

intervention of any point of order, consider in the House the bill (H.R. 6899) to advance the national security interests of the United States by reducing its dependency on oil through renewable and clean, alternative fuel technologies while building a bridge to the future through expanded access to Federal oil and natural gas resources, revising the relationship between the oil and gas industry and the consumers who own those resources and deserve a fair return from the development of publicly owned oil and gas, ending tax subsidies for large oil and gas companies, and facilitating energy efficiencies in the building, housing, and transportation sectors, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The bill shall be considered as read. All points of order against provisions of the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) three hours of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources; (2) an amendment in the nature of a substitute consisting of the text of H.R. 6566, the American Energy Act, as introduced, if offered by Representative Boehner of Ohio or his designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 3 hours equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

**THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS**

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate

vote on adopting the resolution [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. SLAUGHTER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

**PROVIDING FOR CONSIDERATION OF H.R. 6842, NATIONAL CAPITAL SECURITY AND SAFETY ACT**

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1434 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

**H. RES. 1434**

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 6842) to require the District of Columbia to revise its laws regarding the use and possession of firearms as necessary to comply with the requirements of the decision of the Supreme Court in the case of District of Columbia v. Heller, in a manner that protects the security interests of the Federal government and

the people who work in, reside in, or visit the District of Columbia and does not undermine the efforts of law enforcement, homeland security, and military officials to protect the Nation's capital from crime and terrorism. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment recommended by the Committee on Oversight and Government Reform now printed in the bill shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. Notwithstanding clause 11 of rule XVIII, no further amendment to the bill, as amended, shall be in order except the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution. That amendment may be offered only by the Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against that amendment are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendment as may have been adopted. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 6842 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

**GENERAL LEAVE**

Mr. MCGOVERN. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1434.

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

There was no objection.

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

Mr. Speaker, H. Res. 1434 provides for the consideration of H.R. 6842, the National Capital Security and Safety Act, under a structured rule. The rule provides 1 hour of general debate controlled by the chairman and ranking

minority member of the Committee on Oversight and Government Reform. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule makes in order the amendment in the nature of a substitute printed in the report if offered by Representative CHILDERS. That amendment is debatable for 1 hour. The rule also provides one motion to recommit with or without instructions.

Mr. Speaker, I stand before this House as a supporter of the second amendment, but also as a strong supporter of sensible gun safety legislation. I also stand here as a strong supporter of the elected Government of the District of Columbia, and I respect their right to enact and execute their own laws.

Apparently, and unfortunately, not all of my colleagues agree. They believe that Members of Congress from other States have the right to dictate matters that are best left to local governments.

On June 26, 2008, by a 5–4 decision in the Heller case, the Supreme Court upheld a ruling of the Federal Appeals Court which found the District's ban on handgun possession to be unconstitutional. It is important to note that the court stipulated that this right is not unlimited; they reaffirmed that "any gun, anywhere" is not constitutionally protected.

In response to the ruling, the D.C. City Council passed, and the mayor signed, emergency legislation to temporarily allow District residents to have pistols in their homes. The council will continue their work this week by making those changes permanent.

Mr. Speaker, the elected D.C. City Council and the elected mayor are committed to complying with the Heller decision. The plaintiff in the case, Dick Heller, was quickly allowed to keep a gun in his home.

But that is not good enough for my friends on the other side of this debate. They believe it is not good enough for the D.C. Government to comply with the court's ruling. They believe they can take this opportunity to shove the agenda of a single special interest, the gun lobby, down the throats of the citizens of the District of Columbia.

Mr. Speaker, it is beyond insulting; it is arrogant. I ask my friends on the other side, how would they like it if Congress enacted laws that took away local control in their own communities? Maybe Congress should decide whether the "Adventures of Huckleberry Finn" can be assigned in the Dallas County schools. Maybe Congress should decide whether a new Wal-Mart can be built in Tupelo, Mississippi. Maybe Congress should decide how many firefighters the Macon, Georgia Fire Department should have.

I promise you, Mr. Speaker, that if we tried to bring any of those things to

the House floor, my friends on the other side of the aisle would be down here screaming about big government and local control. But when it comes to doing the bidding of the gun lobby, they have decided that Congress knows best.

It is bad enough that the citizens of the District of Columbia have to endure taxation without representation every single day. And it is bad enough that even though soldiers from the District of Columbia can fight and die wearing the uniform of the United States, they do not have the right to a full vote in the United States Congress.

We should be strengthening the District's right to govern itself, not trouncing on it. For years, Congress treated the District of Columbia as its little fiefdom. The amendment made in order under this rule would take us back to those bad old days.

Again, the purpose of the underlying bipartisan legislation before us today is to require that the D.C. Government comply with the Heller decision within 180 days. There is simply no need, there is no justification for this Congress to go beyond the Heller decision and impose sweeping changes to the self-governance of D.C. But that is exactly what the Heller amendment would do, easing access to guns, eliminating gun registration, and making D.C. law enforcement's job to protect its residents and the visitors that come here that much harder.

□ 1500

This will, in no way, make our Nation's capital a safer place.

Mr. Speaker, I want to thank Congresswoman HOLMES NORTON for her steadfast representation of the District, and for bringing H.R. 6842 to the floor today. I urge my colleagues to support her legislation and to vote "no" on the Childers amendment, and I look forward to the debate today.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, as you might guess, I rise in opposition to this rule, to the underlying legislation, and, I believe, to the entire process that got this bill here today, which I believe represents little more than an opportunity for this Democratic majority to thumb its nose at the Supreme Court's recent ruling upholding an individual's right to keep and bear arms, while also providing some of its vulnerable Members with a meaningless political cover vote leading up to this fall's election.

Since taking control of this House almost 2 years ago, Mr. Speaker, this Democrat majority has done everything in its power to prevent Republicans who agree with the Supreme Court that residents of the District of Columbia have the right to self-defense, like every other American citizen, having a vote on this issue, is very important. In fact, last year it was the Democrats' need to prevent a

vote on this very issue that brought the debate on providing the District of Columbia with a voting Member of Congress to a screeching halt.

Today, however, the Democrat majority has been forced to bring this measure to the floor because of a rapidly growing bipartisan support for a competing measure to comply with the Supreme Court's affirmation of D.C. residents' constitutional rights. Isn't it amazing? The District of Columbia went to court and found out that they had to follow constitutional rights.

And there's also a fear by the Democrat majority that a discharge petition that has already won the support of 166 Members of Congress, the passage of which the Washington Post has recently said would be "deeply embarrassing to the House leadership and could infrastructure the party's House contingent."

Mr. Speaker, instead of providing real, meaningful policy solutions to make the lives of law-abiding citizens of the District of Columbia safer, today we are taking up a measure that would continue to subvert the wishes of our Founding Fathers, as recognized and affirmed by the Supreme Court, while also allowing Members to have a vote on an excellent substitute amendment which I fear will be dead on arrival when it reaches the Democrat-controlled Senate.

This substitute amendment, which I strongly support and have cosponsored, along with 115 other bipartisan colleagues, would recognize that D.C.'s ban on handgun possession in the home violates the second amendment, as does the District of Columbia's prohibition against rendering any lawful firearm in the home operable for the purpose of immediate self-defense.

To correct this injustice, the substitute amendment would repeal the District's illogical ban on the most popular home and self-defense weapons, restore the right of self-defense in the home, repeal the District's intentionally burdensome registration process, and allow D.C. residents to finally purchase handguns and defend themselves in their own homes.

Mr. Speaker, I understand that as early as today, that the D.C. City Council may be meeting to address this issue. But I remain concerned about what the same authors of the so-called "emergency" legislation that violated the Supreme Court's ruling just a few months ago, may try to pass in order to continue to drag their feet and to deny D.C. residents their constitutional rights to protect themselves and their families in their own home. This Congress should not be on record trying to avoid what is the law of the land.

Because of the Council's demonstrated past willingness to abide by our Nation's laws, I believe that it is important that this House pass the

substitute amendment on behalf of all law-abiding citizens who want to exercise their constitutional rights within the District of Columbia.

Additionally, as the administration notes in their statement of policy on this legislation, the underlying bill in its current form would do nothing more than direct the D.C. City Council to reconsider within 180 days the emergency firearms legislation it passed in July, and which will expire in October, regardless of this House's action on this matter. This means that if this legislation is passed without the substitute amendment provided for by this rule, the legislation's only effect would be to give the City Council even more time to drag its feet and remain non-compliant with the directives of the highest court in our land.

Mr. Speaker, it really should not be so difficult to write a law that is compliant with the Constitution.

Mr. Speaker, I would like to submit this Statement of Administration Policy in opposition to this bill and in support of the substitute amendment in the CONGRESSIONAL RECORD.

STATEMENT OF ADMINISTRATION POLICY  
H.R. 6842—NATIONAL CAPITAL SECURITY AND  
SAFETY ACT

(Del. Norton (D) District of Columbia and  
Rep. Waxman (D) California)

The Administration supports the objective behind H.R. 6842 of revising the District of Columbia's firearms laws to ensure their conformity with the Second Amendment as interpreted by the Supreme Court in *District of Columbia v. Heller*. The bill in its present form, however, would do nothing more than direct the District's City Council to reconsider the emergency firearms legislation that it unanimously passed in July. Because that emergency legislation must by law expire in October, H.R. 6842 simply requires the Council to do what it is effectively required to do already (in far less time than the 180 days that would be required by this bill). Therefore, the Administration strongly opposes this legislation unless it is amended to include the provisions of H.R. 6691, the Second Amendment Enforcement Act.

