

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

NOES—208

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

Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sisisky
Slaughter
Smith (MI)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Tauscher
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky

Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn

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

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

ANSWERED “PRESENT”—3

Green (WI) Obey Strickland

NOT VOTING—10

Archer Farr Salmon
Bonilla Lewis (CA) Thomas
Brown (CA) Minge
Cox Pascrell

So the amendment was agreed to.

¶67.17 RECORDED VOTE

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

At the end of the bill, insert the following:

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

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

- (1) by inserting “(A)” after “(20)”;
- (2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;
- (3) by inserting after subparagraph (A) the following:

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

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

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

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

- (1) in subsection (d)—
(A) in paragraph (8), by striking “or” at the end;
- (B) in paragraph (9), by striking the period at the end and inserting “; or”; and
(C) by inserting after paragraph (9) the following:

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

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

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

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

¶67.18

[Roll No. 242]

AYES—395

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

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

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

NOES—27

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

NOT VOTING—12

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

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

67.19 RECORDED VOTE

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

Strike all after the enacting clause and insert the following:

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

(a) FINDINGS.—Congress finds that—

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

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

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

events move easily in and substantially affect interstate commerce;

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

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

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

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

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

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

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

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

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

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

“(B) at which—

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

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

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

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

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

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

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

“§931. Regulation of firearms transfers at gun shows

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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