SEC. ____ 1. SHORT TITLE.

This title may be cited as the "Juvenile Assault Weapon Loophole Closure Act of 1999".

SEC. ____ 2. BAN ON IMPORTING LARGE CAPACITY AMMUNITION FEEDING DEVICES.

Section 922(w) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking "(1) Except as provided in paragraph (2)" and inserting "(1)(A) Except as provided in subparagraph (B)";

(2) in paragraph (2), by striking "(2) Paragraph (1)" and inserting "(B) Subparagraph (A)";

(3) by inserting before paragraph (3) the following new paragraph (2):

"(2) It shall be unlawful for any person to import a large capacity ammunition feeding device,"; and

(4) in paragraph (4)—

(A) by striking "(1)" each place it appears and inserting "(1)(A)"; and

(B) by striking "(2)" and inserting "(1)(B)".

SEC. ____ 3. DEFINITION OF LARGE CAPACITY AMMUNITION FEEDING DEVICE.

Section 921(a)(31) of title 18, United States Code, is amended by striking "manufactured after the date of enactment of the Violent Crime Control and Law Enforcement Act of 1994".

At the end of the bill, insert the following:

SEC. ____ . PROHIBITING JUVENILES FROM POSSESSING SEMIAUTOMATIC ASSAULT WEAPONS.

Section 922(x) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking "or" at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(C) by adding at the end the following:

"(C) a semiautomatic assault weapon; or

"(D) a large capacity ammunition feeding device.";

(2) in paragraph (2)—

(A) by striking "or" at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting a semicolon; and

(C) by inserting at the end the following:

"(C) a semiautomatic assault weapon; or

"(D) a large capacity ammunition feeding device."; and

(3) by striking paragraph (3) and inserting the following:

"(3) This subsection shall not apply to—

"(A) a temporary transfer of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon to a juvenile or to the temporary possession or use of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon by a juvenile—

"(i) if the handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon are possessed and used by the juvenile—

"(I) in the course of employment,

"(II) in the course of ranching or farming related to activities at the residence of the juvenile (or on property used for ranching or farming at which the juvenile, with the permission of the property owner or lessee, is performing activities related to the operation of the farm or ranch),

"(III) for target practice,

"(IV) for hunting, or

"(V) for a course of instruction in the safe and lawful use of a firearm;

"(ii) clause (i) shall apply only if the juvenile's possession and use of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon under this subparagraph are in accordance with State and local law, and the following conditions are met—

"(I) except when a parent or guardian of the juvenile is in the immediate and supervisory presence of the juvenile, the juvenile shall have in the juvenile's possession at all times when a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon is in the possession of the juvenile, the prior written consent of the juvenile's parent or guardian who is not prohibited by Federal, State, or local law from possessing a firearm or ammunition; and

"(II)(aa) during transportation by the juvenile directly from the place of transfer to a place at which an activity described in clause (i) is to take place the firearm shall be unloaded and in a locked container or case, and during the transportation by the juvenile of that firearm, directly from the place at which such an activity took place to the transferor, the firearm shall also be unloaded and in a locked container or case; or

"(bb) with respect to employment, ranching or farming activities as described in clause (i), a juvenile may possess and use a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon with the prior written approval of the juvenile's parent or legal guardian, if such approval is on file with the adult who is not prohibited by Federal, State, or local law from possessing a firearm or ammunition and that person is directing the ranching or farming activities of the juvenile;

"(B) a juvenile who is a member of the Armed Forces of the United States or the National Guard who possesses or is armed with a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon in the line of duty;

“(C) a transfer by inheritance of title (but not possession) of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon to a juvenile; or

“(D) the possession of a handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon taken in lawful defense of the juvenile or other persons in the residence of the juvenile or a residence in which the juvenile is an invited guest.

“(4) A handgun, ammunition, a large capacity ammunition feeding device, or a semiautomatic assault weapon, the possession of which is transferred to a juvenile in circumstances in which the transferor is not in violation of this subsection, shall not be subject to permanent confiscation by the Government if its possession by the juvenile subsequently becomes unlawful because of the conduct of the juvenile, but shall be returned to the lawful owner when such handgun, ammunition, large capacity ammunition feeding device, or semiautomatic assault weapon is no longer required by the Government for the purposes of investigation or prosecution.

“(5) For purposes of this subsection, the term ‘juvenile’ means a person who is less than 18 years of age.

“(6)(A) In a prosecution of a violation of this subsection, the court shall require the presence of a juvenile defendant’s parent or legal guardian at all proceedings.

“(B) The court may use the contempt power to enforce subparagraph (A).

“(C) The court may excuse attendance of a parent or legal guardian of a juvenile defendant at a proceeding in a prosecution of a violation of this subsection for good cause shown.

“(7) For purposes of this subsection only, the term ‘large capacity ammunition feeding device’ has the same meaning as in section 921(a)(31) of title 18 and includes similar devices manufactured before the effective date of the Violent Crime Control and Law Enforcement Act of 1994.”

At the end of the bill, insert the following:

TITLE —CHILD HANDGUN SAFETY

SEC. 1. SHORT TITLE.

