Mrs. KILPATRICK. Mr. Chairman, I rise to save America's children.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Hawaii (Mrs. MINK).

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Chairman, on behalf of the women who love their children, I rise in support of the McCarthy amendment.

I rise, Mr. Chairman, to express my support to the passage of the McCarthy-Roukema-Blagojevich Amendment to H.R. 2122, the Mandatory Gun Show Background Check Act.

The McCarthy-Roukema-Blagojevich Amendment ensures complete and accurate background checks at gun shows. The gun show loophole which currently exists makes firearms immediately accessible to children, convicted felons, and others who are not legally able to purchase firearms under The Gun Control Act of 1968. This loophole is unacceptable if we intend to protect the personal safety of our children and loves ones.

The McCarthy-Roukema-Blagojevich Amendment requires a three business day period, rather than 72 hours, to complete Brady Law instant background checks. Three business days enable thorough background checks with minimum inconvenience to the purchaser. Because most gun shows take place during the weekend, when state and local courts are closed, 72 hours is not a sufficient amount of time to check records for convictions. However, even with the three day waiting period, 73% of all background checks are completed instantly and 95% of purchasers are accepted or rejected within 2 hours. Only 5% of cases are delayed for more than two hours.

This amendment does not target or disadvantage law-abiding gun owners. Rather, it simply imposes the same requirements on guns shows as gun stores. Sales records from guns shows would be maintained in the same way they are at gun stores. These records would not function to monitor gun owners already protected by their 2nd amendment rights, but would instead help police trace guns used in crimes.

Gun owners and law-abiding purchasers are further protected by the amendment's requirement that all records of approved transfers be destroyed within 90 days, except those retained for audit purposes. The McCarthy-Roukema-Blagojevich Amendment forbids the FBI from using the instant check system records to create a registry of gun owners. Even the tightened gun show definition, where 50 or more guns are being sold by 2 of or more sellers, provides an individual the freedom to sell guns at a yard sale without being considered a gun show.

I strongly urge my colleagues to support the McCarthy-Roukema-Blagojevich Amendment to H.R. 2122. Legislation which fails to seal the gun show loophole is useless. This important amendment will prevent many small and large scale tragedies while simultaneously preserving our 2nd Amendment rights.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from North Carolina (Mrs. CLAYTON).

(Mrs. CLAYTON asked and was given permission to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Chairman, I also rise in support of the McCarthy amendment to save the lives of children and take the guns out of the hands of criminals.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. MILLENDER-MCDonald).

(Ms. MILLENDER-MCDONALD asked and was given permission to revise and extend her remarks.)

Ms. MILLENDER-MCDONALD. Mr. Chairman, I rise in support of the McCarthy-Roukema amendment, in support of real gun safety for our children.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

(Ms. SCHAKOWSKY asked and was given permission to revise and extend her remarks.)

Ms. SCHAKOWSKY. Mr. Chairman, I rise in support of the McCarthy-Roukema-Blagojevich amendment and the Conyers-Campbell amendment.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. LEE).

(Ms. LEE asked and was given permission to revise and extend her remarks.)

Ms. LEE. Mr. Chairman, I rise in support of the McCarthy-Roukema amendment, the Conyers-Campbell amendment, and to stop the killing of our children.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Oregon (Ms. HOOLEY).

(Ms. HOOLEY of Oregon asked and was given permission to revise and extend her remarks.)

Ms. HOOLEY of Oregon. Mr. Chairman, I rise in favor of the McCarthy-Roukema amendment to save our children.

□ 0050

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, I rise in support of the McCarthy amendment to protect our children and to plug the gun show loophole.

Mr. Chairman, I rise in strong support of the McCarthy-Roukema-Blagojevich Amendment.

I am outraged that the Republican leadership has the nerve to offer the NRA's watered-down version of the Senate gun safety legislation.

We should not have to wait until there is blood on our hands to pass real legislation to make it harder for kids to get guns.

Our children should be worrying about hitting their books—not about getting hit by a bullet.

Our children should know that ''Gunsmoke'' is an old TV rerun, and not a reality for many of them.

and our children should be safe in their school, their neighborhoods and homes.