The Administration strongly supports H.R. 6691 because it would immediately advance Second Amendment principles by directly protecting the individual right of law-abiding District residents to keep and bear commonly used firearms not only to protect themselves and their families but also to protect their homes and property. H.R. 6691 would ensure that law-abiding residents of the District have a meaningful opportunity to procure lawful firearms without undue delay, as well as the ability to keep those firearms readily accessible for self-defense without having to unlock or assemble them in the face of imminent danger. H.R. 6691, which has bipartisan support, would responsibly balance individual rights with the public safety by expanding the practical opportunities to keep and bear arms for lawful purposes in the District within the reasonable limits imposed by the Federal firearms laws.

Mr. Speaker, I encourage all my colleagues to support the substitute amendment to hold D.C. accountable to the Supreme Court, to the laws of this

land, and to provide its residents with all the constitutional rights enjoyed by other American citizens, and to oppose the underlying legislation.

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

Mr. MCGOVERN. Mr. Speaker, this debate is nuts. The Childers amendment, among other things, would allow stockpiling of military-style weapons with high capacity ammunition magazines. It would undermine Federal anti-gun trafficking laws. It would prohibit D.C. from enacting commonsense gun laws. It would repeal commonsense restrictions on gun possession by dangerous unqualified persons. It repeals all age limits for the possession and carrying of long guns, including assault rifles. It allows gun possession by many persons who have committed violent or drug-related misdemeanor crimes. It allows many persons who are dangerously mentally ill to obtain firearms. It repeals registration requirements for firearms. It repeals all safe storage laws.

Mr. Speaker, it is my view that, in fact, we enacted the Childers amendment, that we would create a situation where we put more people in danger.

This is not about security for the citizens of D.C. This, quite frankly, is about insecurity. What this amendment is is one big fat wet kiss to the National Rifle Association.

At this point, Mr. Speaker, I yield 5 minutes to the gentlewoman from the District of Columbia, Ms. ELEANOR HOLMES NORTON.

Ms. NORTON. I thank the gentleman for yielding. I very much appreciate that the Rules Committee, under the gentleman, has made the Waxman-Norton Home Rule bill in order, and particularly Chairman WAXMAN for affording a hearing which exposed the dangers of this bill, so much so that the NRA was driven back to the drawing board to change at least some of it. Unfortunately, they've left a very dangerous bill anyway.

Our Home Rule bill says 180 days after the Heller decision, the District must respond, and, of course, within two weeks it had responded. Council was about to go out of town; could have gone out of town and waited until the Council reconvened today, but it allowed registration to occur by passing a stopgap measure. It didn't change much because there was no time for hearings. But Heller himself, Dick Heller, has registered under that bill.

They are voting, ironically, as I speak, on a permanent bill that I think every Second Amendment advocate would support because it more than meets the Heller decision.

Mr. Speaker, I understand the very painful dilemma that the Democratic leadership and our own caucus has been put in. 5 days after commemorating 9/11, Democrats were met in a dark alley with a "do or die" demand from

the NRA pointing a proverbial gun at their re-election. This puts many Democrats in a terrible position.

For example, Speaker PELOSI and Majority Leader HOYER have spent their careers protecting the Federal presence. They have spent their careers supporting home rule and voting against bills just like the substitute amendment which has been made in order.

It is this substitute amendment which has dismayed and, I must tell you, even angered many in this House, because what the rule gives with one hand, it takes back with another.

Some people are dismayed because they are gun safety advocates, and we haven't been able to get a new assault weapon bill passed through the House.

Some people are dismayed because it is the energy bill they want to continue to talk about and other national business, and now they're talking about a local council issue.

Some are dismayed because they've always supported home rule. And some are dismayed because this is a bill that threatens, in the worst way, the Federal presence. We're putting not just the District at risk. That's par for the course. We're putting the entire Federal presence, every Federal official, every dignitary, from the President of the United States to Federal employees working in cabinet agencies, every man, woman and child who works, visits or lives in the District of Columbia, is put at risk by a bill that the NRA has insisted come to the floor.

We have before us, if this bill passes, one of the most permissive gun laws in the country. Post-9/11, the United States House of Representatives would be passing a bill, should this rule survive, that arms an entirely new set of people that most jurisdictions would prefer not to have guns at all, children. No age limit, for example. People just released from a mental institution, like John Hinckley, that is people who are voluntarily committed and then released, people convicted of very serious crimes, all could get a gun because of the NRA bill. Why?

The Waxman-Norton bill passed 21-1 because there wasn't any reason to vote against it and because people didn't want to be seen voting against such a bill.

So why the substitute?

The short answer, Mr. Speaker, is because the NRA says so. It's a short answer. It's a long answer. It's the only answer. NRA has proudly announced to every reporter in town that they wrote the bill, that they told the Members what to do, and that's why the bill is coming to the floor. They have used a combination of campaign funds and, frankly, terror in the hearts of some Democrats at least about their own re-election. Who knows if the NRA will succeed, but people are afraid.

The public lie that's being pandered here is that the NRA bill was necessary

because the District isn't complying and won't comply. Never mind that if D.C. didn't comply Congress could overturn District law because Congress can overturn any law the Council passes. But D.C. has already begun to comply. They put in a stopgap measure. Heller is, in fact, registered. They did that as they were going out of town.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlewoman another 2 minutes.

Ms. NORTON. As we're speaking, the Council is voting on permanent legislation that no gun supporter could oppose. It puts no limit on the number of guns you could have in your homes. It allows unlocked semi-automatic firearms in the home, and it uses other measures to protect District residents and to protect the Federal presence, such as restrictions, for example, on the age when a child can get a gun.

But Members are being asked to cast a dangerous vote on a dangerous rule, followed by a vote on a dangerous bill that not only has no public purpose, but flies in the face of the overriding public purpose of the Congress of the United States since 9/11, and of the current administration, to protect the country beginning with protecting the Nation's Capital.

You didn't hear it from me. You heard it from the Capitol Police if you were at the hearing. You heard it from the Park Police which has jurisdiction throughout the region. You heard it. These are the Federal police that have enforcement authority. And you heard it from the head of the D.C. Police Department, the largest Police Department in the region, the woman who set up the Department's Homeland Security section, which put her in daily touch with the top Federal security network.

I have no idea, Mr. Speaker, what will happen if this matter passes this session. I know what I will do. But even if the danger penetrates here or in the Senate, let me give you fair warning, your districts are going to hear about what you do today. This has been blown up into a national matter because you are threatening the safety of the entire Federal presence and every dignitary and every Federal employee here.

No Member of Congress who regards herself or himself as responsible Members should want their name attached in the 110th Congress to this bill, not to the attached bill. I ask you to consider that before you go home and try to explain why you endangered the President of the United States and visitors to Washington like themselves.

□ 1515

Mr. SESSIONS. Mr. Speaker, you know, I find it very interesting that the gentleman from Massachusetts

talks about "those Republicans that have forced us into having to bring this bill to the floor today."

Mr. MCGOVERN. Will the gentleman yield?

Mr. SESSIONS. I will yield.

Mr. MCGOVERN. I didn't accuse the Republicans of forcing. I said "those on the other side of this debate."

Mr. SESSIONS. I appreciate the gentleman clarifying that.

Reclaiming my time, the gentleman accused those who are on the other side of the debate of forcing this issue today.

Well, Mr. Speaker, this is an internal struggle within the Democratic Party. The gentleman who brought the bill to the floor today chaired the Rules Committee last night. I heard no voice opposition to the rule, to the substitute; and yet today we hear they were being forced into doing this by the other side, those who opposed the bill. But it's their bill. It's their internal fight. It's their internal disagreement. It's their argument that they're having among their own family members.

So for the record, let me just state the Republican Party is for following the law. We do believe the Supreme Court got it right. We believe that it is wrong to bring a bill to the floor as the majority party, the Democratic Party, has done to try and circumvent and lengthen out the time that was given by the Supreme Court for someone to come into compliance with the law.

And we do believe that what the Rules Committee did last night was not open and honest and not about more accountability. We believe what they did was to handle a political matter that is a fight that they're having among themselves.

The Republican Party is pleased to be here on behalf of taxpayers and law-abiding citizens who want to protect themselves. We believe that this substitute amendment, which has been made in order by the Rules Committee, is the better of the two bills.

But to say that somebody is struggling or some outside forces are forcing this bill upon this Democrat majority is absurd.

Mr. Speaker, at this time I would like to yield 5 minutes to the gentleman from Georgia and my former colleague on the Rules Committee, Dr. GINGREY.

Mr. GINGREY. Mr. Speaker, I thank the gentleman for yielding.

I rise very forcibly in favor of this bill. I think that it is a good rule and a good underlying bill, and I'm proud to support it.

I agree with my colleague, my former colleague on the Rules Committee, the gentleman from Texas, when he says that this is an internal struggle within the Democratic majority, within the Democratic Party over this piece of legislation just as I think, Mr. Speaker, that they're engaged in an internal

struggle over the issue of whether or not to allow drilling on the Outer Continental Shelf for both oil and natural gas and to utilize our own resources to bring down the price of energy and the price at the pump to the American people who are suffering so badly.