This title may be cited as the “Safe Handgun Storage and Child Handgun Safety Act of 1999”.

SEC. 2. PURPOSES.

The purposes of this title are as follows:

(1) To promote the safe storage and use of handguns by consumers.

(2) To prevent unauthorized persons from gaining access to or use of a handgun, including children who may not be in possession of a handgun, unless it is under one of the circumstances provided for in the Youth Handgun Safety Act.

(3) To avoid hindering industry from supplying law abiding citizens firearms for all lawful purposes, including hunting, self-defense, collecting and competitive or recreational shooting.

SEC. 3. FIREARMS SAFETY.

(a) UNLAWFUL ACTS.—

(1) MANDATORY TRANSFER OF SECURE GUN STORAGE OR SAFETY DEVICE.—Section 922 of title 18, United States Code, is amended by inserting after subsection (y) the following:

“(z) SECURE GUN STORAGE OR SAFETY DEVICE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for any licensed manufacturer, licensed importer, or licensed dealer to sell, deliver, or transfer any handgun to any person other than any person licensed under the provisions of this chapter, unless the transferee is provided with a secure gun storage or safety device, as described in section 921(a)(34), for that handgun.

“(2) EXCEPTIONS.—Paragraph (1) does not apply to—

“(A)(i) manufacture for, transfer to, or possession by, the United States or a State or a department or agency of the United States, or a State or a department, agency, or political subdivision of a State, of a handgun; or

“(ii) transfer to, or possession by, a law enforcement officer employed by an entity referred to in clause (i) of a handgun for law enforcement purposes (whether on or off duty); or

“(B) transfer to, or possession by, a rail police officer employed by a rail carrier and certified or commissioned as a police officer under the laws of a State of a handgun for purposes of law enforcement (whether on or off duty);

“(C) transfer to any person of a handgun listed as a curio or relic by the Secretary pursuant to section 921(a)(13); or

“(D) transfer to any person of a handgun for which a secure gun storage or safety device is temporarily unavailable for the reasons described in the exceptions stated in section 923(e): *Provided*, That the licensed manufacturer, licensed importer, or licensed dealer delivers to the transferee within 10 calendar days from the date of the delivery of the handgun to the transferee a secure gun storage or safety device for the handgun.

“(3) LIABILITY FOR USE.—(A) Notwithstanding any other provision of law, a person who has lawful possession and control of a handgun, and who uses a secure gun storage or safety device with the handgun, shall be entitled to immunity from a civil liability action as described in this paragraph.

“(B) PROSPECTIVE ACTIONS.—A qualified civil liability action may not be brought in any Federal or State court. The term ‘qualified civil liability action’ means a civil action brought by any person against a person described in subparagraph (A) for damages resulting from the criminal or unlawful misuse of the handgun by a third party, where—

“(i) the handgun was accessed by another person who did not have the permission or authorization of the person having lawful possession and control of the handgun to have access to it; and

“(ii) at the time access was gained by the person not so authorized, the handgun had been made inoperable by use of a secure gun storage or safety device.

A ‘qualified civil liability action’ shall not include an action brought against the person having lawful possession and control of the handgun for negligent entrustment or negligence per se.”

(b) CIVIL PENALTIES.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (a)(1), by striking “or (f)” and inserting “(f), or (p)”; and

(2) by adding at the end the following:

“(p) PENALTIES RELATING TO SECURE GUN STORAGE OR SAFETY DEVICE.—

“(1) IN GENERAL.—

“(A) SUSPENSION OR REVOCATION OF LICENSE; CIVIL PENALTIES.—With respect to each violation of section 922(z)(1) by a licensed manufacturer, licensed importer, or licensed dealer, the Secretary may, after notice and opportunity for hearing—

“(i) suspend for up to six months, or revoke, the license issued to the licensee under this chapter that was used to conduct the firearms transfer; or

“(ii) subject the licensee to a civil penalty in an amount equal to not more than \$2,500.

“(B) REVIEW.—An action of the Secretary under this paragraph may be reviewed only as provided in section 923(f).

“(2) ADMINISTRATIVE REMEDIES.—The suspension or revocation of a license or the imposition of a civil penalty under paragraph (1) does not preclude any administrative remedy that is otherwise available to the Secretary.”

(c) MODIFICATION OF DEFINITION OF SECURE GUN STORAGE OR SAFETY DEVICE.—Section 921(a)(34) of title 18, United States Code, is amended—

(1) by striking “or” at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting “; or”; and

(3) by adding at the end the following:

“(D) a device that is easily removable from a firearm and that, if removed from a firearm, is designed to prevent the discharge of the firearm by any person who does not have access to the device.”

(d) LIABILITY; EVIDENCE.—

(1) LIABILITY.—Nothing in this title shall be construed to—

(A) create a cause of action against any Federal firearms licensee or any other person for any civil liability; or

(B) establish any standard of care.

(2) EVIDENCE.—Notwithstanding any other provision of law, evidence regarding compliance or noncompliance with the amendments made by this title shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity, except with respect to an action to enforce paragraphs (1) and (2) of section 922(z), or to give effect to paragraph (3) of section 922(z).