Increased gun safety measures could save the lives of thousands of young people every year, and I believe that regardless of political agendas, we have to put our children first. Unfortunately, the Republican gun control or the Dingle legislation will not close the gaping loopholes in our gun laws and will not make our children any safer.

We have heard all the statistics. We know that the American people overwhelmingly support these reforms. We know how many people have died from gun violence in this country. However, sometimes I think that opponents of gun safety are no longer affected by these statistics, because they have heard them over and over again—but Mr. Speaker, this is not about statistics.

This is about lives—the lives of the people who were killed because there were no safety locks or background checks, and the lives of all the people who are going to be killed if we don't pass real gun safety laws.

Mr. Speaker, I am especially outraged at the tactics being used to try and derail enactment of sensible gun safety and gun control measures.

That is because I resent bullies—I always have and I always will!

And I think that the NRA leaders are the bully's of all bullys!

Today, I find myself fighting once again their threats against members of this body who support sensible gun control and plugging the gun show loophole.

Years ago, as a member of the Petaluma, CA city council I was threatened by these same individuals who promised to post my name in their place of business if I voted for local gun control.

Well, let me tell you I let them know I would be proud to be on their list, so I told them how to spell my name W-O-O-L-S-E-Y.

Today, I am proud to stand for the McCarthy gun legislation to keep our children safe. Any bully who wants to hold that against me needs to spell my name right. W-O-O-L-S-E-Y!

Mr. Chairman I ask unanimous consent to revise and extend my remarks in support of the McCarthy amendment to plug gun show loopholes and protect our children!

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise in support of the McCarthy amendment on behalf of all of the mothers and grandmothers of this Nation.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Mrs. NAPOLITANO).

(Mrs. NAPOLITANO asked and was given permission to revise and extend her remarks.)

Mrs. NAPOLITANO. Mr. Chairman, I rise in support of the McCarthy-Roukema amendment to plug gun show sales.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may

consume to the gentlewoman from Ohio (Mrs. JONES).

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Chairman, on behalf of all of us here in this House, I rise in support of the McCarthy-Roukema amendment, and the Conyers-Campbell amendment to take the guns out of the hands of criminals.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. ROYBAL-ALLARD).

(Ms. ROYBAL-ALLARD asked and was given permission to revise and extend her remarks.)

Ms ROYBAL-ALLARD. Mr. Chairman, I rise in support of our children's safety and in support of the McCarthy-Roukema amendment.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Florida (Mrs. MEEK).

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Chairman, I rise in support of the McCarthy amendment.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. ESHOO).

(Ms. ESHOO asked and was given permission to revise and extend her remarks.)

Ms. ESHOO. Mr. Chairman, I rise in support of the McCarthy-Roukema amendment, with thanks to these two gentlewomen for the children of America.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Mrs. CAPPS).

(Mrs. CAPPS asked and was given permission to revise and extend her remarks.)

Mrs. CAPPS. Mr. Chairman, I rise in strong support for this gun safety amendment on behalf of our children and in recognition of the excellent leadership of our colleagues, the gentlewoman from New Jersey (Mrs. ROUKEMA) and the gentlewoman from New York (Mrs. MCCarthy).

PARLIAMENTARY INQUIRY

Mr. LANTOS. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman may state his parliamentary inquiry.

Mr. LANTOS. Mr. Chairman, is chivalry dead in this House?

The CHAIRMAN. The gentleman is not stating a proper parliamentary inquiry.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Nevada (Ms. BERKLEY).

(Ms. BERKLEY asked and was given permission to revise and extend her remarks.)

Ms. BERKLEY. Mr. Chairman. I rise in support of the McCarthy amendment to preserve the Second Amendment.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Mrs. TAUSCHER).

(Mrs. TAUSCHER asked and was given permission to revise and extend her remarks.)

Mrs. TAUSCHER. Mr. Chairman, I rise in favor of the McCarthy amendment.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Michigan (Ms. STABENOW).

(Ms. STABENOW asked and was given permission to revise and extend her remarks.)

Ms. STABENOW. Mr. Chairman, I rise in support of this very important gun safety legislation for America.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. WATERS).

(Ms. WATERS asked and was given permission to revise and extend her remarks.)

Ms. WATERS. Mr. Chairman, I rise in support of the McCarthy-Roukema amendment on behalf of all of the children who have died, on behalf of all of the children who have died in gang warfare and drive-by shootings.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Ohio (Ms. KAPTUR).

