

Whereas Representative SCHIFF used his position and access to sensitive information to instigate a fraudulently based investigation, which he then used to amass political gain and fund-raising dollars;

Whereas the American taxpayers paid \$32 million to fund the investigation into collusion that was launched as a result of Representative SCHIFF's lies, misrepresentations, and abuses of sensitive information; and

Whereas if it is determined by an investigation conducted by the Committee on Ethics that Representative SCHIFF lied, made misrepresentations, and abused sensitive information, he should be fined in the amount of \$16 million;

Now, therefore, be it

Resolved, that:

(1) the House of Representatives censures and condemns ADAM SCHIFF, Representative of California's 30th Congressional District, for conduct that misleads the American people in a way that is not befitting an elected Member of the House of Representatives;

(2) Representative ADAM SCHIFF will forthwith present himself in the well of the House of Representatives for the pronouncement of censure;

(3) Representative ADAM SCHIFF will be censured with the public reading of this resolution by the Speaker; and

(4) the Committee on Ethics shall conduct an investigation into Representative ADAM SCHIFF's lies, misrepresentations, and abuses of sensitive information.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Florida will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

PROVIDING FOR CONSIDERATION OF H.J. RES. 44, PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER THE RULE SUBMITTED BY THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES RELATING TO "FACTORIZING CRITERIA FOR FIREARMS WITH ATTACHED 'STABILIZING BRACES'"; PROVIDING FOR CONSIDERATION OF H.R. 277, REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2023; PROVIDING FOR CONSIDERATION OF H.R. 288, SEPARATION OF POWERS RESTORATION ACT OF 2023; PROVIDING FOR CONSIDERATION OF H.R. 1615, GAS STOVE PROTECTION AND FREEDOM ACT; AND PROVIDING FOR CONSIDERATION OF H.R. 1640, SAVE OUR GAS STOVES ACT

Mr. MASSIE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 495 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 495

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 44) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives relating to "Factoring Criteria for Firearms with Attached 'Stabilizing Braces'". All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees; and (2) one motion to recommit.

SEC. 2. At any time after 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. 277) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118-6 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. No further amendment to the bill, as amended, shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such further amendment may be offered only in the order printed in the report, may be offered only by a 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, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. 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 amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except one motion to recommit.

SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 288) to amend title 5, United States Code, to clarify the nature of judicial review of agency interpretations of statutory and regulatory provisions. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118-7 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees; (2) the further amendment printed in part B of the report of the Committee on Rules accompanying this resolution, if offered by the Member designated in the report, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question; and (3) one motion to recommit.

SEC. 4. At any time after 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. 1615) to prohibit the use of Federal funds to ban gas stoves. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part C of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a 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, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

SEC. 5. At any time after 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. 1640) to prohibit the Secretary of Energy from finalizing, implementing, or enforcing the proposed rule titled "Energy Conservation Program: Energy Conservation Standards for Consumer Conventional Cooking Products", and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part D of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a 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, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

SEC. 6. The ordering of the yeas and nays on the question of reconsideration of the vote on adoption of House Resolution 463 is vacated to the end that the motion to reconsider be laid on the table.

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

Mr. MASSIE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

□ 1230

GENERAL LEAVE

Mr. MASSIE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

House Resolution 495 provides for a structured rule for consideration of H.R. 277, the Regulations from the Executive in Need of Scrutiny Act of 2023 and provides 1 hour of debate equally divided and controlled by the chair and ranking member of the Committee on the Judiciary.

House Resolution 495 further provides for a structured rule for consideration of H.R. 288, the Separation of Powers Restoration Act of 2023. It also provides 1 hour of debate equally divided and controlled by the chair and ranking member of the Committee on the Judiciary.

House Resolution 495 further provides for a structured rule for the consideration of H.R. 1615, the Gas Stove Protection and Freedom Act, and provides 1 hour of debate equally divided and controlled by the chair and ranking member of the Committee on Energy and Commerce.

This resolution further provides for a structured rule for the consideration of H.R. 1640 and provides 1 hour of debate equally divided and controlled by the chair and ranking member of the Committee on Energy and Commerce.

Furthermore, House Resolution 495 provides for a closed rule for consideration of H.J. Res. 44 and provides 1 hour of debate equally divided and controlled by the chair and ranking member of the Committee on the Judiciary.

These are five bills that may seem unrelated, but they are very related, and they have to do with the power of Congress and the fact that our power has atrophied considerably since the beginning of this country. In fact, we are almost a vestigial organ of this Republic at this point, we have ceded so much power to the executive branch, and that is how all of these bills are related.