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to bar a governmental action to impose a penalty under section 924(p) of title 18, United States Code, for a failure to comply with section 922(z) of that title.

At the end of the bill, insert the following:

TITLE —COMMUNITY PROTECTION ACT

SEC. 1. SHORT TITLE.

This title may be cited as the “Community Protection Act of 1999”.

SEC. 2. EXEMPTION OF QUALIFIED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926A the following:

“§ 926B. Carrying of concealed firearms by qualified law enforcement officers

“(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

“(b) This section shall not be construed to supersede or limit the laws of any State that—

“(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

“(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

“(c) As used in this section, the term ‘qualified law enforcement officer’ means an employee of a governmental agency who—

“(1) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers of arrest;

“(2) is authorized by the agency to carry a firearm;

“(3) is not the subject of any disciplinary action by the agency; and

“(4) meets standards, if any, established by the agency which require the employee to regularly qualify in the use of a firearm.

“(d) The identification required by this subsection is the official badge and photo-

graphic identification issued by the governmental agency for which the individual is, or was, employed as a law enforcement officer."

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by inserting after the item relating to section 926A the following:

"926B. Carrying of concealed firearms by qualified law enforcement officers."

SEC. 3. EXEMPTION OF QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is further amended by inserting after section 926B the following:

"§926C. Carrying of concealed firearms by qualified retired law enforcement officers

"(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified retired law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

"(b) This section shall not be construed to supersede or limit the laws of any State that—

"(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

"(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

"(c) As used in this section, the term 'qualified retired law enforcement officer' means an individual who—

"(1) retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;

"(2) before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

"(3)(A) before such retirement, was regularly employed as a law enforcement officer for an aggregate of 5 years or more; or

"(B) retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

"(4) has a nonforfeitable right to benefits under the retirement plan of the agency;

"(5) during the most recent 12-month period or, if the agency requires active duty officers to do so with lesser frequency than every 12 months, during such most recent period as the agency requires with respect to active duty officers, has completed, at the expense of the individual, a program approved by the State for training or qualification in the use of firearms; and

"(6) is not prohibited by Federal law from receiving a firearm.

"(d) The identification required by this subsection is photographic identification issued by the State in which the agency for which the individual was employed as a law enforcement officer is located."

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is further amended by inserting after the item relating to section 926B the following:

"926C. Carrying of concealed firearms by qualified retired law enforcement officers."

At the end of the bill, insert the following:

SEC. GUNS PAWNED FOR MORE THAN 1 YEAR REQUIRE BACKGROUND CHECK.

Section 922(t) of title 18, United States Code, is amended by adding at the end the following:

"(7) Paragraph (1) shall not apply in connection with the redemption from a licensee of a firearm that, during the preceding 365 days, was delivered to the licensee as collateral for a loan."

Add at the end the following:

SEC. RIGHT OF LAW-ABIDING RESIDENTS OF THE DISTRICT OF COLUMBIA TO KEEP A HANDGUN IN THE HOME.

(a) DEFENSE.—Notwithstanding any provision of law, a person may not be held criminally responsible for the possession of a handgun, or ammunition appropriate to the handgun, if each of the following elements are established:

(1) The person is a law-abiding individual not less than 18 years of age.

(2) The person is the sole owner of the handgun and is in compliance with all applicable Federal and State registration laws and regulations with respect to the handgun.

(3) The possession occurred in the District of Columbia—

(A) in a place of residence of the person; or

(B) if the handgun is unloaded, while the person was traveling to or from a place of residence of the person solely for the purpose of transporting the handgun in connection with an otherwise lawful transaction or activity relating to the handgun.

(b) DEFINITIONS.—For purposes of this section:

(1) The term "handgun" has the meaning given such term in section 921 of title 18, United States Code.

(2) The term "law-abiding individual" means an individual who has never been convicted of a criminal offense for which the person actually served time in jail or prison, and has never been convicted of battery, assault, or any other violent criminal offense.

At the end of the bill, insert the following:

SEC. PROHIBITION ON FIREARMS POSSESSION BY VIOLENT JUVENILE OFFENDERS.

(a) DEFINITION.—Section 921(a)(20) of title 18, United States Code, is amended—

(1) by inserting "(A)" after "(20)";

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(3) by inserting after subparagraph (A) the following:

"(B) For purposes of subsections (d) and (g) of section 922, the term 'adjudicated to have committed an act of violent juvenile delinquency' means an adjudication of delinquency in Federal or State court, based on a finding of the commission of an act by a person prior to his or her eighteenth birthday that, if committed by an adult, would be a serious or violent felony (as defined in section 3559(c)(2)(F)(i)) had Federal jurisdiction existed and been exercised."; and

(4) in the undesignated subparagraph following subparagraph (B) (as added by paragraph (3) of this subsection), by striking "What constitutes" and all that follows through "this chapter," and inserting the following:

"(C) What constitutes a conviction of such a crime or an adjudication of an act of violent juvenile delinquency shall be determined in accordance with the law of the jurisdiction in which the proceedings were held. Any State conviction or adjudication of an act of violent juvenile delinquency that has been expunged or set aside, or for which a person has been pardoned or has had civil rights restored, by the jurisdiction in which the conviction or adjudication of an act of violent juvenile delinquency occurred shall not be considered to be a conviction or adjudication of an act of violent juvenile delinquency for purposes of this chapter."