(Ms. KAPTUR asked and was given permission to revise and extend her remarks.)

Ms. KAPTUR. Mr. Chairman, I rise in support of the amendment by the valiant gentlewomen from New York (Mrs. MCCarthy) and New Jersey (Mrs. ROUKEMA) and in favor of strong background checks on criminals across this country.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Chairman, I rise in support of the McCarthy amendment and America's children and victims of gun violence.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Florida (Ms. BROWN).

(Ms. BROWN of Florida asked and was given permission to revise and extend her remarks.)

Ms. BROWN of Florida. Mr. Chairman, on behalf of the 97 percent of the women with children, I rise in support of the McCarthy amendment.

I rise in support of the McCarthy amendment.

Mr. Chairman, I rise in solid opposition to the Dingell amendment. While supporters of this amendment claim to close the gun show loophole by requiring background checks, this amendment reduces to just 24 hours the amount of time that law enforcement officers have to conduct background checks at gun shows.

This amendment is misguided, misleading even! In fact, this is an example of the lack of seriousness in this Congress in trying to keep guns out of the hands of criminals. You know, you can fool some of the people some of the time, but not all of the people all of the time, and let me say that the American people are not fooled by the rhetoric of this group! The dilution of the Senate bill is appalling! If the Congress is really serious about keeping guns out of the hands of criminals, this amendment will be defeated, and the gun-show loopholes closed!

I firmly believe that in order to deter youth violence it is necessary to focus on prevention and not exclusively on punishment; indeed, merely locking up kids with adults is not a legitimate solution to the problem of youth violence. Children's groups across the nation have called on Congress to concentrate on the prevention of juvenile crime: not only punitive measures.

In my home district, Florida's 3rd, on Friday, June 4th at Raines Senior High School, I did just this, and held an in-school meeting to discuss different models of youth violence prevention and mediation. The participants consisted of six Members of Congress, a NASA astronaut, the rap star Snake, 1600 students, and an organization named SHINE (Seeking Harmony In Neighborhoods Everday).

Our discussions centered on prevention, such as positive ways to confront low self-esteem, and a search for non-violent responses to conflict. I believe that it is only possible to permanently end youth violence by teaching our children radically new ways of thinking, which would allow them to direct their energy, presently released through violent means, into positive outlets like music, art and technology, in after school programs.

Along these lines, I suggest that teachers nationwide should include conflict resolution, mediation, and anger management lessons in their yearly course of study, and that these lessons be introduced in all grade levels to positively influence children throughout their school career.

Undoubtedly, the causes of youth violence are extremely complicated and our nation is in need of broad based solutions. An increase in child counseling, the instituting of sufficient mental health resources, and a general questioning of the role of the media in influencing children's attitudes toward guns and violence are all in order. Certainly, as Members of Congress, we should not overlook our role as parents and federal legislators, and do absolutely everything possible to put an end to the horrific, widespread problem of youth violence, with an eye towards prevention, and not just punishment.

Mr. Chairman, we've got to prioritize prevention over prisons. In the last two days I have heard proposals for locking up our children. How will this stop the violence? Simply, it won't.

We've got to enhance our families, our community centers, our churches and our classrooms. Building more prisons is not the answer. We've got to rebuild our communities—that is the only way we can move forward as a country. The Democratic Alternatives offer hope for the future, which is a lot more than the Republican alternatives of steel bars and cell blocks.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may

consume to the gentlewoman from Michigan (Ms. RIVERS).

(Ms. RIVERS asked and was given permission to revise and extend her remarks.)

Ms. RIVERS. Mr. Chairman, I rise in favor of the McCarthy amendment.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York (Ms. VELÁZQUEZ).

(Ms. VELÁZQUEZ asked and was given permission to revise and extend her remarks.)

Ms. VELÁZQUEZ. Mr. Chairman, I rise on behalf of all the American children and in support of the McCarthy-Roukema amendment.

The CHAIRMAN. The gentlewoman from New York (Mrs. MCCARTHY) is recognized for 2 minutes.

Mrs. MCCARTHY of New York. Mr. Chairman, I thank all of my colleagues for their support. This is very hard for me tonight. It is hard for me because I have heard so many different things. I have been here just about 3 years and I am used to all the different spins. I do not understand them all the time, but that is what I do.

