

Mr. ROSE. Mr. Speaker, once again, Americans are waking up to another embarrassing headline from another self-inflicted wound from President Biden.

President Biden delayed almost 100 days to begin good faith negotiations with Speaker MCCARTHY. In the meantime, House Republicans passed a bill that is a reasonable, sensible, and responsible solution to the default Democrats' debt ceiling crisis.

Unfortunately, because of President Biden's unnecessary delay, the President has to cancel part of his international trip to Japan, Papua New Guinea, and Australia.

The cancelation is extremely disappointing for Papua New Guinea, which spent 6 months preparing for its first-ever visit from a sitting United States President. They even designated the day of the President's visit as a national holiday.

Now, after this embarrassment for our country that is sure to result in a waste of taxpayer dollars, Americans can only hope the President has started to take this self-made crisis seriously. If not, he will be to blame for a default on our Nation's debt.

#### HONORING THE MEMORY OF WICOMICO COUNTY DEPUTY SHERIFF GLENN HILLIARD

(Mr. HARRIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARRIS. Mr. Speaker, I will take a few moments today to honor the memory of Wicomico County Sheriff Deputy Glenn Hilliard, a brave Eastern Shore police officer who was killed in the line of duty while trying to arrest a wanted criminal on probation.

Officer Glenn Hilliard lived his life as a devoted husband, father, and police officer who was commonly referred to as a hero by his fellow officers on the police force.

On June 12, 2022, just a little under a year ago, Officer Hilliard was shot and killed by a fugitive who had committed multiple felonies and was running from justice.

As we honor National Police Week, both Glenn Hilliard's life and death are a testament to why we should support and fully fund police officers as they risk their lives daily to keep us safe.

Officer Glenn Hilliard served Wicomico County with honor, valor, and distinction. In the end, Officer Hilliard's memory is most treasured not by how he died but by how he lived as a selfless and heroic police officer who put the safety of his community above his own.

#### FEDERAL LAW ENFORCEMENT OF- FICER SERVICE WEAPON PUR- CHASE ACT

##### GENERAL LEAVE

Mr. FRY. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3091.

The SPEAKER pro tempore (Mr. FLOOD). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 398 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3091.

The Chair appoints the gentleman from California (Mr. MIKE GARCIA) to preside over the Committee of the Whole.

□ 1223

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3091) to allow Federal law enforcement officers to purchase retired service weapons, and for other purposes, with Mr. MIKE GARCIA of California in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

The gentleman from South Carolina (Mr. FRY) and the gentleman from New York (Mr. NADLER) each will control 30 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. FRY).

Mr. FRY. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise to call on my colleagues to support H.R. 3091, the Federal Law Enforcement Officer Service Weapon Purchase Act.

This week is National Police Week, and I applaud the majority's dedication to supporting and celebrating our Nation's law enforcement officers who risk their lives every single day to keep us safe.

This bill is just one legislative commitment we are taking to support our brave men and women in blue. This legislation would allow current Federal law enforcement officers in good standing to purchase a retired service weapon at market value from a Federal agency.

Current Federal regulations require all Federal agencies, such as the U.S. Secret Service or U.S. Customs and Border Protection, to destroy weapons after they have been retired from Federal use. That means that these retired firearms must be crushed, cut, broken, or deformed to ensure that they are rendered completely inoperable and cannot be used again.

According to the Fraternal Order of Police, multiple law enforcement agencies are currently in the process of replacing their service weapons.

This means that 20,000 firearms would be destroyed, an \$8 million cost to the taxpayers. Taxpayers are paying for those weapons twice—when they go into circulation and when they are retired.

Not only does this legislation have the potential to save millions of dollars in waste, but it would offset the cost of purchasing new weapons and fund other agency expenses.

I thank the cosponsors of the bill and strongly urge my colleagues to vote in favor of H.R. 3091.

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

Mr. NADLER. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, Federal regulations for the management of Federal property currently prohibit an agency from disposing of functional or repairable firearms by selling them. Under these regulations, when an agency no longer has a need for a firearm, it can transfer it to another law enforcement entity or destroy it.