(b) PROHIBITION.—Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (8), by striking "or" at the end;

(B) in paragraph (9), by striking the period at the end and inserting "; or"; and

(C) by inserting after paragraph (9) the following:

"(10) has been adjudicated to have committed an act of violent juvenile delinquency."; and

(2) in subsection (g)—

(A) in paragraph (8), by striking "or" at the end;

(B) in paragraph (9), by striking the comma at the end and inserting "; or"; and

(C) by inserting after paragraph (9) the following:

"(10) who has been adjudicated to have committed an act of violent juvenile delinquency,".

(c) EFFECTIVE DATE.—The amendments made by this section shall only apply to an act of violent juvenile delinquency that occurs 180 days or more after the date of the enactment of this Act.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. CONYERS demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 147 negative } Nays 280

¶67.21 [Roll No. 244] AYES—147

Table with 3 columns: Name, Name, Name. Lists names of members of the House of Representatives.

Terry
Toomey
Traficant
Walden
Walsh

Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller

Wicker
Wilson
Wise
Wolf
Young (FL)

Weygand
Whitfield

Berman
Bonilla
Brown (CA)

Woolsey
Wu

Lewis (CA)
Minge
Pascrell

Wynn
Young (AK)

Salmon
Thomas

NOT VOTING—8

NOES—280

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Barton
Becerra
Bentsen
Berkley
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Burr
Buyer
Callahan
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chombliss
Chenoweth
Clay
Clayton
Clyburn
Coburn
Collins
Combest
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cubin
Cummings
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
DeLahunt
DeLauro
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Edwards
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gibbons

Gilman
Gonzalez
Goode
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchev
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Inslee
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Klecza
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McInnis
McIntosh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-
McDonald
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)

Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickett
Pombo
Pomeroy
Porter
Price (NC)
Ramstad
Rangel
Reyes
Riley
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Scarborough
Schaffer
Schakowsky
Scott
Serrano
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Skelton
Slaughter
Smith (NJ)
Snyder
Souder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stump
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Viselosky
Vitter
Wamp
Waters
Watt (NC)
Waxman
Weiner
Wexler

So the bill was not passed.

A motion to reconsider the vote whereby said bill was not passed was, by unanimous consent, laid on the table.

¶67.22 CLERK TO CORRECT
ENGROSSMENT—H.R. 1501

On motion of Mr. BRYANT, by unanimous consent,

Ordered, That in the engrossment of the bill (H.R. 1501) to provide grants to ensure increased accountability for juvenile offenders, the Clerk be authorized to: (1) make changes in the placement of the table of contents; (2) combine duplicative sections; and (3) correct section numbers, punctuation, and cross references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

¶67.23 TITLE AMENDMENT—H.R. 1501

The SPEAKER pro tempore, Mr. KOLBE, by unanimous consent, and pursuant to amendment numbered 36 printed in part A of House Report 106-186, announced the title to the bill (H.R. 1501) to provide grants to ensure increased accountability for juvenile offenders; was amended to read as follows: "An Act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants to ensure increased accountability for juvenile offenders; to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency; and for other purposes . . ."

¶67.24 ADJOURNMENT OVER

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Tuesday, June 22, 1999, at 12:30 p.m. for "morning-hour debate".

¶67.25 CALENDAR WEDNESDAY BUSINESS
DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, June 23, 1999, under clause 7, rule XV, the Calendar Wednesday rule, be dispensed with.

¶67.26 SENATE CONCURRENT RESOLUTION
REFERRED

A Concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 40. Concurrent resolution commending the President and the Armed Forces for the success of Operation Allied Force; to the Committee on International Relations in addition to the Armed Services Committee for a period to be subsequently determined

by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶67.27 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. PASCRELL, for today after 12:15 p.m.; and

To Mr. LEWIS of California, for today.

And then,

¶67.28 ADJOURNMENT

On motion of Mr. SOUDER, pursuant to the special order heretofore agreed to, at 3 o'clock and 7 minutes p.m., the House adjourned until 12:30 p.m. on Tuesday, June 22, 1999.

¶67.29 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on the Judiciary. H.R. 1659. A bill to reinforce police training and reestablish police and community relations, and to create a commission to study and report on the policies and practices that govern the training, recruitment, and oversight of police officers, and for other purposes; with an amendment (Rept. No. 106-190). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 33. Resolution proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States (Rept. No. 106-191). Referred to the House Calendar.

Mr. HYDE: Committee on the Judiciary. H.R. 1658. A bill to provide a more just and uniform procedure for Federal civil forfeitures, and for other purposes; with amendments (Rept. No. 106-192). Referred to the Committee of the Whole House on the State of the Union.