What we were supposed to be doing tonight was trying to serve the American people. What we are doing tonight is saying and listening to the victims across this country. That is all we are trying to do. That is the only reason I came to Congress.

Someday I would like to hopefully not have to meet a victim and say I know, because it is really hard. We have heard the arguments on both sides, and I wish we had more time to really say the truth about everything. My amendment closes the loophole. That is all I am trying to do.

I am trying to stop the criminals from being able to get guns. That is all I am trying to do. This is not a game to me. This is not a game to the American people.

□ 0100

All of my colleagues have to vote their conscience, and I know that. But I have to tell my colleagues, mothers, fathers, who have lost their children, wives that have lost their loved ones, this is important to them.

We have an opportunity here in Washington to stop playing games. That is what I came to Washington for. I am sorry that this is very hard for me. I am Irish, and I am not supposed to cry in front of anyone. But I made a promise a long time ago. I made a promise to my son and to my husband. If there was anything that I could do to prevent one family from going through what I have gone through and every other victim that I know have gone through, then I have done my job. Let me go home. Let me go home.

I love working with all of you people. I think all of my colleagues are great. But sometimes we lose sight of why we are all here. I am trying to remind my colleagues of that.

Three business days, an inconvenience to some people. It is not infringing on constitutional rights. It is not taking away anyone's right to own a gun. I do not think that is difficult for us to do. If we do not do it, shame on us, because I have to tell my colleagues, the American people will remember.

Mr. MCCOLLUM. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, all of us who are here tonight are here with poignance and concern and feel for the sincerity of the speech we just heard. I have three sons, my wife and I do, and I can only imagine the pain that those such as the gentlewoman from New York (Mrs. MCCARTHY) who have lost their children to violence must feel. That is why we are all here.

Fundamentally, one would think we had some huge disagreement tonight. Yet, in reality, I do not think there is a Member of this body who disagrees with the fundamental purpose that we are here tonight to do, and that is to try our darnedest to close the loophole in every way we possibly can in the existing laws that might allow some convicted felon to get ahold of a gun who could go out there and use that gun to kill one of our kids or grandkids.

That is what every one of us believes in who is here tonight. We may disagree over the product, over the nature or the style of it, but that is what we are here about, every one of the provisions. Each of us believes that his or her version is better for one reason or another. That is what we are here, all of us, are about.

Unfortunately, I think the amendment of the gentlewoman from New York (Mrs. MCCARTHY) goes too far. It is overly broad. It would turn gatherings of friends into gun shows. I do not think that is what she intends, but that is what I believe it would do.

It would turn neighborhood yard sales into gun shows, and I do not think that is what she intends, but I believe that is what it would do.

It would force gun promoters to really go out of business, I believe, because I do not think that they could comply with the kind of restrictions placed on them without becoming criminally liable. Therefore, I believe they would not continue to conduct gun shows.

So I want to close the loophole just as much as anyone else here does tonight. I have offered a bill that would do that, and an amendment has already been passed that I did not agree with that would modify that slightly, but the authors of that amendment want to close that loophole.

But I cannot agree with the amendment of the gentlewoman from New York (Mrs. MCCARTHY) tonight because I believe the McCarthy amendment would do more than close the loophole. It would close down gun shows. I believe it. So I urge a no vote on it. But I am with the gentlewoman, I am with everybody here to help our kids, and stop the killing that is going on in America, and close this loophole.

So, regretfully, I urge a no vote on the McCarthy amendment.

Mr. HOLT. Mr. Speaker, I rise in strong support of the McCarthy/Roukema/Blagojevich amendment, which matches the common sense gun control language sponsored in the Senate by my New Jersey colleague Senator FRANK LAUTENBERG.

Mr. Speaker, this debate is very simple. It's about keeping dangerous guns out of the hands of criminals and juveniles. And our choice tonight is equally clear: We can side with the NRA and the special interests, or we can vote to protect our children and our communities.

The recent tragedy at Columbine High School is a reminder that we must take strong action to keep firearms out of the hands of our children and criminals. All four guns used in that shooting were purchased at a gun show, making passage of the McCarthy Amendment more important than ever.