In that particular legislation, of course, the leadership is in favor of, Mr. Speaker, of saving the planet. The leadership of the Senate is in favor of getting rid of all fossil fuels, which he characterizes as poison; the leader of Sierra Club says it would be a good thing if we had to pay \$10 and \$12 a gallon for gasoline at the pump. That's the leadership.

But there are many, Mr. Speaker, in the Democratic majority rank and file, if you will, the Blue Dog Coalition, they're struggling. They're struggling very badly with that type of policy. And I think they would feel just as we do on this side of the aisle that in these dire economic times, it's time to save not the planet, but to save the United States of America.

Mr. Speaker, I rise, as I say, in strong support of the amendment in the nature of a substitute the Rules Committee has made in order for this legislation. The right of an individual to keep and bear arms is one of the most basic rights provided to all Americans by our Bill of Rights.

On June 26, 2008, the Supreme Court reaffirmed that very right for the residents of the Nation's capital in its ruling on the case of the District of Columbia v. Heller. The Court's 5-4 decision rightfully deemed the long-standing ban on handguns in the homes of law-abiding citizens in the District of Columbia to be unconstitutional.

Mr. Speaker, in theory, the result of this ruling should have simply allowed Washington, DC, residents to have the same second amendment rights as the rest of this country. Unfortunately though, the D.C. City Council chose to ignore the will of the Supreme Court by passing an ordinance that continues to infringe upon the rights of individuals constitutionally protected.

The strongly bipartisan amendment in the nature of a substitute for H.R. 6842 properly addresses the underlying issue to enforce the will of the Supreme Court. It does so by repealing the District of Columbia's current ban on semi-automatic pistols, which are the most commonly owned handguns in this country. It also repeals the needless requirement that a lawful firearm in the home must be either disassembled or bound by a trigger lock; these provisions undermining an individual's ability to provide for their own self-defense and the self-defense of their family and their children.

Currently, there are no registered firearms dealers within the District of Columbia, so the amendment made in order will waive Federal law for D.C. residents and simply allow them to

lawfully purchase a handgun either in the State of Virginia or in the State of Maryland.

Mr. Speaker, it's imperative that we fully enforce the Supreme Court's rule and restore second amendment rights to residents of our Nation's capital. I strongly support the amendment in the nature of a substitute. I urge all of my colleagues to support this amendment and, if it is adopted, the underlying bill.

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the gentleman from New York, the Chair of the Appropriations Subcommittee on Financial Services and General Government, which oversees the District of Columbia, Mr. SERRANO.

Mr. SERRANO. Mr. Speaker, I rise in support of the rule that would allow the Norton bill and in strong opposition to the amendment that treats the District of Columbia as a colony.

I have said many times that Congress needs to stop imposing its will on the residents of the District of Columbia. As chairman of the subcommittee that oversees the District, I have made non-interference in District affairs a priority of my oversight. D.C. does not need a second mayor and does not need a second city council, although there are Members here today who seem interested in serving for both.

The amendment to Delegate NORTON's bill is particularly offensive. Under the cover of forcing D.C. to comply with the Supreme Court ruling, it instead guts D.C.'s ability to protect its citizens from unnecessary violence.

I sincerely believe that supporters of this amendment are seeking to impose on D.C. that which they would never impose on their own communities simply because D.C. is under their control and they're not accountable to D.C. residents. What the heck, it's the District of Columbia; use it as a testing ground for anything you can't do back home.

One of the most unpleasant features of our current democracy is the fact that many millions of U.S. citizens in the District, Puerto Rico, and other territories do not have fair and equal representation here in Congress but instead are left to the subject of the whims of a Congress elected by citizens.

D.C. is a jurisdiction that does not need constant congressional meddling in local affairs. Their gun laws are no exception. They know best how to keep their citizens and residents like us safe from the threat of deadly gun violence.

The Supreme Court asked them to modify their laws to comply with the Constitution. The District is doing so in a responsible manner. In fact, today they are meeting to consider amendments to bring their firearm laws in compliance with the Supreme Court ruling. The underlying Norton bill would ensure that they continue to do so.

Unfortunately, this amendment would tie the hands of city officials to impose even the most basic reasonable safety measures and goes far beyond what the Supreme Court has required. It would, for instance, prohibit gun registration, prohibit any ban on purchasing in another State and bringing the gun to D.C., remove a clip limit—now, are you ready for this one—prohibit the D.C. Government from discouraging gun purchase and ownership.

In other words, you can tell people not to drink and drive; you can tell them to practice safe sex; you can tell them not to drop out of school; but you can't tell them that it's not a good idea to buy a gun.

This is, my friends, congressional colonialism at its worst. Our rule is not to override and interfere with local compliance with Supreme Court rulings. The citizens and residents of D.C. deserve our respect. This amendment fails that basic test.

Mr. SESSIONS. Mr. Speaker, at this time I would like to yield 6 minutes to the distinguished gentleman from Indiana (Mr. PENCE).

Mr. PENCE. I thank the distinguished gentleman from Texas for his leadership and for yielding this time.

And I rise to oppose this rule. I support the Childers amendment in the form of a substitute. I am left to wonder, as I'm sure any of our countrymen looking in are wondering why, after only learning of the Democrat's energy bill last night at 9:45 on the House, we have taken some sort of a timeout from a contentious, and I thought, substantive debate on the Democrat energy bill that will be brought up, I assume, within an hour.

The Supreme Court of the United States has already ruled on this issue. I understand there is some disagreement in the Democrat majority over how it's to be handled from a funding standpoint, but what I don't understand is the timing.

Mr. Speaker, to be honest with you, I look across this aisle, I see men and women that I respect deeply and with whom I have worked on issues, sometimes in nontraditional ways. And so I would not accuse my colleagues that are here on the floor doing their duty of any ill motive. But I have to wonder about a Democrat majority that introduces this discussion about gun control on the one and only day that they are going to permit us to debate their energy bill.

And I think the American people are entitled to know, Mr. Speaker, the Democrat Party in the Congress, after spending the last 20 months telling their constituency and the American people that there would never be a vote allowed on this floor that would permit more domestic drilling, abruptly announced last week that they were going to bring an energy bill to the floor with drilling.

Now for those of us who have been clamoring for a comprehensive energy bill that included more drilling, more conservation, more fuel efficiency, solar, wind, nuclear, this was welcome news. And imagine how anxious we were late last week to wait for the Democrat bill to be filed, assuming we would have the weekend to examine it.

And as we waited throughout the first day of the week yesterday, it wasn't until 9:45 last night that a 290-page bill was filed on this floor. And we found that the drill-nothing Congress has introduced legislation that is essentially a drill-almost-nothing bill; and I want to speak about that in the very limited time that we have.

So while I oppose the rule, I want to speak about what is bearing upon the American people, bearing upon American families and school systems and seniors, and that is the unbridled and unprecedented weight of the cost of energy in America.

As Wall Street reels from another financial crisis, as we hear unemployment numbers that are heartbreaking to real working Americans, most Americans know the high cost of energy is costing American jobs.

And so on the one day that the Democrat majority will allow us to debate their comprehensive strategy for energy independence, I want to speak about what the substance of that bill is.

Now, as I said, the drill-nothing Democrat Congress announced they were going to bring this energy bill to the floor. It includes more drilling, and now many of them have said in many corners of the national media that Republicans have to take "yes" for an answer. Well, I would suggest to my countrymen, before you sign a contract, read the fine print.

□ 1530

The fine print of this contract is profoundly disappointing to those of us that were looking to give the bipartisan majority of this Congress that supports a comprehensive energy strategy, that includes a real access to America's domestic reserves, a fair up-or-down vote.

The drill-nothing Democratic Congress is essentially, as I said, a basically drill-almost-nothing. Here's some examples. They say "yes" to drilling in their bill but not in Alaska, not in the eastern gulf and not within 50 miles of our country.

They say "yes" to drilling in the bill, but they say States can decide on whether we drill off their coasts, but we will give the States no revenues whatsoever for allowing us to drill. The Governor of a coastal State was on the floor of the Congress today. When I said, "What's the likelihood that your State will permit drilling if we offer your State legislature no revenues from the drilling in your waters?" And he only laughed out loud.

I assume that the Democrat majority, in saying that unlike the Gulf States that get some 39 percent of the revenues that are drilled in their waters under existing agreements, I assume the Democrat majority believes that States will opt in to drilling out of the goodness of their hearts, out of their patriotism. Maybe not.

They say "yes" to drilling, but the lack of litigation reform will allow environmental lawyers to swarm over any new leases, even those that are permitted more than 50 miles out, and they'll be tied up in court for years before a single drop is pumped.

In their legislation, there's a renewable mandate that literally could cause electrical rates between now and 2012 to skyrocket on working Americans. There's no commitment to increasing our refinery capacity. There's huge tax increases on oil companies. As I've asked before to my citizens in Indiana, "Who among you thinks by raising taxes on oil companies you're going to lower the price of gasoline at the pump?" That's usually a laugh out loud moment in town hall meetings. That's what passes for the Democrat bill.

The SPEAKER pro tempore (Mr. SERRANO). The time of the gentleman has expired.

Mr. SESSIONS. I yield the gentleman an additional 1 minute.