¶67.30 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. FARR of California (for himself, Mr. GALLEGLY, Mr. WAXMAN, Mr. CAMPBELL, Mr. STARK, Mrs. CAPPS, Mr. BILBRAY, and Ms. ESHOO):

H.R. 2277. A bill to designate all unreserved and unappropriated California coastal rocks and islands currently administered by the Bureau of Land Management as a component of the National Wilderness Preservation System; to the Committee on Resources.

By Mr. FARR of California:

H.R. 2278. A bill to require the National Park Service to conduct a feasibility study regarding options for the protection and expanded visitor enjoyment of nationally significant natural and cultural resources at Fort Hunter Liggett, California; to the Committee on Resources.

H.R. 2279. A bill to expand the boundaries of Pinnacles National Monument, and for other purposes; to the Committee on Resources.

By Mr. STUMP (for himself, Mr. EVANS, Mr. QUINN, and Mr. FILNER):

H.R. 2280. A bill to amend title 38, United States Code, to provide a cost-of-living adjustment in rates of compensation paid for service-connected disabilities, to enhance the compensation, memorial affairs, and housing programs of the Department of Vet-

erans Affairs, to improve retirement authorities applicable to judges of the United States Court of Appeals for Veterans Claims, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ACKERMAN:

H.R. 2281. A bill to amend title 18, United States Code, to permanently prohibit the possession of firearms by persons who have been convicted of a felony, and for other purposes; to the Committee on the Judiciary.

By Mr. BLILEY (for himself, Mr. OBERSTAR, Mr. CAMP, Mr. SCOTT, Mr. BURTON of Indiana, Mr. POMEROY, and Mr. DEMINT):

H.R. 2282. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from individual retirement plans for adoption expenses and to expand and extend permanently the exclusion allowed for employer adoption assistance programs; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island:

H.R. 2283. A bill to amend title 10, United States Code, to improve the authorities relating to the provision of honor guard details at funerals of veterans; to the Committee on Armed Services.

By Mr. LEWIS of Kentucky (for himself and Mrs. NORTHUP):

H.R. 2284. A bill to provide that certain costs of private foundations in removing hazardous substances shall be treated as qualifying distributions; to the Committee on Ways and Means.

By Mr. RODRIGUEZ (for himself, Mr. SMITH of Texas, Mr. BONILLA, and Mr. GONZALEZ):

H.R. 2285. A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to authorize the Secretary of the Interior to participate in the design, planning, and construction of the San Antonio Water System Water Recycling Project Phase III for the reclamation and reuse of water, and for other purposes; to the Committee on Resources.

By Mr. SCARBOROUGH (for himself, Mr. LEWIS of Georgia, Mr. ROEMER, and Mr. QUINN):

H.R. 2286. A bill to designate the Federal building located at 10th Street and Constitution Avenue, NW, in Washington, DC, as the "Robert F. Kennedy Department of Justice Building"; to the Committee on Transportation and Infrastructure.

By Mr. SERRANO (for himself, Ms. JACKSON-LEE of Texas, Mrs. MINK of Hawaii, Mr. HINOJOSA, Mr. EVANS, Mr. ROMERO-BARCELO, Mr. PASTOR, Mr. RANGEL, and Ms. LEE):

H.R. 2287. A bill to amend the Immigration and Nationality Act to ensure that veterans of the United States Armed Forces are eligible for discretionary relief from detention, deportation, exclusion, and removal, and for other purposes; to the Committee on the Judiciary.

By Mr. STEARNS (for himself and Mr. LEWIS of Georgia):

H.R. 2288. A bill to establish the North American Slavery Memorial Council; to the Committee on Resources.

By Mr. WELDON of Florida (for himself and Mr. DAVIS of Florida):

H.R. 2289. A bill to amend the Internal Revenue Code of 1986 to treat spaceports like airports under the exempt facility bond rules; to the Committee on Ways and Means.

By Mr. ROEMER (for himself, Mr. WOLF, and Mr. LAFALCE):

H. Con. Res. 137. A concurrent resolution expressing the sense of Congress with regard to the recommendations of the National Gambling Impact Study Commission; to the Committee on the Judiciary.

¶67.31 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 73: Mr. CUNNINGHAM, Mr. ROHR-ABACHER, Mr. FOLEY, Mr. HERGER, Mr. BURTON of Indiana, Mr. COBLE, and Mr. ARCHER.
H.R. 142: Mr. GUTKNECHT.

H.R. 175: Mr. CROWLEY, Mr. GILCHREST, Mr. ABERCROMBIE, Mr. SERRANO, Mr. HOBSON, Mr. HASTINGS of Florida, Ms. JACKSON-LEE of Texas, Mr. KNOLLENBERG, Mr. FOSSELLA, and Mr. BOSWELL.

H.R. 218: Mr. BARCIA.
H.R. 303: Mrs. MEEK of Florida, Mr. PETERSON of Pennsylvania, Mr. COOK, Ms. KILPATRICK, Mr. THUNE, and Mr. HALL of Ohio.

H.R. 316: Mr. TIERNEY and Mr. WU.
H.R. 332: Mr. PAUL.
H.R. 491: Ms. LEE.