The McCarthy amendment would bring common sense reforms to the nation's 5,200 annual gun shows by simply imposing the same requirements on gun shows as are currently required at gun shops and sporting goods stores.

Hunters, sportsmen and law abiding gun owners have nothing to fear from this common sense measures. Criminals and gun traffickers do.

The McCarthy Amendment would ensure that thorough background checks are performed on every firearms purchaser by professional, licensed gun dealers so that juveniles and criminals can't acquire firearms at these events.

It would also require that sales records be maintained in the same way that they are at a gun store to help police trace weapons used in crimes. And it would give police the tools they need to enforce existing gun laws.

Mr. Speaker: Central New Jersey families are tired of a system so riddled with loopholes that it allows convicted felons, gang members and the seriously mentally ill to buy unlimited amount of weapons with no limits, no checks and no questions asked. We need to close the gunshow loophole.

Support the McCarthy Amendment.

Mr. MCCOLLUM. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Mrs. MCCARTHY).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Ms. LOFGREN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 193, noes 235, not voting 6, as follows:

[Roll No. 235]

AYES—193

Abercrombie	Bereuter	Brady (PA)
Ackerman	Berkley	Brown (FL)
Allen	Berman	Brown (OH)
Andrews	Berry	Campbell
Baldacci	Bilbray	Capps
Baldwin	Blagojevich	Capuano
Barrett (WI)	Blumenauer	Cardin
Bateman	Boehlert	Castle
Becerra	Bonior	Clay
Bentsen	Borski	Clayton

Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gilchrest
Gonzalez
Goodling
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy
Kildee
Kilpatrick
King (NY)
Kleczka
Klink
Kucinich
Kuykendall
LaFalce
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Porter
Price (NC)
Quinn
Ramstad
Rangel
Reyes
Rivers
Rodriguez
Rogan
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Slaughter
Smith (NJ)
Snyder
Spratt
Stabenow
Stark
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey
Wu
Wynn

NOES—235

Aderholt
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Biggert
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Deal
DeLay
DeMint
Dickey
Dingell
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Gallegly
Gekas
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kelly
Kind (WI)
Kingston
Knollenberg
Kolbe
LaHood
Lampson
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Rahall
Regula
Reynolds
Riley
Roemer
Rogers
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

Brown (CA)
Carson
Houghton
Minge
Salmon
Thomas

□ 0123

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. MINGE. Mr. Chairman, on rollcall No. 235, had I been present, I would have voted "yes."

The CHAIRMAN. It is now in order to consider Amendment No. 3 printed in Part B of House Report 106–186.

AMENDMENT NO. 3 OFFERED BY MR. HYDE

Mr. HYDE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment No. 3 offered by Mr. HYDE:

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''.

The CHAIRMAN. Pursuant to House Resolution 209, the gentleman from Illinois (Mr. HYDE) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

My amendment, Mr. Chairman, would prohibit the importation of large capacity ammunition feeding devices.

I am very pleased that the gentlewoman from California (Ms. LOFGREN) the gentleman from Massachusetts (Mr. MEEHAN) and the gentlewoman from Colorado (Ms. DEGETTE) have agreed to cosponsor my amendment.

A large capacity ammunition feeding device is defined in current law, that is 18 U.S.C. 921(a)(31), as a magazine, belt, drum, feed strip, or similar device manufactured after September 13, 1994, that has a capacity of or can readily be restored or converted to accept more than 10 rounds of ammunition.

We have all seen them before. They are deadly enhancements to any semiautomatic firearm because they permit the shooter to fire many rounds before reloading.

Current law prohibits the transfer or possession of large capacity ammunition feeding devices, such as clips and other types of magazines. But current law also provides a major exception. It permits the possession and transfer of any such device lawfully possessed on or before the date of enactment of the Violent Crime Control and Law Enforcement Act of 1994. That is September 13, 1994.

The world is awash in high-capacity ammo clips manufactured before the effective date of the 1994 Act, and such devices have been approved for importation into the United States if importers submit evidence establishing that the devices were manufactured on or before September 13, 1994.

Our proposal would amend the definition of a ''large capacity ammunition feeding device'' to delete the language limiting the definition to devices manufactured after September 13, 1994. In addition, our amendment would add a provision making it unlawful for any person to import a large capacity ammunition feeding device.