This regulation has served the important goal of ensuring that federally owned firearms do not fall into the wrong hands, but it also misses an opportunity to save money by selling an unneeded firearm to the law enforcement officer who has been using it.

Last Congress, our colleague and former Orlando Police chief Congresswoman VAL DEMINGS recognized the opportunity for improvement in these regulations. She introduced the original version of this legislation, which allows a Federal agency to sell a retired handgun to the law enforcement officer who had been using it, transferring it from a service weapon to a weapon in the hands of a responsible gun owner who is trained to use it.

Congresswoman DEMINGS' legislation included two improvements that, unfortunately, have been removed from the current version of the bill.

Her version required the law enforcement officer who was purchasing the gun to undergo a background check. This is a commonsense requirement, given that an officer would undergo a standard background check to purchase the weapon from any other sellers.

Most background checks are practically instantaneous, often about 30 seconds. I do not think that 30 seconds is too long to wait to ensure that a gun does not fall into the wrong hands.

While I think it is notable that the majority stripped this reasonable and effortless requirement, the current version of the bill does require a purchasing officer to be in good standing.

While this is not as thorough as Congresswoman DEMINGS' legislation, the good-standing requirement should prevent unlawful transfers in most cases.

Ms. Demings' bill also included a sense of Congress that the funds received by the government from selling a retired service weapon should be used to support evidence-based gun violence prevention or gun safety education and

training programs. Again, this is a thoughtful provision that would have directed these funds toward a critical need in our communities and would have improved public safety.

This provision should be totally non-controversial, but our Republican colleagues have stripped it from the bill. The only logical conclusion is that they do not want a single additional dollar to go to gun violence prevention, even as it continues to tear our communities apart and imperil the lives of law enforcement officers.

While I wish the majority had left Congresswoman DEMINGS' bill intact, I nonetheless support this weakened version of her work.

I want to make it very clear that if any of the Republican poison pill amendments pass, I will have to encourage my colleagues to vote "no."

The base text of this bill allows limited transfers of handguns to active Federal law enforcement officers in good standing for fair market value. The amendments subvert this purpose by allowing those who are not active law enforcement to purchase a weapon without a background check, allowing the government to sell military-style assault weapons without a background check and forcing taxpayers to subsidize these gun sales by selling them below their fair market value.

Mr. Chair, I strongly urge all Members to oppose these amendments.

I note, however, that I support Ms. JACOBS' very helpful amendment to further define the good-standing requirement and help ensure that retired weapons are only transferred to those who can be trusted with them.

This bill had bipartisan support in committee, so it is unfortunate that the majority would rather politicize National Police Week with a radical gun agenda than pass a reasonable bipartisan bill.

If the poison pill amendments fail, I will continue to support the bill. If any of them pass, I must urge my colleagues to oppose this legislation.

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

□ 1230

Mr. FRY. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. VAN DREW).

Mr. VAN DREW. Mr. Chairman, I rise today during National Police Week in strong support of the Federal Law Enforcement Officer Service Weapon Purchase Act.

This bill, which I was proud to help move through the Judiciary Committee, is a practical measure and a declaration of our unwavering support for the Nation's law enforcement officers. They are the bedrock of our communities, and they ensure peace, order, and safety.

By allowing Federal officers the opportunity to purchase retired service weapons, we can save taxpayer dollars and ensure officers have firearms with which they are the most comfortable.

This bill and others like it this week present a clear question: Will we stand up for our police or will we stand idly by as unwarranted and inappropriate criticism continues to be thrown their way?

I know what my answer is. I stand with our police.

I extend my gratitude to the gentleman from South Carolina (Mr. FRY), my colleague and good friend, for introducing this bill. I urge my colleagues to join me in voting in favor of this bill.

Let's send an unmistakable message to our law enforcement officers across this Nation: We see you. We appreciate you. We stand by you. I particularly thank my friends and individuals in law enforcement that I've known so well over so many years in the great State of New Jersey for the work that they do. I am proud of them. I am proud of what they represent, and I am thankful for their sacrifice.