H.R. 528: Mr. EVERETT.
H.R. 531: Mr. SNYDER and Mr. TOWNS.
H.R. 577: Mr. BARRETT of Nebraska.
H.R. 682: Mr. BERUTER.
H.R. 693: Mr. STRICKLAND.
H.R. 721: Mr. WEYGAND and Mr. CANNON.

H.R. 762: Mr. ROTHMAN, Mrs. CAPPS, Mr. CONYERS, Mr. MARTINEZ, Mr. MOORE, Mr. KUCINICH, Mr. HOUGHTON, Mr. COSTELLO, Mr. LUCAS of Oklahoma, Mr. GOODLING, Mr. DAVIS of Virginia, Mr. CAPUANO, Mr. OLVER, Mr. STUPAK, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KING, Mr. INSLEE, Mr. KILDEE, Mr. CLEMENT, Mr. LARSON, Mr. BOUCHER, Mr. HOFFFEL, Mr. MASCARA, Mr. PALLONE, Mr. WOLF, Ms. PRYCE of Ohio, Ms. VELAZQUEZ, Mr. GONZALEZ, Mr. LAMPSON, Ms. NORTON, Mr. BERRY, Mrs. JOHNSON of Connecticut, Mr. WU, Mr. SCOTT, Mr. ENGEL, Mr. KENNEDY of Rhode Island, Ms. CARSON, Mr. McNULTY, Mr. LAHOOD, Mrs. MCCARTHY of New York, Mr. CLYBURN, Mr. SHAW, Ms. LEE, Mr. LEWIS of California, Mr. OWENS, Ms. SCHAKOWSKY, Mr. FATTAH, Mr. FARR of California, Mr. SMITH of New Jersey, and Mr. SAXTON.

H.R. 764: Mr. GREEN of Wisconsin, Mr. PORTMAN, Mr. MEEKS of New York, and Mr. LAMPSON.

H.R. 772: Mr. UDALL of Colorado.
H.R. 776: Mr. KLECZKA.
H.R. 783: Mr. COSTELLO, Mr. HALL of Ohio, Ms. KAPTUR, Mr. HOLDEN, Mr. HINCHEY, Mrs. ROUKEMA, and Mr. BOEHLERT.

H.R. 784: Mr. HOLDEN, Mr. GREEN of Texas, Mr. GILMAN, Mr. INSLEE, and Mrs. EMERSON.
H.R. 804: Mr. FROST.

H.R. 835: Mr. ARMEY, Mr. HEFLEY, Mr. DELAY, Mr. BILBRAY, Mr. BENTSEN, Mr. WEYGAND, Mr. CLEMENT, Mr. BLUNT, Mr. GONZALEZ, Mr. BARCIA, Mrs. CAPPS, Mr. PASCRELL, and Mr. PHELPS.

H.R. 853: Mr. GEKAS.
H.R. 859: Mr. FILNER.

H.R. 864: Mr. PAUL, Ms. SLAUGHTER, Ms. HOOLEY of Oregon, Mr. HOYER, Mr. BILIRAKIS, Mr. ROEMER, Ms. SCHAKOWSKY, Mr. CROWLEY, Mr. SERRANO, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. JACKSON-LEE of Texas, Mr. HASTINGS of Florida, and Mr. KNOLLENBERG.

H.R. 909: Mr. MARTINEZ.
H.R. 914: Mr. GORDON.
H.R. 958: Mr. ENGEL.
H.R. 1044: Mr. LEWIS of Kentucky.

H.R. 1053: Mr. VENTO.
H.R. 1070: Mr. JENKINS.
H.R. 1083: Mrs. CUBIN and Mr. BOEHLERT.

H.R. 1093: Mr. WEINER, Mr. WATT of North Carolina, Mr. BERRY, Mr. DAVIS of Illinois, Mrs. NAPOLITANO, Mr. UDALL of New Mexico, and Ms. MCCARTHY of Missouri.

H.R. 1111: Mr. JENKINS.
H.R. 1168: Mr. CLEMENT.
H.R. 1180: Mr. SHIMKUS, Mr. ANDREWS, and Mrs. THURMAN.

H.R. 1196: Mr. DAVIS of Illinois and Ms. HOOLEY of Oregon.
H.R. 1215: Mr. PETRI.

H.R. 1216: Mr. CALVERT, Mr. BISHOP, and Ms. LEE.

H.R. 1260: Mr. FOLEY.
H.R. 1281: Mr. WATKINS.
H.R. 1283: Mr. BRYANT, Mr. GARY MILLER of California, and Mr. SHAYS.

H.R. 1300: Mr. SERRANO.
H.R. 1301: Mr. BASS, Mr. POMBO, Mr. FRELINGHUYSEN, Mr. LEWIS of Kentucky, Mr. THUNE, Mrs. MINK of Hawaii, Mr. MCINTYRE, Mr. LOBIONDO, Mr. OSE, and Mr. WICKER.

H.R. 1303: Mr. MARTINEZ.
H.R. 1317: Mr. NUSSLE.
H.R. 1325: Mr. FILNER, Mr. VENTO, and Mrs. NORTHUP.