Thus, all devices with the capacity of more than 10 rounds of ammunition would be subject to the restriction of the law. However, the proposal would retain the existing grandfather exception in the law for devices lawfully possessed on or before the date of enactment of the 1994 Act.

My guess is there are plenty of large capacity clips in this country today and they are legal and will remain

legal to possess and transfer. However, if over a period of time these large capacity clips break or wear out, gun owners can simply replace them with smaller capacity clips. It will never be necessary to throw a gun away for lack of a clip that will work in the gun.

We no longer live in a society where mass murder of the kind committed at Columbine High School is unthinkable. Unfortunately, the increasing frequency of mass shootings with weapons that can only be described as high-tech killing machines compels us to act now for the public good.

I urge support for this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. DeGETTE. Mr. Chairman, I ask unanimous consent to manage the time in opposition to this amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Colorado?

There was no objection.

The CHAIRMAN. The gentlewoman from Colorado (Ms. DEGETTE) will control 15 minutes.

Ms. DeGETTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to thank the gentleman from Illinois (Mr. HYDE) the chairman of the Committee on the Judiciary for offering this amendment, which is a bill that Senator FEINSTEIN and I have introduced in both the House and the Senate and have been working on since 1997.

My colleagues, this legislation bans the importation of high capacity magazine clips.

I would also like to thank my colleague from California and my colleague from Massachusetts for working so hard on this amendment with us.

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In 1997, a decorated Denver police officer, Bruce Vander Jagt, was shot with a legally obtainable Chinese SKS assault rifle equipped with a 30-round magazine cartridge. Officer Vander Jagt was shot 15 times in the head, neck and torso by the rapid-fire capabilities of the assailant's weapon, combined with the multiple round cartridges. Numerous other police officers and citizens have been killed across the country because of the availability of these lawfully available, legal ammunition magazines. We cannot be sure whether Officer Vander Jagt would have survived if his assailant had had fewer rounds to fire, but what we can be sure of is that with a 30-round cartridge, death is almost surely going to happen and the only purpose of these cartridges is to kill human beings.

Although assault weapons account for about 1 percent of the guns in private hands, they were used in at least 13.1 percent of the 122 fatal law enforcement shootings that took place during a 21-month period in 1994 and 1995. Of those deaths, almost 20 involved high capacity magazines. The same type of high capacity magazines were used in Jonesboro, Arkansas and tragically they were used in Littleton, Colorado, just a few blocks from my district.

In 1994, Congress thought that it was banning the production of these large capacity assault style magazines or clips that allow these kind of shots. Unfortunately, the 1994 ban allowed the importation of these magazines to continue. That is why, 5 years later, even though we cannot make new cartridges, we still have a free flow of cartridges coming into this country from China, Russia and other Eastern European countries.

Next to me here, you see a recent advertisement from this country for magazines manufactured in Germany. Clearly, although Congress intended for these magazines to be gone from the marketplace by now, we continue to see them sold perfectly legally in gun shops across the country.

The Bureau of Alcohol, Tobacco and Firearms estimates that tens of millions of high capacity magazines have been approved for importation since 1994. Between March and July 1998, over 8 million of these magazines, some of them which hold 250 rounds of ammunition in one magazine, were approved for import. We must close this loophole.

There is no full explanation that will calm our consciences about why the two boys went on a killing spree in Colorado. And there is no guarantee by this amendment that something like this will never happen again. But these shooters in Colorado had multiple round ammunition cartridges. The security guard on detail at Columbine High School that day did not even have a chance against these two shooters, armed with semiassault weapons and multiple round cartridges.

Stopping this kind of ammunition, which only serves to kill human beings, is only a very small part of the solution. But it is an important part. We also need parents, teachers, coaches, ministers and Members of Congress to work with their communities to restore the social fabric that has held us together. But a common sense extension of a ban we thought we passed a few years ago is one way that we can give security to our schools, that we can give security to our parents and that we can give security to the police officers and their families all across this country.

Mr. Chairman, I am pleased to yield such time as she may consume to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Chairman, I am happy to be here this evening while it is only 10:30 in California and to say that assault weapons equipped with high capacity clips containing multiple rounds of ammunition make it possible to shoot shot after shot in rapid succession to kill children in seconds. High capacity clips in Littleton, Colorado permitted two boys to mow down 13 classmates and their teacher.