Mr. NADLER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California (Ms. KAMLAGER-DOVE).

Ms. KAMLAGER-DOVE. Mr. Chairman, I rise in opposition to H.R. 3091.

We need to address police brutality and work on police accountability as our country continues to reckon with instances of brutality and distrust of law enforcement officers.

Tyre Nichols, Breonna Taylor, and George Floyd's legacies demand more of us.

I am disappointed to see the exclusion of two key measures from similar legislation introduced by Val Demings last Congress.

I offered an amendment that would disqualify an officer from purchasing their weapon after retirement if they have instances of misconduct or unethical behavior in their personnel file. The good-standing qualification in this bill is too subjective to accurately protect Americans, but my commonsense amendment was not accepted, and Republicans are not bringing it up for a vote.

We need increased police accountability and community-based ideas around policing. We need to keep people alive, including law enforcement, and rebuild community trust.

The CHAIR. The time of the gentleman has expired.

Mr. NADLER. Mr. Chairman, I yield an additional 1 minute to the gentleman from California.

Ms. KAMLAGER-DOVE. Mr. Chair, I hope my GOP colleagues will join me in finding ways to create safer communities for everyday Americans because that is what all Americans want. They want to live and work and worship in communities that will keep them safe and build relationships, new relationships with law enforcement that understand and see them.

Mr. FRY. Mr. Chairman, I am prepared to close, and I reserve the balance of my time.

Mr. NADLER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this legislation improves government efficiency by allowing a Federal agency to sell a retired handgun to the law enforcement officer who had been using it. This was a good idea when it was introduced last Congress on a bipartisan basis by former Congresswoman Val Demings, and it continues to be one.

I am disappointed that Republicans have chosen to move forward with a weaker version of her bill. Nonetheless, I support its passage unless it is further weakened by the Republican poison pill amendments I referred to in my opening statement.

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

Mr. FRY. Mr. Chairman, I am proud that this legislation passed favorably out of the Judiciary Committee last week and already has a considerable number of cosponsors.

As we celebrate, honor, and remember our men and women in uniform during National Police Week, I am proud to bring this legislation to the House floor for a vote that will allow Federal law enforcement officers to purchase retired service weapons and prevent wasteful spending.

Mr. Chair, I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118-5. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3091

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Federal Law Enforcement Officer Service Weapon Purchase Act".*

#### **SEC. 2. PURCHASE OF RETIRED HANDGUNS BY FEDERAL LAW ENFORCEMENT OFFICERS.**

(a) *IN GENERAL.*—Not later than 1 year after the date of enactment of this Act, the Administrator of General Services shall establish a program under which a Federal law enforcement officer may purchase a retired handgun from the Federal agency that issued the handgun to such officer.

(b) *LIMITATIONS.*—A Federal law enforcement officer may purchase a retired handgun under subsection (a) if—

(1) *the purchase is made during the six-month period beginning on the date the handgun was so retired; and*

(2) *with respect to such purchase, the officer is in good standing with the Federal agency that employs such officer.*

(c) *COST.*—A handgun purchased under this section shall be sold at the fair market value for such handgun taking into account the age and condition of the handgun.

(d) DEFINITIONS.—In this section—

(1) the term “Federal law enforcement officer” has the meaning given that term in section 115(c)(1) of title 18, United States Code;

(2) the term “handgun” has the meaning given that term in section 921(a) of title 18, United States Code; and

(3) the term “retired handgun” means any handgun that has been declared surplus by the applicable agency.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order, except those printed in part B of House Report 118-59. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. JACOBS

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 118-59.

Ms. JACOBS. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, insert after line 6 the following (and redesignate provisions accordingly):

(c) AGENCY PROCEDURES.—Not later than 1 year and 30 days after the date of enactment of this Act, each Federal agency that is required to make a determination under subsection (b)(2), shall by rule establish procedures for making such a determination.