H.R. 1328: Mr. LOBIONDO.
H.R. 1344: Mr. GILLMOR and Mr. SIMPSON.
H.R. 1381: Mr. DEAL of Georgia.

H.R. 1387: Mr. PETERSON of Minnesota and Mr. REYES.
H.R. 1433: Mr. SMITH of Washington and Mr. INSLEE.

H.R. 1442: Mr. DEUTSCH.
H.R. 1456: Mr. BONIOR, Mr. MEEKS of New York, Ms. DANNER, and Ms. HOOLEY of Oregon.

H.R. 1525: Mr. NEAL of Massachusetts and Ms. HOOLEY of Oregon.

H.R. 1622: Mr. PASTOR.
H.R. 1645: Mr. BONIOR.
H.R. 1663: Mr. HAYWORTH.

H.R. 1676: Ms. MCKINNEY.
H.R. 1707: Mr. MCINNIS.
H.R. 1731: Mr. HUNTER, Mr. DICKEY, and Mr. MCDERMOTT.

H.R. 1736: Mr. BRADY of Pennsylvania, Mr. HILLIARD, Mr. FILNER, Mr. ABERCROMBIE, and Mr. WEXLER.

H.R. 1746: Mr. BLUNT and Mr. COMBEST.
H.R. 1760: Ms. LEE.

H.R. 1784: Mr. HASTINGS of Florida, Mr. RAHALL, Mr. MEEHAN, Mr. McNULTY, Mr. SHERMAN, and Mr. WEINER.

H.R. 1810: Mr. LAHOOD and Mr. THUNE.
H.R. 1837: Mr. STRICKLAND and Mr. LOBIONDO.

H.R. 1863: Mr. DICKS.
H.R. 1899: Mr. GILMAN, Mr. KENNEDY of Rhode Island, Mr. LARSON, Mr. TURNER, Ms. LEE, Mrs. MALONEY of New York, and Mr. BONIOR.

H.R. 1917: Mr. PAUL, Mr. TOWNS, Mrs. MINK of Hawaii, Mr. WATKINS, Mr. VISLOSKEY, Ms. NORTON, Mr. BENTSEN, Mr. ROMERO-BARCELO, and Mr. THOMPSON of California.

H.R. 1929: Ms. BALDWIN.
H.R. 1932: Mr. BALDACCI, Mr. SHOWS, Mr. SHERMAN, Mr. FRELINGHUYSEN, Mr. HOLT, Ms. GRANGER, and Ms. ESHOO.

H.R. 1950: Mr. FORBES, Mr. METCALF, and Mr. ETHERIDGE.
H.R. 1975: Mr. HAYWORTH and Mr. BARR of Georgia.

H.R. 1977: Ms. SCHAKOWSKY, Mr. VENTO, and Ms. WOOLSEY.

H.R. 1990: Mr. TRAFICANT, Mr. FROST, Mr. WISE, Mr. NADLER, and Mr. LOBIONDO.
H.R. 1993: Mr. RADANOVICH.

H.R. 1996: Mr. BRADY of Pennsylvania and Mr. FROST.

H.R. 1998: Mr. CAPUANO, Mr. SHAW, Mr. MCGOVERN, Mr. SALMON, Mr. VENTO, and Mr. HAYWORTH.

H.R. 1999: Mr. STUMP and Mr. KOLBE.
H.R. 2013: Mr. LATHAM.

H.R. 2031: Mr. RAHALL, Mr. DICKEY, Mr. EHRlich, Mr. ETHERIDGE, Mr. MCINTYRE, Mr. SANDLIN, Mr. MEEHAN, Mr. BARCIA, and Mr. TURNER.

H.R. 2060: Mr. EVANS and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2101: Mrs. NORTHUP.
H.R. 2121: Mr. RAHALL, Mr. LAHOOD, Ms. RIVERS, Mr. RODRIGUEZ, and Mr. KILDEE.

H.R. 2233: Mrs. CLAYTON, Mr. DICKEY, Mr. HASTINGS of Florida, Mr. NETHERCUTT, Mrs. MORELLA, Mr. TALENT, Mr. BRYANT, Mr. COOK, Mr. BILBRAY, Mr. WATKINS, Mr. LAZIO, Mr. FALEOMAVAEGA, and Mr. NORWOOD.

H.R. 2252: Mr. COLLINS.
 H.R. 2260: Mr. DEMINT and Mrs. NORTHUP.
 H. Con. Res. 17: Ms. PELOSI.
 H. Con. Res. 100: Mr. PAYNE and Mr. GILMAN.
 H. Con. Res. 112: Mr. NETHERCUTT, Mr. KLECZKA, Mr. LINDER, Mr. GUTKNECHT, Mr. SANFORD, Mrs. BONO, Mr. SWEENEY, and Mr. LAZIO.
 H. Con. Res. 113: Ms. HOOLEY of Oregon.
 H. Con. Res. 128: Mr. DEUTSCH, Mr. CLAY, Mr. RAMSTAD, Mr. GEPHARDT, Ms. DUNN, Mr. PAYNE, and Mr. FILNER.
 H. Con. Res. 130: Mr. FALEOMAVAEGA.
 H. Con. Res. 133: Mr. FROST, Mr. RUSH, Mr. SISISKY, and Mr. BONIOR.
 H. Res. 34: Mrs. JOHNSON of Connecticut, and Ms. EDDIE BERNICE JOHNSON of Texas.
 H. Res. 90: Mr. MEEHAN, Mr. PETERSON of Minnesota, Mr. LAMPSON, Mr. CLEMENT, and Mr. WU.
 H. Res. 212: Mr. BARRETT of Wisconsin, Mr. CROWLEY, and Mr. KLECZKA.