In 1994, Congress addressed high capacity clips. I was not a Member of Congress then but the cosponsor of this amendment, the gentleman from Illinois (Mr. HYDE), was. He supported the 1994 ban on assault weapons and high capacity ammunition clips. If I had been here, I would have, too. While that had good effect here at home, high capacity ammunition clips continued to be imported from other countries. That is because of a loophole in the 1994 act. This amendment makes sure that the law will now succeed in doing what Congress intended to do in 1994.

From March to August of last year, more than 8 million large capacity clips were imported into the United States, each clip having a capacity of more than 10 rounds of ammunition, many with the capacity of 35 rounds, 75 rounds, 90 rounds, as high as 250 rounds. Why should Americans abide by a restricted law that foreign manufacturers may disregard? The clips that were imported over this 6-month period could have accommodated some 128 million rounds of ammunition. That is about a round of ammunition for every other American. That is a rather large loophole.

I ask each and every Member in this Chamber to look to the intent of the original ban in 1994 and the adverse impact this loophole had in Littleton and to the will of the American people. Then I ask that we cast our votes in support of this sensible amendment.

Ms. DEGETTE. Mr. Chairman, I am pleased to yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman from Colorado for her leadership, I thank the leadership of the gentleman from Illinois (Mr. HYDE) on this amendment along with the gentlewoman from California (Ms. LOFGREN) and the gentleman from Massachusetts (Mr. MEEHAN) and certainly to comment on the fact that this is an existing legislation of the gentlewoman from Colorado (Ms. DEGETTE) and Senator FEINSTEIN. We now have an opportunity this evening to be able to prohibit the importation of all feeding devices with a capacity of more than 10 rounds of ammunition.

Existing law prohibits the transfer and possession of large capacity ammunition feeding devices. Current law excepts any such device lawfully possessed on or before the date of enactment of the 1994 crime bill which was September 13, 1994. Devices manufactured after that date must be approved for import.

This provision amends the definition of large capacity ammunition feeding device to delete the limitation to devices manufactured after September 13, 1994. All devices with a capacity of more than 10 rounds will be subject to the restrictions of the law. The proposal would retain, however, the existing grandfather exception in the law for devices lawfully possessed on or before the date of enactment.

It is clearly a striking phenomenon to me that anyone would argue the

case that they would need multiple round ammunition. In Springfield, Oregon on May 21, 1998, Kip Kinkel, 15, walked into Thurston High School with a 30-round clip. He killed two students and wounded 22 others before he had to stop and reload. It was only then that another student overtook him and stopped the shooting.

Mr. Chairman, it is interesting that there would be those who would argue that there is no need for this legislation inasmuch as who would be able to get such a clip and who would be able to use it violently and would they be a child under the age of 21 or 18?

On April 20, 1999 as we have so noted, Eric Harris, 18, and Dylan Klebold, 17, entered Columbine High School in Littleton, Colorado, armed with two shotguns, a rifle, and a TEC DC–9 assault pistol. They killed 15 people and wounded 22. After the massacre, Mark Manns, 22, turned himself in for illegally selling the TEC DC–9, a multiple round ammunition.

In September 1994, police pulled over a car in central Michigan and found three men inside wearing face paint and dressed in military fatigues. In the car's trunk, the police found an M–1 Garand and a MAC 90 assault weapon and an M–14 semiautomatic assault rifle. The men who were members of the Michigan Militia were arrested for possession of a loaded weapon in a car but nothing else could be done.

In January 1999, a 19-year-old man used an AK–47 assault rifle to kill an Oakland, California police officer. AK–47s are made in Eastern Europe, Russia and China. Henry K. Lee arrested in Oakland sniper slaying.

In 1996 two bank robbers armed with assault weapons and ammunition magazines holding 100 rounds each wounded 10 officers and two civilians.

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Finally, in December 1988, before the assault weapons ban, a man used an AK–47 assault weapon to fire 144 rounds in 2 minutes. Each round traveled at more than twice the speed of sound. That rifle uses a magazine that allows it to fire 100 rounds without reloading.