Mr. PENCE. I thank the gentleman for yielding.

I say to my Democrat colleagues, many of whom I respect deeply and with whom I work on a broad range of issues, on behalf of our constituents that are struggling under the weight of record gasoline prices, don't do this. Don't do it this way. This Congress is better than that.

We have a bipartisan majority in this Congress, including some men and women that I am looking at right now, who, if given the opportunity, would come together in a bipartisan way and pass legislation that said "yes" to more real drilling, but also "yes" to conservation, "yes" to fuel efficiency, "yes" to solar and wind and nuclear. But we can't say "yes" with a backroom deal brought to the floor of the Congress, given one day of debate, no amendments, and jammed through the American people.

Let's end the charade. Let's stop playing politics with American energy independence. Let this Congress work its will, and we will come together on a strategy that works for all of our Nation.

Mr. MCGOVERN. Mr. Speaker, first I want to thank the gentleman from Indiana for his interesting speech on drilling. I have to tell him it hasn't convinced me to support the Childers amendment on guns. Maybe he's implying that more guns on the street means cheaper gas prices, but I don't think he even believes that.

At this point, I would like to yield 1 minute to the gentleman from Mississippi (Mr. CHILDERS).

Mr. CHILDERS. Mr. Speaker, I rise today in support of the rule to H.R. 6842, the National Security and Safety Act. I was pleased the Rules Committee made in order my amendment in the nature of a substitute, which is directly in line with H.R. 6691, the Second Amendment Enforcement Act.

My sole intention with my amendment is to make clear law-abiding citizens in the District of Columbia are afforded self-protection rights within their homes. I do not seek to circumvent or take away any power from the District of Columbia. However, I do believe we should respect, even if we disagree with, the opinions of the Supreme Court.

I look forward to debating my substitute amendment in the near future, and I welcome the thoughts and concerns of my fellow colleagues in the House of Representatives.

Mr. SESSIONS. Mr. Speaker, at this time, I'd like to yield 5 minutes to the chairman of the Republican Policy Committee, the gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. Mr. Speaker, I rise to oppose the rule, and like our previous speaker from Indiana (Mr. PENCE), I do support the Childers amendment in the nature of a substitute. But I, too, find it ironic that we are discussing this today when we have so little time to discuss America's future energy security and energy independence.

Earlier today we've heard that we will be confronting landmark legislation. I concur with this assessment. Unfortunately, it will not be a landmark energy policy. It is going to be a landmark in political cynicism.

We've heard much about a compromise being struck. Yet as a member of a party that has not been consulted on this legislation, let alone involved in a free, open, and transparent process, we are left but to assume there's a compromise amongst the Speaker herself, potentially radical special interest groups, and maybe members of her own caucus that were privileged to be a part of its drafting behind closed doors.

Then what do we celebrate, as we've heard the word "celebrate" this landmark legislation so much? What do we celebrate? Do we celebrate the end of the House as a free, open, transparent institution where the voices of the American people are expressed through their servants in this Congress, to have an influence on legislation, to have an impact on legislation? Or do we actually, more, commemorate the loss of an individual's ability to serve as legislators rather than as radical rubber stamps for legislation placed under their noses?

What does this legislation do? Well, it increases a lot of things. It increases

utility prices. It increases gas prices, increases taxes, increases everything but energy. And as we know, this is not what the American people demand. It is not what the American people deserve.

So we ask ourselves why. Well, there are two reasons. The first reason comes to us out of the curious visage that we have before us as Members, who in the past would not vote to drill a tooth, now embracing oil derricks as if they were endangered darter snails.

The question is why. It's because, as has been pointed out by many of my colleagues, this bill is not a drill bill, and drilling is, by the way, a technique. It is a technique that meets the goal which is maximum American energy production, and in that, this bill falls short. In fact, while you might be tempted to judge this book by its cover, the Dems are in the details and no drilling will occur, for many of the reasons put forward earlier.

So you ask yourself why. Why would we not expand supply? Why would we not allow Americans to access their own domestic energy resources to help successfully transition to American energy security and independence?

The reality is this. There are people who believe that high energy prices will help make this transition necessary, will force the American people to radically change their lifestyles in the pursuit of some abstract dystopia put forward by radical environmentalists and others who seek to undo the industrial age in American economic prosperity during this transition to a globalized economy.

That is the real basis of this discussion. That is the basis of this debate. We can have an all-of-the-above energy strategy that responsibly transitions America into a future of energy security and independence, or we can have a radical restructuring of their very lifestyle through the government regulation and rationing of American energy.

The consequences upon the people of this country will be devastating and, in the end, they will not be fooled. For while this bill comes before us and we are told the Republicans should not take "yes" for an answer, the reality is this: The American people will not mistake "no" for a solution, and in the end, they will also come to the conclusion that by not increasing American supply of their own energy resources, this deadbeat, drill-nothing Democrat Congress is Big Oil's best friend.

Mr. MCGOVERN. Mr. Speaker, I know this debate's getting a little wacky, but I want to thank the gentleman from Michigan. In those 5 minutes that he spoke, the big oil companies that the Republicans have been so supportive of have made \$1.7 million in profits.

I yield 2 minutes to the chairman of the Appropriations Committee, the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I happen to agree with the Supreme Court decision on the gun issue. I've always felt that those who claimed that there was not an individual protection in the second amendment for gun owners were oddly mistaken. But the issue facing us today is not about guns. It's about the Federal relationship with local communities.

The first fight I ever had on this floor was when Bob Giaimo and I pried loose the money for the District subway when the Appropriations Committee was trying to dictate local transportation policy. I didn't like bullying then, and I don't like it now.

That's why, since that time, I've generally voted "present" whenever the Congress tries to play city council and dictate local business. I do that as a protest against Congress acting like we're elected city councilmen.

Most Members of this Congress would fight to preserve local authority for their own communities, but they don't hesitate to destroy it when the District of Columbia's around. Well, I, for one, was not elected to be a D.C. city councilman. I'm not paid to be a D.C. city councilman. If I'm expected to vote on their issues, I want to know where is my check from the District government?

If Members of this body want to decide D.C. policy instead of running for the Congress, they ought to run for the district council, and they ought to cut their paychecks to the District council level. That's what I believe, and that's why I will vote "present" on the underlying bill, and I will vote "present" on any amendment thereto as a protest to Congress idiotically playing city council on this or any other issue.

Mr. SESSIONS. Mr. Speaker, we respect this Congress's ability to consult with and work with city councils and local governments. But to suggest in any way that this Congress should be trying to help anyone or collude with them to extend time frames that have been established already by the highest court of this land, that I believe was a reasonable answer—the gentleman from Wisconsin believes it was a reasonable answer—is a different kind of issue.

And that's all this bill really does today, gives the city council more time; wait till after the election before this tough issue can be decided any further by that body and by this.

I think it's a mistake to wait. I think it's a mistake to intervene, and I think it's a mistake not to follow the law that the Supreme Court has laid out for the D.C. government. D.C. government needs to follow the law, needs to follow the Constitution. They've been told that a long time. They've fought it. They've done all they can. They lost. The Supreme Court issued the decision. It's time to follow the law.

Mr. Speaker, we reserve our balance.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. TANNER).

Mr. TANNER. Mr. Speaker, I thank the Rules Committee for allowing me this 2 minutes.

Those of us who support the Childers amendment are not here of our volition. We're here because the Supreme Court of the United States, in a clarification ruling regarding, in this case, the second amendment to the Constitution, said that it's the law of the land and certain things must be done.

This Childers amendment does this and only this. It does not, for example, have any provisions that would limit the ability of the independent authorities of D.C., such as a public housing authority, from restricting firearms. It does not repeal the ammunition ban. It does not do anything in terms of strict liability for gun manufacturers, as the District law provides, provisions regarding exemptions.

□ 1545

All it does is what we would do routinely around here if it were any other group of American citizens in any State or territory. We would say, look, the Supreme Court changed the law of the land that Congress is going to enact enabling legislation to allow for that decision to be instrumental and put into place. And you will do the same whether you live in California, New York, Tennessee, the District of Columbia, Hawaii, wherever. This is done routinely. I don't understand how people can argue that since its the District, it ought to somehow be different than any other American citizen.

And so, Mr. Speaker, this Childers amendment is very narrowly drawn to only enforce the Supreme Court decision as it relates to that decision; nothing more, nothing less. And whatever the District wants to do outside the parameters of that is perfectly all right with me.

Mr. SESSIONS. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Arkansas (Mr. ROSS).

Mr. ROSS. Mr. Speaker, I rise today in support of the Childers amendment to H.R. 6842. I want to thank the gentleman from Massachusetts for giving me 2 minutes to address this issue.

Some folks may say, why would a Member of Congress from Arkansas be concerned about D.C. gun laws? It's quite simple. Number one, I'm a pro-gun Democrat. Number two, if the Government of D.C. can take your guns away from you in our Nation's capital, Prescott, Arkansas and many other small towns across this country could be next.