The CHAIR. Pursuant to House Resolution 398, the gentlewoman from California (Ms. JACOBS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. JACOBS. Mr. Chair, I rise today to protect public safety and honor the original intent of this bill through a simple, commonsense amendment.

Many of us on both sides of the aisle agree with the goal of H.R. 3091, to allow Federal law enforcement officers to buy retired handguns, many of which are already required to be destroyed.

However, an oversight could enable domestic abusers, including those subject to restraining orders, to get firearms, which we all know can have deadly consequences.

Police officers are human. They aren't immune from mental illness, domestic and family conflict, and other stressors that can lead to tragedies. We can and should have guardrails to prevent those tragedies.

That is why my amendment simply ensures that each Federal law enforcement agency has procedures for determining whether an officer is in good standing to buy a firearm. Agencies would have the flexibility to tailor those determinations based on the qualifications of each agency, but these guidelines should be clear and concise.

Existing Federal law already carves out special treatment for law enforce-

ment officers by allowing them to have a gun even if they have a domestic violence restraining order. That is dangerous.

All gun owners should meet the same standard, and law enforcement agencies shouldn't consider an officer who is perpetrating violence against a family or household member to be in good standing and able to buy a handgun.

While I am thankful that the Committee on Rules supported my amendment, I am disappointed that they rejected my other amendment and several of my colleagues' amendments to provide additional guardrails for this buyback program.

With this amendment, we have an opportunity to improve this legislation. I urge my colleagues to support my amendment to save lives, protect public safety, and honor those who put their lives on the line for our communities.

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

Mr. FRY. Mr. Chair, I claim the time in opposition to this amendment.

The CHAIR. The gentleman from South Carolina is recognized for 5 minutes.

Mr. FRY. Mr. Chair, good standing is already universally understood by all Federal agencies. If an officer has been suspended, they surrender their badge and gun and do not have law enforcement authorities.

This is not a new concept. In fact, the Law Enforcement Officers Safety Act, signed into law 19 years ago, requires a finding of good standing by the agencies in order for retired officers to be eligible to carry a concealed weapon.

By requiring an agency to adopt standards to determine good standing for the purposes of this bill, her amendment would establish a double standard where a law enforcement officer could be in good standing for the purposes of their job, but the agency considers them not to be in good standing for the purposes of purchasing a retired service weapon. This potential two-track system is ripe for abuse.

For these reasons, Mr. Chair, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Ms. JACOBS. Mr. Chair, I will just note that there is a loophole where law enforcement officers can keep a gun even when they have a domestic violence restraining order.

Mr. Chair, I yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chair, when Congresswoman DEMINGS introduced her superior version of this legislation last Congress, it would require the law enforcement officer who is purchasing the gun to undergo a background check. This is a commonsense requirement, given that an officer would undergo a standard background check to purchase the weapon from any other sellers.

My colleagues submitted amendments that would add this background check requirement back in. It is unfortunate that that strong and reasonable amendment was not made in order.

This amendment, the Jacobs amendment, does the next best thing. It would further define the good-standing requirement and help ensure that retired weapons are only transferred to those who can be trusted with them.

This amendment will help close the gap between what a NICS check would reveal and what an employing Federal law enforcement agency would find in making a determination that an officer is in good standing.

Mr. Chair, I urge my colleagues to support this amendment.

Ms. JACOBS. Mr. Chair, I would just like to add that by requiring agencies to have procedures to determine whether an officer is in good standing, this amendment would ensure that officers are treated fairly and only denied the purchase of their handgun for good and objective reasons.

By establishing a deadline for Federal law enforcement agencies to establish these procedures, this amendment will ensure that an agency is not caught off guard when an officer who may have issues related to performance or behavior requests to purchase a weapon.

Mr. Chair, I yield back the balance of my time.

Mr. FRY. Mr. Chair, I will just reiterate what we previously discussed.

I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. JACOBS).

The question was taken; and the Chair announced that the yeas appeared to have it.

Ms. JACOBS. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. MCCORMICK

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 118-59.

Mr. MCCORMICK. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 8, strike “fair market value” and insert “salvage value”.