Mr. Chairman, I would ask, to ensure that we close a loophole that we failed to close just a few minutes ago, that we support this amendment, because I think each day we prolong this, we will be shocked by the number of children that, one, can get access to multiple round ammunition; but also, those who will die by multiple round ammunitions.

This amendment incorporates Senator FEINSTEIN'S amendment to the Senate juvenile justice bill. It prohibits the importation of all feeding devices with a capacity of more than 10 rounds of ammunition.

Existing law prohibits the transfer and possession of ''large capacity ammunition feeding devices.'' 18 U.S.C. §922(w). Current law excepts any such device lawfully possessed on or before the date of enactment of the 1994 crime bill, which was September 13, 1994—devices manufactured after that date must be approved for import.

This provision amends the definition of ''large capacity ammunition feeding device'' to delete the limitation to devices manufactured after September 13, 1994—all devices with a capacity of more than 10 rounds would be subject to the restrictions of the law. The proposal would retain, however, the existing ''grandfather'' exception in the law for devices lawfully possessed on or before the date of enactment.

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In January 1999, a 19-year-old man used an AK–47 assault rifle to kill an Oakland, California police officer. AK–47's are made in Eastern Europe, Russia, and China.

In 1996, two bank robbers armed with assault weapons and ammunition magazines holding 100 rounds each wounded ten officers and two civilians.

In December 1988, before the assault weapon ban, a man used an AK–47, assault rifle to fire 144 rounds in two minutes. Each round traveled at more than twice the speed of sound. That rifle uses a magazine that allows it to fire 100 rounds without reloading.

Ms. DEGETTE. Mr. Chairman, may I inquire as to the time remaining.

The CHAIRMAN. The gentlewoman from Colorado has 4 minutes remaining.

Ms. DEGETTE. Mr. Chairman, I yield myself the balance of the time remaining.

Mr. Chairman, by passing this amendment, we are taking a very important step toward keeping lethal weapons out of the hands of criminals and of children. There is no need for these magazine cartridges that carry dozens of bullets, the only purpose of which is to kill human beings and cause massive destruction. Congress was smart to ban their production 5 years ago, and it is now time to take the final step and close our borders to these killing machines. This is a vital, but only a part of the component to our comprehensive approach towards preventing youth violence by enacting moderate targeted child gun safety legislation.

As part of a more comprehensive package, banning multiple-round ammunition cartridges will work, but unless we close the gun show loophole and unless we pass child safety locks on guns, this passage will not be complete, and we cannot send the message to our American families that Congress is doing everything it can to keep their children safe in the streets and in their schools.

So I thank again the chairman of the Committee on the Judiciary, the gentleman from Illinois (Mr. HYDE), and I also thank my colleagues for working with me to pass this amendment, but only as part of a more comprehensive piece of legislation.

Mr. Chairman, with that, I yield back the balance of my time.

Mr. HYDE. Mr. Chairman, I associate myself with the remarks of the distinguished gentlewoman from Colorado. I yield 1 minute to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Chairman, I did want to briefly note that my colleague, the gentleman from California (Mr. CAMPBELL) has an idea that we are not yet ready to pursue and that we hope we will have an opportunity tomorrow, if we are able, to perfect this idea by unanimous consent to pursue it if it works out. I did not want to neglect that. We do not need to go into it now, but we will work diligently tomorrow morning. I thank the chairman for the opportunity.

Mr. HYDE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for debate on this amendment has expired.

The question is on the amendment offered by the gentleman from Illinois (Mr. HYDE).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider Amendment No. 4 printed in part B of House Report 106–186.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I ask unanimous consent to offer the amendment on behalf of the gentleman from Illinois (Mr. HYDE).

The CHAIRMAN. The Chair would inform the gentlewoman that such a request is not in order. The rule provides that the amendment may be offered only by the gentleman from Illinois (Mr. HYDE) or his designee.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I have asked, and I thought I had the response, to be the designee, and I am getting a ''yes'' from the other side that I have been asked to be the designee.

The CHAIRMAN. The Chair is advised that the gentleman from Illinois has decided that Amendment No. 4 is not to be offered, and that he appoints no designee to offer the amendment.

It is now in order to consider Amendment No. 5.

PARLIAMENTARY INQUIRY

Ms. JACKSON-LEE of Texas. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentlewoman will state it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I see the gentleman has