Now, why are we here? In June, the Supreme Court struck down D.C.'s ban on handguns and operable firearms within the home for self-defense. The

District responded by passing an emergency bill that fails to comply with the Court's ruling. Here's what D.C.'s response was to the Supreme Court ruling saying, yes, the second right applies to the citizens of the District of Columbia just as it does to all the other citizens in the United States of America, and this is how the Government of D.C. responded. They did not correct its machine gun ban, which, unlike Federal or State laws, defines machine guns to include semi-automatic firearms. Well, guess what, Mr. Speaker, almost every weapon in America today is a semi-automatic firearm. You can't duck hunt without a semi-automatic firearm. Very few pistols can be purchased that are not semi-automatic firearms.

D.C. failed to eliminate its ban on operable firearms within the home, allowing a person to assemble and load a firearm at home only if a criminal attack is underway. In other words, if someone breaks into your house in D.C., you've got to say, excuse me, Mr. Intruder, would you pause a moment while I assemble my gun? This bill makes no sense, and that's why the Childers amendment is in order and that's why I will be supporting it today.

Mr. SESSIONS. Mr. Speaker, I continue to reserve.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlelady from the District of Columbia.

Ms. NORTON. I thank the gentleman.

I think I should make an important announcement. The District of Columbia has just passed permanent legislation that has no gun lock provision; instead, substitutes a child access bill and allows semi-automatics and allows more than one. And they were always on their way to doing it. And the good faith was shown by the fact that they passed a stop-gap measure as they left town, which allowed immediate registration. This bill federalizes gun laws. It takes D.C. out of the gun business. It leaves a naked law with no regulations.

Scalia gave us a very narrow 5-4 decision. By 5-4, it's because that's the only way he could get it through. And you know that he got it through that way because it leaves it to local jurisdictions to tailor the bill to fit their local needs. D.C. is fitting its local needs and the needs of the Federal presence. This bill, the NRA bill, throws the doors open to guns and throws away all we've done in homeland security.

Mr. MCGOVERN. Mr. Speaker, at this time, I yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I want to voice my strong opposition to the substitute amendment that this rule makes in order because it usurps D.C.'s home rule authority and

imposes upon the residents of our Nation's Capital laws that they don't support and that will make them less safe.

The substitute amendment goes well beyond anything contained in the Heller decision. It leaves D.C. City Council with little authority to impose sensible regulations on deadly weapons. It will repeal requirements that guns be properly stored in the home, requirements that we know prevent the accidental deaths of hundreds of children every year. States with safe storage laws have seen substantial drops in unintentional firearm deaths compared with States without those laws. And, in fact, a gun in the home is 22 times more likely to kill a family member or a friend than it is to ward off an intruder or be used in self-defense.

The substitute amendment will repeal the District's ban on semi-automatic guns. Even a .50 caliber semi-automatic sniper rifle is allowed, whose manufacturer publicly advertises that it can pierce the fuselage of a jet airplane from miles away. Talk about making a mockery of our homeland security rhetoric.

And the amendment will require Virginia and Maryland to sell guns to D.C. residents, breaking with decades of Federal gun trafficking laws, forcing the Commonwealth of Virginia to allow guns to fall into the hands of the mentally unbalanced and into the hands of criminals. We have already seen this happen with Virginia Tech. How dare this Congress overturn Virginia's State laws without even consulting them.

Who does the NRA think it is? There is no reason we're debating this issue today other than to appease the NRA at the expense of public safety. The Members who would impose this unwanted law onto D.C. residents would never do this to their own constituents, but it's being done because D.C. residents can't fight back. And that's the definition of bullying. It is beneath the character of the Congress to be doing this.

And let me tell you, when you have a Presidential motorcade, you clear all the streets in other cities. But in D.C., by this law, you're going to be able to have a loaded gun in your window that poses an immediate danger to the President.

What are we thinking of? This is wrong. It needs to be defeated. It is beneath the dignity of this Congress to even bring it up, and if it passes we will live to regret it.

Mr. SESSIONS. Mr. Speaker, since taking control of this House, this Democrat Congress has totally neglected its responsibility to address the domestic supply issues that have created the skyrocketing gas, diesel and energy costs that American families today and in the future are facing.

By going on vacation for 5 weeks over August while I and 138 other of my Republican colleagues stayed in Wash-

ington to talk about real energy solutions for American families, this Democrat majority has proven that they do not believe that the energy crisis facing American families and businesses is important enough to cancel their summer beach plans or book tours to get their work done.

However, enough of their Members must have heard from their frustrated constituents over August who are tired of the political games that the Democrats are playing and they want some kind of action. Because today, we are considering yet another measure to provide their Members with a political cover vote that will do nothing to bring down the cost of energy at the pump because it does nothing to encourage participation by States in a program to increase the amount of American-made energy. We are simply wasting our time on a sham, and something that will not materialize to help energy prices.

Mr. Speaker, last Friday, an influential Democrat Senator stated what everybody in this House knows, that any bill excluding energy production revenue sharing for the States will never pass the Senate, making the cynical and political exercise that the House will engage in shortly even more transparent.

So today, I urge my colleagues to vote with me to defeat the previous question so this House can finally consider a real and comprehensive solution to rising energy costs in addition to today's bill to buy the District of Columbia more time to avoid compliance with the Supreme Court's ruling on the second amendment.

If the previous question is defeated, I will move to amend the rule to allow for additional consideration of H.R. 6566, the American Energy Act. This real, all-of-the-above bill would increase the supply of American-made energy, improve conservation and efficiency, and promote new and expanding energy technologies to help lower the cost at the pump and reduce America's increasing costly and dangerous dependence on foreign sources of energy.

I encourage everyone that believes a comprehensive solution to solving this energy crisis and achieving energy independence includes increasing the supply of American energy to defeat the previous question.

Mr. Speaker, I ask unanimous consent to have the text of this amendment and extraneous material inserted into the RECORD prior to the vote on the previous question.

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

There was no objection.

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

Mr. MCGOVERN. Mr. Speaker, may I inquire as to how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Massachusetts has 2½ minutes remaining.

Mr. MCGOVERN. Mr. Speaker, before I use my time, I would like to insert in the RECORD a statement by the Brady Campaign to Prevent Gun Violence; a statement by Stop Handgun Violence; a letter signed by a number of religious organizations opposed to the Childers amendment; and a letter from D.C. Vote, which includes the D.C. Republican Committee, which opposes the Childers amendment.

CHILDERS AMENDMENT WOULD REPEAL D.C. GUN LAWS, ENDANGER PUBLIC SAFETY AND THREATEN HOMELAND SECURITY

The House may soon consider legislation concerning D.C. gun laws. We support H.R. 6842, the bipartisan Norton/Issa bill to require that D.C. conform its laws to the Supreme Court ruling in *District of Columbia v. Heller*. The D.C. Council is already in the process of amending its gun laws in response to *Heller*, and this bill requires D.C. to act within 180 days.

A dangerous NRA-backed amendment, proposed by Rep. Childers, would repeal D.C. gun laws and go far beyond authorizing gun possession for self-defense in the home. The amendment is based on H.R. 6691, a reckless bill so broad it even would have allowed the carrying of assault rifles on D.C. streets. After the NRA repeatedly claimed that nothing in H.R. 6691 "would allow people to carry loaded firearms outside of their home," it apparently agreed to undo dangerous provisions that did in fact allow the carrying of assault rifles in public. Yet the rest of the Childers amendment remains almost identical to H.R. 6691—it still undermines gun laws and endangers homeland security.

After repeatedly misleading Congress about the scope of H.R. 6691, the NRA has no credibility on this issue. Last week, the NRA's chief lobbyist, Chris Cox, was quoted repeatedly stating that the bill would not allow the open carrying of assault weapons, and ridiculing those who claimed otherwise. The NRA has now implicitly conceded that its repeated prior statements were false, as the revisions are aimed at a problem that the NRA claimed did not exist. Either the NRA was intentionally misleading Congress and the public about the bill, or it did not understand what its top legislative priority would do. It is hard to know which is worse.

The NRA-backed Childers amendment still creates serious threats to public safety and homeland security by allowing dangerous persons to stockpile semiautomatic assault weapons with high capacity ammunition magazines in D.C., undermining federal laws to curtail gun trafficking, and prohibiting D.C. from passing laws that could "discourage" gun possession or use, even basic safe storage requirements or age limits for the possession of assault rifles. We oppose the dangerous Childers amendment to H.R. 6842.

#### BACKGROUND

H.R. 6691 was introduced following the U.S. Supreme Court's ruling in *District of Columbia v. Heller* that D.C.'s ban on handguns in the home for self-defense was unconstitutional. Justice Scalia's majority opinion in *Heller*, however, was narrow and limited. He specifically noted that a wide range of gun laws are "presumptively lawful"—everything from laws "forbidding the carrying of firearms in sensitive places" to "conditions and qualifications on the commercial sale of arms."

After Heller, D.C. passed temporary, emergency regulations to comply with the Supreme Court ruling, and the plaintiff in the case, Dick Heller, was approved by the city to keep a gun in his home. D.C. is currently developing permanent regulations to adapt all of its gun laws to the Court's ruling. Yet instead of giving D.C.'s elected officials a fair and reasonable opportunity to enact permanent regulations, the gun lobby is pushing Congress to enact dangerous and sweeping legislation that goes far beyond the mandates of Heller.

Even though the bipartisan Norton/Issa bill to require D.C. to conform to Heller was supported by the House Committee on Oversight and Government Reform by a 21-1 vote, the gun lobby is still pushing for a broad repeal of D.C. gun laws. It now supports the Childers amendment to H.R. 6842, which would bar the city from enacting measures to curb gun crime and weaken federal anti-gun trafficking laws.