¶67.32 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsor was deleted from the public bill as follows:

H.R. 853: Mr. HOBSON.

TUESDAY, JUNE 22, 1999 (68)

¶68.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 o'clock p.m. by the SPEAKER pro tempore, Mrs. MYRICK, who laid before the House the following communication:

WASHINGTON, DC,
 June 22, 1999.

I hereby appoint the Honorable SUE WILKINS MYRICK to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

¶68.2 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1664. An Act making emergency supplemental appropriations for military operations, refugee relief, and humanitarian assistance relating to the conflict in Kosovo, and for military operations in Southwest Asia for the fiscal year ending September 30, 1999, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 1664) "An Act making emergency supplemental appropriations for military operations, refugee relief, and humanitarian assistance relating to the conflict in Kosovo, and for military operations in Southwest Asia for the fiscal year ending September 30, 1999, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. GORTON, Mr. MCCONNELL, Mr. BURNS, Mr. SHELBY, Mr. GREGG, Mr. BENNETT, Mr. CAMPBELL, Mr. CRAIG, Mrs. HUTCHISON, Mr. KYL, Mr. BYRD, Mr. INOUE, Mr. HOLLINGS, Mr. LEAHY, Mr. LAUTENBERG,

Mr. HARKIN, Ms. MIKULSKI, Mr. REID, Mr. KOHL, Mrs. MURRAY, Mr. DORGAN, Mrs. FEINSTEIN, and Mr. DURBIN, to be the conferees on the part of the Senate.

¶68.3 "MORNING-HOUR DEBATE"

The SPEAKER pro tempore, Mrs. MYRICK, pursuant to the order of the House of Tuesday, January 19, 1999, recognized Members for "morning-hour debate".

¶68.4 RECESS—1:33 P.M.

The SPEAKER pro tempore, Mrs. MYRICK, pursuant to clause 12 of rule I, declared the House in recess at 1 o'clock 33 minutes p.m. until 2 o'clock p.m.

¶68.5 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. PEASE, called the House to order.

¶68.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PEASE, announced he had examined and approved the Journal of the proceedings of Friday, June 18, 1999.

Pursuant to clause 1, rule I, the Journal was approved.

¶68.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

2678. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—1999 Amendment to Cotton Board Rules and Regulations Adjusting Supplemental Assessment on Imports [CN-99-002] received June 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2679. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final—Raisins Produced From Grapes Grown In California; Final Free and Reserve Percentages for 1998-99 Zante Currant Raisins [Docket No. FV99-989-3 FIR] received June 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2680. A letter from the Director, Test, Systems Engineering & Evaluation, Department of Defense, transmitting notification of intent to obligate funds for out-of-cycle FY 1999 FCT projects and FY 2000 in-cycle FCT projects, pursuant to 10 U.S.C. 2350a(g); to the Committee on Armed Services.

2681. A letter from the Secretary of Defense, transmitting a report regarding the FY 1999 acquisition and support workforce reductions; to the Committee on Armed Services.

2682. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Full Approval of 40 CFR Part 70 Operating Permit Program; State of North Dakota [ND-001a; FRL-6360-3] received June 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2683. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Approval and Promulgation of State Implementation Plan; Colorado; Revisions Regarding Negligibly Reactive Volatile Organic Compounds and Other Regulatory Revisions [CO-001-0027a, CO-001-0028a, & CO-001-0033a; FRL-6358-6] received June 10, 1999, pursuant

to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2684. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of VOC Emissions from Decorative Surfaces, Brake Shoe Coatings, Structural Steel Coatings, and Digital Imaging [MD-3039a; FRL-6357-5] received June 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2685. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania; Motor Vehicle Inspection and Maintenance Program [PA 133-4087; FRL 6354-9] received June 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2686. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, South Coast Air Quality Management District [CA 187-150; FRL-6358-3] received June 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2687. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Control of Emissions From Hospital/Medical/Infectious Waste Incinerators; State of Iowa [IA 070-1070a] received June 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2688. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Louisiana [LA-51-1-7413a; FRL-6360-8] received June 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2689. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Texas [TX-108-1-7408a; FRL-6361-4] received June 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2690. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; 1990 NO_x Base Year Emission Inventory for the Philadelphia Ozone Nonattainment Area [PA121-4088a; FRL-6361-5] received June 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2691. A letter from the Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Federal-State Joint Board on Universal Service Access Charge Reform [CC Docket No. 96-45; CC Docket No. 96-262] received June 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2692. A letter from the Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Changes to the Board of Directors of the National Exchange Carrier Association, Inc. Federal-State Joint Board on Universal