Page 2, line 16, strike “and” at the end.

Page 2, line 19, strike the period at the end and insert “; and”.

Page 2, insert after line 19 the following:

(4) the term “salvage value” means the value of an asset after it has become useless to the owner or the amount expected to be obtained when a fixed asset is disposed of at the end of its useful life

The CHAIR. Pursuant to House Resolution 398, the gentleman from Georgia (Mr. MCCORMICK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. MCCORMICK. Mr. Chair, I am here today to discuss my amendment to H.R. 3091, the Federal Law Enforcement Officer Service Weapon Purchase Act.

Currently, firearms from agencies such as the Secret Service are destroyed once they are retired from service or replaced with new models. This is wasteful and makes no sense. Many law enforcement officers have a special connection to their firearms they use in the line of duty. They would like to take them home to cherish as family heirlooms.

It is only fair to allow the courageous men and women of law enforcement to purchase their service weapons upon retirement, and we should let them do that at a low cost because these are going to be thrown out anyway.

This shouldn't be a revenue-raising scheme for the government. Our law enforcement officers should be able to keep their firearms at a reasonable cost.

My amendment simply changes H.R. 3091 by changing the term "fair market value" to "salvage value," which is what would be done to the weapons anyway, salvaging it.

Salvage value is defined as: "The value of the asset after it becomes useless to the owner or the amount expected to be obtained when a fixed asset is disposed of at the end of its useful life," which is exactly what is happening here.

This definition is for the lawyers, appraisers, and accountants, but what I want to talk about is what it means to our law enforcement officers.

This change would allow them to purchase their retired service firearms, which in many cases they discharged in the line of duty to save lives, at a lower cost than the current "fair market value," which it would not be disposed at.

Under current policy, these firearms are destroyed, so the purchase is at salvage value by definition. It would still increase government revenues, because you are actually purchasing it at the same amount and you wouldn't have to actually have the expense of salvaging it, while allowing Federal law enforcement officers to purchase the service weapons that have protected them throughout their careers at a fair price.

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

□ 1245

Mr. NADLER. Mr. Chair, I claim the time in opposition.

The CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, when Congresswoman DEMINGS introduced a superior version of this legislation last Congress, it was premised on the principle of making

the most of taxpayer dollars and recouping the values of weapons that were not at the end of their usable life.

This amendment would require these weapons not at the end of their usable life to be sold at their salvage value, which by its terms, is below the fair market value of these weapons. This prevents the agency from recouping the full value of the weapon.

The effect of this amendment is to sell firearms at a discount funded by taxpayers. Taxpayers should not be forced to subsidize gun sales, which is contrary to the intended purpose of this bill that was introduced last Congress and is also contrary to the intent of the bill in the form it unanimously passed in the Judiciary Committee.

Taxpayers should be funding the government, not subsidizing gun sales. This amendment is contrary to the intent of the bill, and I urge my colleagues to vote against the amendment.

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

Mr. MCCORMICK. Mr. Chair, the basic premise is a misunderstanding of what this is about.

First of all, the weapon would otherwise be destroyed. The only money that would come from it is either the money that is spent on destroying the weapon or the money that was obtained from it by destroying the weapon which would be salvage monetary price, which would be approximately \$100 for an average Glock. That is weapon scrap. That is what it is worth. That is how much you would get back from the government.

The gentleman from New York talks about the government supplementing police officers who served an entire career. I was a career military person with over 20 years in the military. My father was a deputy sheriff. This isn't a money-making scheme. As a matter of fact, it is just the opposite. This isn't for the government to make money off of. This is to do the right thing.

This is at best a neutral bill. This shouldn't be about the military people who just spent 20 years of their life paying money to expand the coffers of the American government when otherwise it would be worth about \$100 as scrap metal.

The misrepresentation that this should be money that our retirees spend on a weapon that would otherwise be destroyed—and nothing else would be done with that weapon, by the way. When the gentleman talks about fair market value, the fair market value in the market for this is salvage. It is what would be done with the weapon to begin with. The misnomer, the misrepresentation that retired officers that have spent their entire career protecting this Nation, bonding with something that saves their lives and protects other people, is actually kind of offensive to me as a guy who has carried around a service rifle and a service pistol, when I was overseas, in harm's way, the same way my father

carried around his service pistol in harm's way.