The Childers amendment would endanger not only D.C. residents but also all those who work in and visit the capital. At a time when terrorists continue to look for ways to attack our nation, passing this amendment would be reckless and irresponsible. Congress should reject the dangerous Childers amendment.

#### DETAILS OF CHILDERS AMENDMENT TO H.R. 6842

Allowing stockpiling of military-style weapons with high capacity ammunition magazines—The Childers amendment would repeal D.C.'s ban on semi-automatic weapons, including assault weapons (4). It would also prohibit D.C. from enacting laws discouraging gun use or possession, such as restrictions on military-style weapons (3). It thus allows the stockpiling of military-style semiautomatic assault rifles or .50 caliber sniper rifles that can pierce armored car plating. It would even allow teenagers and children to possess loaded assault rifles by repealing all age restrictions on the possession of long guns (5(b)(1)). This means that law enforcement could not stop dangerous persons from stockpiling assault rifles or .50 caliber sniper rifles in homes or businesses near federal buildings or motorcade routes.

Undermining federal anti-gun trafficking laws—The Childers amendment would allow D.C. residents to cross state lines to buy handguns in neighboring states, thereby undermining federal anti-trafficking laws (10). For decades, federal law has barred gun dealers from selling handguns directly to out of state buyers (other than licensed dealers) because of the high risk this creates for interstate gun trafficking (18 U.S.C. 922(b)(3)). This means that gun traffickers could more easily obtain large quantities of guns outside D.C. to illegally distribute to criminals in D.C.

Prohibiting D.C. from enacting common sense gun laws—The Childers amendment would bar D.C. from passing any law that would "prohibit, constructively prohibit, or unduly burden" gun ownership by anyone not barred by already weak federal gun laws (3). It would even bar D.C. from enacting laws or regulations that may "discourage" private gun ownership or use, including by felons, children or other dangerous persons (Id.). This means that D.C. could not pass laws requiring shooting proficiency to use a gun, educating parents of the dangers to children of guns in the home, or even restricting gang members without criminal records from possessing assault rifles.

Repealing common sense restrictions on gun possession by dangerous or unqualified persons—The Childers amendment repeals

common sense restrictions on gun possession in D.C. including:

Repealing the prohibition on most persons under age 21 from possessing firearms (5(b)(1)). It replaces current D.C. law with weaker federal limits that only bar anyone under 18 from possessing handguns (18 U.S.C. 922(x)), and it repeals all age limits for the possession and carrying of long guns, including assault rifles.

Repealing the prohibition on gun possession by anyone who has committed a violent crime or recent drug crime (5(b)(1)). It replaces this current D.C. law with the weaker federal ban that allows gun possession by many persons who have committed violent or drug-related misdemeanor crimes unrelated to domestic violence.

Repealing the prohibition on gun possession by anyone voluntarily committed to a mental institution in the last 5 years (unless they have a doctor's certification) (5(b)(1)). It replaces this current D.C. law with the weaker federal ban that allows many persons who are dangerously mentally ill to obtain firearms.

Repealing the prohibition in D.C. law on gun possession by anyone who does not pass a vision test, including if they are blind (5(b)(1)). D.C. would be barred from having any vision requirement for gun use.

Repealing registration requirements for firearms—The Childers amendment repeals even the most basic gun registration requirements (5). This means that police could no longer easily trace crime guns by tracing them to their registered owner.

Repealing all safe storage laws—After Heller, D.C. passed emergency legislation allowing guns to be unlocked for self-defense but otherwise locked to keep guns from children and dangerous persons. The Childers amendment repeals all safe storage requirements and prohibits D.C. from enacting new safe storage laws, even though every major gun maker recommends that guns be kept unloaded and locked (3, 7). This means that D.C. could not prohibit people from storing loaded firearms near children, posing an extreme danger to the safety of D.C. families.

#### THE FACTS

5 children were killed every day in gun related accidents and suicides committed with a firearm, from 1994-1998.

An average of 5 children were killed every day in gun related accidents and suicides committed with a firearm, from 1994-1998. Centers for Disease Control and Prevention's National Center for Injury Prevention and Control, National Injury Mortality Statistics, 1994-1998.

40% of American households with children have guns. Peter Hart Research Associates Poll, July 1999.

22 million children live in homes with at least one firearm. 34% of children in the United States (representing more than 22 million children in 11 million homes) live in homes with at least one firearm. In 69 percent of homes with firearms and children, more than one firearm is present. The RAND Corporation, "Guns in the Family: Firearm Storage Patterns in U.S. Homes with Children," March 2001, an analysis of the 1994 National Health Interview Survey and Year 2000 objectives supplement. Also published as Schuster et al., "Firearm Storage Patterns in U.S. Homes with Children," American Journal of Public Health 90(4): 588-594, April 2000.

A gun in the home is 22 times more likely to be used in an unintentional shooting, than to be used to injure or kill in self-defense.

A gun in the home is 22 times more likely to be used in an unintentional shooting, a criminal assault or homicide, or an attempted or completed suicide than to be used to injure or kill in self-defense. Journal of Trauma, 1998.

In 1997, gunshot wounds were the second leading cause of injury death for men and women 10-24 years of age.

In 1997, gunshot wounds were the second leading cause of injury death for men and women 10-24 years of age—second only to motor vehicle crashes—while the firearm injury death rate among males 15-24 years of age was 42% higher than the motor vehicle traffic injury death rate. Centers for Disease Control and Prevention, June 1999.

In the U.S., children under 15 commit suicide with guns at a rate of eleven times the rate of other countries combined.

For children under the age of 15, the rate of suicide in the United States is twice the rate of other countries. For suicides involving firearms, the rate was almost eleven times the rate of other countries combined. U.S. Department of Justice, March 2000.

Guns in the home are the primary source for firearms that teenagers use to kill themselves in the United States.

Studies show that guns in the home are the primary source for firearms that teenagers use to kill themselves. Injury Prevention, 1999.

85% of Americans want mandatory handgun registration.

85% of Americans endorse the mandatory registration of handguns and 72% also want mandatory registration of longguns (rifles and shotguns). 1998 National Gun Policy Survey of the National Opinion Research Center, University of Chicago.

85% of Americans want a background check and 5-day waiting period before a handgun is purchased.

85% of Americans want a background check and 5-day waiting period before a handgun is purchased. 1998 National Gun Policy Survey of the National Opinion Research Center, University of Chicago.

95% of Americans think that U.S. made handguns should meet the same safety standards as imported guns.

95% of Americans favor having handguns manufactured in the United States meet the same safety and quality standards that imported guns must meet. 1998 National Gun Policy Survey of the National Opinion Research Center, University of Chicago.

51% of the guns used in crimes by juveniles and people 18 to 24 were acquired by "straw purchasers," people who buy several guns legally through licensed dealers, then sell them to criminals, violent offenders, and kids.

51% of the guns used in crimes by juveniles and people 18 to 24 were acquired by "straw purchasers," people who buy several guns legally through licensed dealers, then sell them to criminals, violent offenders, and kids. ATF report, Crime Gun Trace Analysis, February 1999.

More Americans were killed by guns than by war in the 20th Century.

More Americans were killed with guns in the 18-year period between 1979 and 1997 (651,697), than were killed in battle in all wars since 1775 (650,858). And while a sharp drop in gun homicides has contributed to a decline in overall gun deaths since 1993, the 90's will likely exceed the death toll of the 1980s (327,173) and end up being the deadliest decade of the century. By the end of the 1990s, an estimated 350,000 Americans will have been killed in non-military-related firearm incidents during the decade. Handgun

Control 12/30/99 (Press release from CDC data).

A classroom is emptied every two days in America by gunfire. In 1998, 3,792 American children and teens (19 and under) died by gunfire in murders, suicides and unintentional shootings. That's more than 10 young people a day. Unpublished data from the Vital Statistics System, Centers for Disease Control and Prevention, National Center for Health Statistics, 2000.

Toy guns and teddy bears have more federal manufacturing regulations than real guns. Centers for Disease Control, National Center for Health Statistics, Deaths: Final Data for 1999. NVSR Volume 49, No. 8. 114 pp. (PHS) 2001-1120.

Every day 79 people are killed by firearms in America. In 1999 a total of 28,874 persons died from firearm injuries in the United States, down nearly 6 percent from the 30,625 deaths in 1998.

88% of the US population and 80% of U.S. gun owners support childproofing all new handguns. 88% of the U.S. population and 80% of U.S. gun owners support childproofing all new handguns.

Johns Hopkins University Center of Gun Policy and Research, 1997/1998.

Kids in America are 12 times more likely to be killed by a gun than kids in 25 other industrialized nations combined. The overall firearm-related death rate among U.S. children aged less than 15 years was nearly 12 times higher than among children in 25 other industrialized countries combined. Centers for Disease Control and Prevention, "Rates of Homicide, Suicide, and Firearm-Related Death Among Children—26 Industrialized Countries," *Morbidity and Mortality Weekly Report* 46(05): 101-105, February 07, 1997.

Guns stored in the home are used 72% of the time when children are accidentally killed and injured, commit suicide with a firearm. In 72% of unintentional deaths and injuries, suicide, and suicide attempts with a firearm of 0-19 year-olds, the firearm was stored in the residence of the victim, a relative, or a friend. Harborview Injury Prevention and Research Center Study, Archives of Pediatric and Adolescent Medicine, August 1999.

Medical costs from gun injuries and deaths cost \$19 billion. The U.S. taxpayer will pay half of that cost. Direct medical costs for firearm injuries range from \$2.3 billion to \$4 billion, and additional indirect costs, such as lost potential earnings, are estimated at \$19.0 billion. Miller and Cohen, *Textbook of Penetrating Trauma*, 1995; American Academy of Pediatrics, 2000; *Journal of American Medical Association*, June 1995; *Annals of Internal Medicine*, 1998.

SEPTEMBER 8, 2008.

*House of Representatives,  
Washington, DC.*

DEAR REPRESENTATIVE: As groups inspired by religious values and ethical principles, we urge you in the strongest terms to oppose H.R. 6691, introduced by Rep. TRAVIS CHILDERS (D-MS). This legislation claims to restore Second Amendment rights in the District of Columbia, but in actuality it prevents the 600,000 District of Columbia residents from enacting comprehensive, constitutional commonsense regulations to reduce gun violence and ensure their community's safety.

This legislation would go far beyond the changes needed to ensure that the District's gun regulations comply with the Supreme Court's recent decision in the case *DC v Heller*. The bill would drastically erode several

regulations that were deemed both constitutional and reasonable by the *Heller* ruling. H.R. 6691 would completely repeal the District's firearm registration requirements; allow DC residents to travel to Maryland and Virginia to purchase handguns despite longstanding federal law that helps prevent gun trafficking; and legalize military-style assault weapons, whose destructive power goes far beyond what could possibly be necessary for self-defense or sport.

While we fully acknowledge that the DC law needs to comply with the Supreme Court's recent *Heller* decision, we believe duly elected District officials should have a fair and reasonable opportunity to develop and implement new locally specific regulations. H.R. 6691 would prohibit the DC government from enacting any future "laws or regulations that discourage or eliminate the private ownership or use of firearms". It would be unconscionable of the House to pass this bill and impose its will on the residents of the District of Columbia when they do not even have a voting member of Congress to register local concerns and defend their prerogatives. Rather than upholding Second Amendment liberties, this bill would restrict local governance, effectively limiting the freedoms of District residents. We find this violation of "home rule" to be deeply disturbing.

As faith inspired organizations, we must actively pursue a world free from bloodshed. This legislation would prevent the District of Columbia from lawfully regulating dangerous weapons. We urge you to help keep Washington, DC, residents safe, and to respect their right to self-government. Please vote against H.R. 6691.

Sincerely,

American Jewish Committee  
Anti-Defamation League  
ASHA for Women  
Baptist Peace Fellowship of North America  
Church of the Brethren Witness/Washington Office  
FaithTrust Institute  
Fellowship of Reconciliation  
Friends Committee on National Legislation  
Hadassah the Women's Zionist Organization of America  
Jewish Community Relations Council of Greater Washington  
The Jewish Council for Public Affairs  
Jewish Women International  
Jews United for Justice  
Mennonite Central Committee Washington Office  
National Advocacy Center of the Sisters of the Good Shepard  
National Alliance of Faith and Justice  
National Council of Jewish Women  
NA'AMAT USA  
North American Division of Seventh-day Adventists  
Presbyterian Church (USA) Washington Office  
Sisters of Mercy Institute Justice Team  
Sojourners  
Union for Reform Judaism  
Unitarian Universalist Association of Congregations  
United Church of Christ, Justice and Witness Ministries  
United Methodist Church, General Board of Church and Society  
United Synagogue of Conservative Judaism  
Women of Reform Judaism  
Women's League of Conservative Judaism  
Workmen's Circle/Arbeter Ring

SEPTEMBER 12, 2008.

DEAR MEMBER OF CONGRESS: We urge you to support H.R. 6842, the National Capital Se-

curity and Safety Act, and to oppose any and all amendments offered to the bill.

H.R. 6842, introduced by DC Delegate Eleanor Holmes Norton, provides proponents of gun rights with a vehicle for ensuring that the DC government enacts legislation consistent with the requirements of the decision of the U.S. Supreme Court in *District of Columbia v. Heller*. The bill also respects local democracy in our nation's capital by allowing locally elected officials to enact the District's own local gun laws.

Gun rights proponents support alternate legislation, H.R. 1399 and H.R. 6691, claiming they are necessary to restore the Second Amendment rights of individuals in the District of Columbia. H.R. 6842 not only promotes that goal, but would also protect the unique status and security needs of our nation's capital city.

This summer, the duly elected DC government enacted temporary legislation in response to the *Heller* decision. Consequently, DC residents are now registering handguns for personal protection in their homes. H.R. 6842 would ensure that the DC government enacts permanent legislation within 180 days. Congress would have the power to review, approve, disapprove or override such permanent DC legislation if it believes the measure is inadequate.

We note that other localities are going through this same legislative process. Congress should afford Washingtonians the same respect and deference it is showing to communities around the country.

We urge you to support H.R. 6842, the National Capital Security and Safety Act.

Sincerely,

DC Vote, DC Republican Committee, Brady Campaign to Prevent Gun Violence, Coalition to Stop Gun Violence, Common Cause, and DC Democratic State Committee.

DC for Democracy, DC NAACP, Greater Washington Urban League, Jews United for Justice, League of Women Voters, Leadership Conference on Civil Rights, Metropolitan Washington Council, AFL-CIO, NAACP, and National Council of Jewish Women.

Mr. Speaker, first I want to take a moment to thank Congresswoman EL-EANOR HOLMES NORTON for her incredible leadership on behalf of the people of the District of Columbia. For years, she has been a passionate advocate for the cause of local governance here in the District.

Again, I urge my colleagues to vote "no" on the Childers amendment and to vote "yes" for the sensible, bipartisan Holmes Norton bill, which would ensure that the District comply with the Supreme Court's ruling.

Before my colleagues vote, please ask yourself one simple question: What if it was your district we were talking about? What if it was your hometown whose rights were being trampled? All I ask is that you give the people of D.C. the same respect that you would give the people of your constituents.

This Childers amendment is far-reaching. It eliminates the D.C. registration law. If the District of Columbia, Mr. Speaker, wants sensible gun safety protections to protect its people, to protect its children, and at the same time comply with the second amendment, it should have the ability to do that.

Senator BARACK OBAMA, I think, said it perfectly when he said, "The reality of gun ownership may be different for hunters in rural Ohio than they are for those plagued by gang violence in Cleveland, but don't tell me we can't uphold the second amendment while keeping AK-47s out of the hands of criminals." I think that says it best.

Mr. Speaker, I urge my colleagues to support the underlying bill by ELEANOR HOLMES NORTON. I urge my colleagues to vote against the Childers amendment. I think it is wrong, I think it is arrogant, and it does not belong on this House floor.

Mr. DINGELL. Mr. Speaker, I rise today in support of the rule that will allow us to debate and vote on Congressman CHILDERS' amendment to H.R. 6842: legislation that will implement the Supreme Court's historic Heller decision, and restore and protect the Second Amendment rights of the residents of the District of Columbia.

This legislation does four things: First, it overturns existing DC laws banning semiautomatic firearms, including the types of guns most commonly used for self defense. Second, it overturns DC laws requiring residents to keep their firearms locked and inoperable until the very moment they are attacked. Third, it gives DC residents the ability to purchase a firearm in Virginia or Maryland, a necessity because there is only one federally licensed firearms dealer in Washington, DC, and he operates without a facility that is open to the public. Fourth, this legislation removes the lengthy and burdensome registration procedures put in place by the DC Council.

What this legislation does not do is preclude the DC Council in any way from passing sensible firearms regulations that comply with the Supreme Court's decision in Heller. The DC Council will retain the authority to restrict firearms so long as those restrictions do not overly burden the Second Amendment rights of DC residents.

It should also be noted that this legislation does not in any way harm our efforts to stop criminals or terrorists that pose a threat to DC residents. Indeed, those criminals and terrorists already have access to illegal firearms. This legislation will, however, give law abiding residents of Washington, DC, with the opportunity to purchase a legal firearm from a federally licensed firearms dealer and keep it in their home or place of business in order to defend themselves.

I am happy to hear that the DC Council and the Mayor have proposed changes to DC's gun laws that will begin to bring the District into compliance with the Supreme Court's decision. However, those efforts do not preclude us from acting to pass Congressman CHILDERS' amendment. Rather, the DC Council's proposals will complement our efforts here today.

In short, I urge my colleagues to adopt this rule today and to support Mr. CHILDERS' amendment, which will for the first time in over 30 years give the residents of Washington, DC, the rights afforded to them under the Second Amendment.

Mr. STARK. Mr. Speaker, I rise today in adamant opposition to the National Capital Security

Act as amended. I commend my colleagues Delegate HOLMES-NORTON and Representative WAXMAN on the work they have done to ensure that the DC City Council remains the leader in enacting the laws necessary to comply with the Supreme Court's decision in District of Columbia v. Heller. Unfortunately, Mr. CHILDERS' amendment ruins the intent of this legislation and has dire consequences for the Nation's capital.