This is not to make money for the government. This is to do the right thing by those police officers and those law enforcement individuals who served their entire life doing nothing but serving their community. That is what this is about and nothing else.

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

Mr. NADLER. Mr. Chair, I think the gentleman misunderstands the bill. This bill is not when the officer retires. It is when the gun is retired. When the gun is retired, perhaps because the law enforcement agency is upgrading to a more modern gun, it can be sold, and the money goes to the taxpayers, obviously. If it is not repairable, it can then be scrapped.

This amendment would say that it can't be done. It would say that you could not recover the full market value of the weapon, and there is no reason the taxpayers shouldn't recover that.

The amendment is an antitaxpayer amendment. It is not for the officer when he retires. It is when the weapon is retired, which may be before or long after the officer retires. It has nothing to do with that. So the amendment would simply cost the taxpayers money for no purpose at all, and I, therefore, oppose the amendment.

Mr. Chair, I yield back the balance of my time.

Mr. MCCORMICK. Mr. Chair, I am going to define once again what this bill is about because I disagree wholeheartedly. If it is at the end of its service life, if it is no longer useful, it is going to be salvaged. Salvaged. We are defining what is happening at the end of a useful life value. Salvaged. It is going to be destroyed. That is what the government will do with it. The government is not going to sell it; the government is going to salvage it. The government is not going to put it on the market, the fair market for a used weapon, they are going to destroy it.

Therefore, the value of the weapon is whatever it is destroyed for. That is the definition. That is clear in this bill, and that has been defined. Trying to mislead the public on what this is about is, once again, offensive to me.

Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. MCCORMICK).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. NADLER. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. LUTTRELL

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 118-59.

Mr. LUTTRELL. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 6, insert “or employed” before “such officer”.

Page 2, line 13, insert before the semicolon at the end the following: “, and includes a retired Federal law enforcement officer”.

The CHAIR. Pursuant to House Resolution 398, the gentleman from Texas (Mr. LUTTRELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. LUTTRELL. Mr. Chair, I rise today to offer an amendment to H.R. 3091, the Federal Law Enforcement Service Weapon Purchase Act.

My amendment would expand those who can purchase retired service weapons to include those who have served their country faithfully and retired from Federal law enforcement. This amendment will allow for the brave men and women who retired from service in Federal law enforcement the ability to protect themselves and our communities, if necessary.

By eliminating bureaucratic red tape currently preventing Federal law enforcement officers and retirees from purchasing their service weapons, we are equipping them with the ability to respond to emergencies equipped with the weapon they are well acquainted with. The best deterrent to a bad guy with a gun is a good guy with a gun.

This measure will further protect the Second Amendment rights of our Federal law enforcement officers who have displayed valor and courage in making the ultimate sacrifice to keep us safe and protect our communities.

Those who have served our Nation as law enforcement officers with dignity and honor and retired in good standing ought to have the same rights of those currently serving.

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

Mr. NADLER. Mr. Chair, I claim the time in opposition.

The CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, when Congresswoman DEMINGS introduced her superior version of this legislation last Congress, it required the law enforcement officer who was purchasing the gun to undergo a background check. This is a commonsense requirement, given that an officer would undergo a standard background check to purchase the weapon from many other sellers.

My colleagues submitted amendments that would add this background check requirement back in. It is unfortunate that that strong and reasonable amendment was not made in order.

The bill as passed in committee allows sales only to officers in good standing.

This amendment allows retired Federal law enforcement officers to also be eligible to purchase surplus service

weapons without the usual NICS background check or a certification of good standing.

This amendment is contrary to existing law and could allow prohibited purchasers to buy a handgun. Retired officers have no standing with an agency. They are not subject to any of the oversight and employment rules of active Federal law enforcement.