I don't agree with the Supreme Court's decision. Regardless, I do believe that the DC City Council is in the best position to decide what regulations are appropriate for their community. Congress has trampled on the District's autonomy for long enough. The last thing DC needs is Congressional Members to repeatedly and unnecessarily intervene in issues specific to the District of Columbia.

Equally problematic and more disturbing are the repercussions of Mr. CHILDERS' amendment. His amendment throws out the DC City Council's emergency handgun regulations and replaces them with so-called regulations that in fact endanger their communities' public safety. His amendment allows for the stockpiling of semiautomatic assault weapons, fully loaded firearms in homes, and discourages the passage of common-sense legislation addressing safe storage requirements or age limits for the possession of assault rifles.

The supporters of this amendment are not representing the people of DC, they are representing the gun lobby. The nationwide statistics on deaths caused by intentional and accidental gunfire are extreme to begin with, but Washington DC is rated as the thirteenth most dangerous city in the country, where the homicide rate is almost double the national average. Are the supporters of this amendment representing the families in the District who have lost their loved ones to gun violence? Or the policemen and women who experience up close the misuse of guns by both kids and adults every day? No. Supporters of this amendment are only supporting the National Rifle Association.

We're not living in the 1700s, when governmental police forces were nonexistent and state militias were a constant threat to central government. Supporters of Mr. CHILDERS' amendment need to pull their heads out of the past and face the present: gun violence is an ugly reality, and we're not doing the people of the District of Columbia any favors by considering legislation that will endanger lives under the guise of protecting constitutional rights. The people who make up this country are entitled to life, liberty, and the pursuit of happiness, and they certainly can't claim their right to the last two if they lose their lives. That's what guns do—they kill people.

I strongly urge my colleagues to stand with me in opposing this bill.

Mr. HOLT. Mr. Speaker, I regret that the Congress is even debating this matter. As this summer's Supreme Court decision in District of Columbia v. Heller made clear, governments have the right to enact gun safety laws consistent with the Court's decision Heller. Unregulated firearms in the capital would preclude the ability of the Metropolitan Police Department to track guns through registration and otherwise to help ensure that guns do not endanger Federal officials and employees, vis-

iting dignitaries, tourists, and local residents. Unfortunately, some see this bill as an opportunity to try to undo the Supreme Court's decision, the effect of which would be to create a "Criminal's Firearm Bill of Rights."

Of greatest concern to me is that the proposed amendment to this bill would allow D.C. residents to cross State lines to purchase weapons, thereby weakening Federal anti-gun trafficking laws and encouraging the mass purchase of firearms outside of D.C. for resale to criminals or terrorists in D.C. We in New Jersey have lived very comfortably under our existing State gun safety laws—hunters, lobbyists, police, private citizens—but legislative interventions like the one proposed today undermine New Jersey's ability to keep its citizens safe. I can assure you that we in New Jersey do not want guns illegally purchased in D.C. being used in our State, which is why I did not support the amended version of this bill approved by the House.

Mrs. MALONEY of New York. Mr. Speaker, I rise in strong support of H.R. 6842, the National Capital Security and Safety Act and in opposition of the Childers substitute. H.R. 6842 is a commonsense bill that requires the District of Columbia to revise its gun laws in order to comply with the recent decision of the Supreme Court in the case of District of Columbia v. Heller within 6 months and does not violate Home Rule and the self governance of the District of Columbia.

Over 30 years ago, the District banned the ownership of handguns, making it among the stiffest bans in the Nation. Like many large metropolitan areas, gun violence contributes to the high crime rates in the District, but the ban has helped to reduce homicide rates. Instead of working to increase the number of guns in the District, we should be helping to stem the availability of these weapons and protecting District residents and visitors from the threat of violence. This Congress should not be dictating to the District of Columbia the laws that govern them when their own elected delegate does not even have the right to vote on her own bill or its substitute.

The Childers substitute is dangerous. It both ignores the will of District residents and puts more guns on the street of our Nation's Capital. The Childers substitute repeals a ban on semi-automatic weapons and removes the ban on carrying these weapons in public, prohibits registration requirements for most guns, and drops criminal penalties for possessing an unregistered firearm.

Mr. Speaker, Congress must not strip the District of its power to regulate guns. We must not be reckless when it comes to protecting the citizens of D.C., our highest elected officials, and visitors to our Nation's Capital. I urge a vote in favor of the Norton bill and strongly urge a "no" vote on the Childers substitute which severely puts the safety of the District at risk.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 1434 OFFERED BY MR. SESSIONS OF TEXAS

At the end of the resolution, add the following:

SEC. 3. Immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider

in the House the bill (H.R. 6566) to bring down energy prices by increasing safe, domestic production, encouraging the development of alternative and renewable energy, and promoting conservation. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the majority and minority leader, and (2) an amendment in the nature of a substitute if offered by the Majority Leader or his designee, which shall be considered as read and shall be separately debatable for 40 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

(The information contained herein was provided by Democratic minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal

to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. MCGOVERN. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1600

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: ordering the previous question on House Resolution 1433; adopting House Resolution 1433, if ordered; ordering the previous question on House Resolution 1434; adopting House Resolution 1434, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 6899, COMPREHENSIVE AMERICAN ENERGY SECURITY AND CONSUMER PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1433, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 238, nays 185, not voting 10, as follows:

[Roll No. 595]

YEAS—238

Abercrombie	Green, Al	Ortiz
Ackerman	Green, Gene	Pallone
Allen	Grijalva	Pascrell
Altmire	Gutierrez	Pastor
Andrews	Hall (NY)	Payne
Arcuri	Hare	Perlmutter
Baca	Harman	Peterson (MN)
Baird	Hastings (FL)	Pomeroy
Baldwin	Heller	Porter
Barrow	Herseth Sandlin	Price (NC)
Bean	Higgins	Rahall
Becerra	Hill	Ramstad
Berkley	Hinchey	Rangel
Berman	Hinojosa	Reichert
Berry	Hirono	Reyes
Bishop (GA)	Hodes	Richardson
Bishop (NY)	Holden	Rodriguez
Blumenauer	Holt	Ros-Lehtinen
Boren	Honda	Ross
Boswell	Hooley	Rothman
Boucher	Hoyer	Roybal-Allard
Boyd (FL)	Inslee	Ruppersberger
Boyd (KS)	Israel	Rush
Brady (PA)	Jackson (IL)	Ryan (OH)
Braley (IA)	Jefferson	Salazar
Brown, Corrine	Johnson (GA)	Sanchez, Linda
Butterfield	Johnson, E. B.	T.
Capps	Kagen	Sanchez, Loretta
Capuano	Kanjorski	Sarbanes
Cardoza	Kaptur	Schakowsky
Carnahan	Kennedy	Schiff
Carney	Kildee	Schwartz
Carson	Kilpatrick	Scott (GA)
Castor	Kind	Scott (VA)
Chandler	Klein (FL)	Serrano
Childers	Kucinich	Sestak
Clarke	Langevin	Shays
Clay	Larsen (WA)	Shea-Porter
Cleaver	Larson (CT)	Sherman
Clyburn	Lee	Shuler
Cohen	Levin	Sires
Conyers	Lewis (GA)	Skelton
Cooper	Lipinski	Slaughter
Costa	LoBiondo	Smith (NJ)
Costello	Loebsack	Smith (WA)
Courtney	Lofgren, Zoe	Snyder
Cramer	Lowey	Solis
Crowley	Lynch	Space
Cuellar	Mahoney (FL)	Speier
Cummings	Maloney (NY)	Spratt
Davis (AL)	Markey	Stark
Davis (CA)	Marshall	Stupak
Davis (IL)	Matheson	Sutton
Davis, Lincoln	Matsui	Tanner
DeFazio	McCarthy (NY)	Tauscher
DeGette	McCollum (MN)	Taylor
DeLahunt	McDermott	Thompson (CA)
DeLauro	McGovern	Thompson (MS)
Dicks	McIntyre	Tierney
Dingell	McNerney	Towns
Doggett	McNulty	Tsongas
Donnelly	Meek (FL)	Udall (CO)
Doyle	Meeks (NY)	Udall (NM)
Edwards (MD)	Melancon	Van Hollen
Edwards (TX)	Miller (NC)	Velázquez
Ellison	Miller, George	Visclosky
Ellsworth	Mitchell	Walz (MN)
Emanuel	Mollohan	Wasserman
Engel	Moore (KS)	Schultz
Eshoo	Moore (WI)	Waters
Etheridge	Moran (VA)	Watson
Farr	Murphy (CT)	Watt
Fattah	Murphy, Patrick	Waxman
Filner	Murtha	Weiner
Foster	Nadler	Welch (VT)
Frank (MA)	Napolitano	Wexler
Giffords	Neal (MA)	Wilson (OH)
Gillibrand	Oberstar	Woolsey
Gonzalez	Obey	Wu
Gordon	Oliver	Yarmuth

NAYS—185

Aderholt	Bilirakis	Brown (SC)
Akin	Bishop (UT)	Brown-Waite,
Alexander	Blackburn	Ginny
Bachmann	Blunt	Buchanan
Bachus	Boehner	Burgess
Barrett (SC)	Bonner	Burton (IN)
Bartlett (MD)	Bono Mack	Buyer
Barton (TX)	Boozman	Calvert
Biggart	Boustany	Camp (MI)
Bilbray	Broun (GA)	Campbell (CA)