With this amendment, someone could retire, be convicted of a felony, and then purchase a handgun from the Federal Government, even though they would fail a NICS check because a NICS check is not required.

Mr. Chair, I urge my colleagues to oppose this dangerous amendment, and I reserve the balance of my time.

Mr. LUTTRELL. Mr. Chair, we are talking about the same men and women that went through the rigorous background check before they retired. We are talking about the same men and women that served our country honorably. This amendment speaks in good faith and good faith only.

I agree with my colleagues across the aisle that if there is an individual that has done something nefarious, absolutely, but this amendment alone speaks to the good faith of those men and women who served in uniform.

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

Mr. NADLER. Mr. Chair, a police officer can retire for many reasons. One of them is that he is being forced out for misconduct. An officer who is forced out for misconduct should not be permitted to buy a gun without a background check. The background check might show the misconduct—would show the misconduct that forced them out. If he committed a felony, it would show that.

Under this amendment, a retired officer who was pushed out because of bad conduct, who was pushed out because he could not be trusted with a handgun, who subsequently commits a felony could still purchase a handgun without a background check. That is dangerous to the public and makes no sense at all.

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

Mr. LUTTRELL. Mr. Chair, anyone who is guilty of what my colleague across the aisle is saying would have to go through—we are talking about weapon systems that are retired out of the Federal system and good-standing law enforcement officers purchasing those weapon systems.

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

Mr. NADLER. Mr. Chair, the gentleman is mistaken. There is a difference between the officer and the gun. The gun is being retired. The officer may have committed a felony—the ex-officer, I should say, may have committed a felony, may have been forced out for bad conduct, and under this amendment would be permitted to purchase the gun without a background check that would show his felony or

whatever conduct caused him to be pushed out. It is dangerous.

We are not talking about an officer upon retirement buying his gun. We are talking about an ex-officer who may have committed a felony, who may have been forced out for dangerous conduct now being permitted to purchase a gun without a background check that would show that this is a dangerous character.

Mr. Chair, I yield back the balance of my time.

Mr. LUTTRELL. Mr. Chair, in closing, I urge my colleagues across the aisle to support this sensible measure that will afford law-abiding retired law enforcement officers the same treatment as those currently serving as defined in this bill.

Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. LUTTRELL).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. NADLER. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. ROSENDALE

The CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 118-59.

Mr. ROSENDALE. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, line 4, strike “HANDGUNS” and insert “FIREARMS”.

Strike “handgun” each place it appears and insert “firearm”.

Page 2, line 16, insert before the semicolon the following: “, excluding any machinegun (as defined in section 921(a)(24) of such title) not lawfully possessed before section 922(o) of such title took effect”.

The CHAIR. Pursuant to House Resolution 398, the gentleman from Montana (Mr. ROSENDALE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Montana.

Mr. ROSENDALE. Mr. Chair, in its current state, H.R. 3091 allows Federal law enforcement to purchase retired handguns from their agency, allowing the agency to recover some of the original costs of those handguns. However, handguns are not the only weapons in our Federal officers’ arsenal.

In recent years, about 30 percent of new firearm purchases by Federal agencies were rifles and shotguns. Current surpluses also show that there are similar numbers of pistols and rifles in agency stockpiles.

My amendment would allow for our law enforcement officers to purchase these weapons, as well, so long as the rifle or shotgun is allowed legally for civilian use.

The current practice of destroying retired firearms costs taxpayers money when they could be providing a service to their Federal law enforcement and creating some revenue in the process.

Many of our Nation's law enforcement are avid recreation and sports shooters in their free time, and they deserve the added benefit of being allowed to purchase high-quality firearms at a reduced cost.

Americans trust police to protect them with these very firearms every single day. Why should these well-trained officers not have the right to defend their own family with these same weapons.

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

□ 1300

Mr. NADLER. Mr. Chair, I claim the time in opposition.

The CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chairman, this amendment expands the types of weapons officers are allowed to purchase to include all retired firearms. The amendment radically extends the bill and runs counter to its original purpose.

This amendment would allow semi-automatic assault weapons, sniper rifles, and military-grade weaponry to be purchased without a background check. While Federal law enforcement has a need for these weapons, they have no place in our communities.

Though the amendment excludes machine guns, it does not exclude other firearms subject to heightened regulation under the National Firearms Act, such as short-barreled rifles and even grenade launchers. The Federal Government should not be selling these dangerous weapons to people operating in their civilian capacity.

Mr. Chair, I strongly oppose this amendment, and I urge my colleagues to oppose it, as well.

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

Mr. ROSENDALE. Mr. Chair, I point to the amendment where it refers to section 921(a)(24) of the title, which is going to keep weapons that are currently not allowed in civilian hands out of civilian hands.

Our law enforcement officials are highly trained. Whether they are using an AR-15 or whether they are using a similar high-powered rifle with a high-intensity scope, they are trained to do such.

I have lots of friends and family who use these weapons on a daily basis for sport shooting and other purposes.

If our law enforcement officers, if they have served their time and are retiring from that duty of protecting the civilians across this Nation, want to purchase a weapon that they have been utilizing for who knows how much time, they should be able to do so.

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

Mr. NADLER. Mr. Chairman, the provision that the gentleman refers to re-

fers only to machine guns. It does not exclude other firearms, as I mentioned, such as short-barreled rifles and even grenade launchers, and these are too dangerous.

We should not be selling these dangerous weapons to people operating in their civilian capacity. That is why this amendment is dangerous and radically changes the bill.

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

Mr. ROSENDALE. Mr. Chair, again, I refuse to accept the premise that a grenade launcher is going to be purchased and allowed to be purchased by a former law enforcement official. That is just not realistic. It is not true, and it is very misleading to this body.

When we have people who have risked their lives to defend folks across this country in our communities, then they should be able to purchase these retired weapons.

We have heard them called retired weapons. Because the value has been dramatically reduced, they are going to be put into a stockpile. They are going to be salvaged. They are going to be destroyed.

Allow us to generate some revenue, and allow the people who have used them the longest and the safest to continue their use.

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

Mr. NADLER. Mr. Chairman, section 5845, definitions, reads as follows: "(a) Firearm, the term 'firearm' means (1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length; (3) a rifle having a barrel or barrels of less than 16 inches in length; (4) a weapon made from a rifle if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 16 inches in length; (5) any other weapon, as defined in subsection (e); (6) a machine gun"—which is the only thing the gentleman excludes from his amendment—" (7) any silencer (as defined . . . ); and (8) a destructive device," like a grenade launcher, like a grenade.

Therefore, when I say that this amendment would ban only machine guns but would permit all these other things, including grenades and weapons of destruction, it is right here in the statute. The gentleman's amendment would permit all of these. Those are the kinds of weapons.

Grenade launchers and short-barreled rifles should not be in the possession of civilians, even retired police officers.

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

Mr. ROSENDALE. Mr. Chair, again, I refuse to accept the premise that you are going to have grenade launchers that are going to be purchased by Federal law enforcement. They are not utilizing those, and they are not going to be purchased by them.

We are talking about the handguns and the rifles that are currently allowed to be possessed by civilians. Those are the only ones that are going to be able to be purchased.

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

The Acting CHAIR (Mr. MOYLAN). The question is on the amendment offered by the gentleman from Montana (Mr. ROSENDALE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Montana will be postponed.

Mr. DUNCAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MIKE GARCIA of California) having assumed the chair, Mr. MOYLAN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3091) to allow Federal law enforcement officers to purchase retired service weapons, and for other purposes, had come to no resolution thereon.

#### PROTECT OUR LAW ENFORCEMENT WITH IMMIGRATION CONTROL AND ENFORCEMENT ACT OF 2023

##### GENERAL LEAVE

Mr. MOORE of Alabama. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 2494.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 398 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2494.

The Chair appoints the gentleman from Guam (Mr. MOYLAN) to preside over the Committee of the Whole.

□ 1309

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2494) to make the assault of a law enforcement officer a deportable offense, and for other purposes, with Mr. MOYLAN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the