Three of the bills seek to repeal laws or regulations that the administrative branch is unconstitutional, I would argue, promulgating.

Two of these bills get at the heart of the matter, the problem that we have. One of them specifically is the REINS Act, which is very important. This would rein in our power to legislate.

I don't think our Founders would recognize our form of government at this point. They never intended for the administrators to be the lawmakers; yet here we are.

The Regulations from the Executive in Need of Scrutiny Act would send every major regulation that is suggested—and I say suggested—by the administration back to Congress where there would have to be a positive vote of the House and the Senate in order for that to go to the President and then, with his signature, become law, as all laws should do.

The other bill in this package that seeks to address the sort of chronic problem that we have here in Congress is the Separation of Powers Restoration Act.

It is basically a repeal of a horrible Supreme Court precedent called the Chevron deference that says, basically, any way the administration wants to construe one of our laws, they can get away with it.

The Supreme Court will give deference to the interpretation, no matter how far afield from the original interpretation the law was given from Congress.

Finally, the three bills today that deal with individual regulations, two of them deal with gas stoves. This administration has a war on gas stoves, depending on which person from the administration you listen to, a rule that is being promulgated by the Consumer Product Safety Commission and also by the Department of Energy.

There are two rules here. They would ban between 50 to 95 percent of the gas stoves on the market for arbitrary reasons. It is not clear that there would be any consumer benefit from banning these. In fact, consumers would suffer from this ban.

These are the types of rules that we need the REINS Act for. They would have a significant impact on our economy, and that is why they should be here in front of Congress, and that is why we are seeking to countermand them here today.

Finally, I think this is the most important rule that we are countermanding in legislation this week, and that is the pistol brace rule from the ATF.

We are not talking about an interpretation of a law where the EPA says, we think we should allow this much sulfur dioxide instead of that amount of sulfur dioxide and create a civil infraction where corporations could be sued or punished. We are talking about criminal penalties.

The ATF has twisted the existing statute, a law that was passed by Congress in 1934, and has magically reinterpreted it to create tens of millions of felons beginning on June 1.

We have a bad situation in this country right now where millions of people have been turned into felons, law-abiding individuals who are following the rules that were set forth by the ATF. That is why urgent action is required on the pistol brace rule repeal here today, and that is H.J. Res. 44.

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

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Kentucky for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, it is great to see you again. How are you? It has been a while. You look terrific.

We haven't had votes in what, 5 legislative days, all because some Republican Members decided to throw a temper tantrum last week on the House floor, wanting to rehash legislation that was passed the week before.

What we saw was essentially a fight between the rightwing and the extreme

rightwing. I mean, what the hell is going on here?

With each passing week, it becomes more and more obvious that the Republican Party is completely out of touch with what everyday people care about in this country.

We are bringing a new rule to the floor that incorporates the bills that we were supposed to do last week and adds an additional bill to make it easier to kill people.

I am told that the Republicans now have the votes to pass this rule. The question is: What was the deal? Better yet, what was the secret deal to convince the Republicans who were problematic last week to go along to get along this week?

Reading the press, we see that members of the Freedom Caucus are saying they have this deal on power sharing.

I am not quite sure what that means. Power sharing with the Speaker and the extreme rightwing; is that the deal?

We hear from the Speaker that there is no deal on anything. I don't know what the truth is. Maybe my friend can enlighten us at some point about what the truth is.

My Republican friends like to say that this place should be run like a business. Well, if they really believe that, then this place should be out of business because this is not the way Congress should be run. This is not the way you run a democracy. This is ridiculous.

Democrats have worked tirelessly to try to lower costs for people, bring jobs back from China, rebuild our country, fight pollution, and keep our communities safe.

Republicans? What do they stand for? Well, forgive me if I say I am not entirely sure because right now, the only thing I have seen so far since they took over is dysfunction and disarray.

Republicans began this Congress by wasting a week fighting with each other about who would be Speaker. Now we are 5 months in, and they have enacted five laws.

One a month. Boy, what an achievement. Even Democrats and President Trump were able to enact 21 laws at this point.

The far right fringe of the Republican Party, the same fringe that demanded Speaker MCCARTHY give them all of his power, has succeeded in even dictating to him what bills he can and can't bring to the House floor.

This is important. I want the American people to understand who is in charge here right now. It is not the Speaker of the House. It is not KEVIN MCCARTHY. It is the far right of the far right.

We have sitting members of the Republican Conference right now openly advocating for civil war. These are the people calling the shots. Are you kidding me?

In what world should the 11 most extreme people in the Republican Party get to dictate the entire agenda of a

legislative body that represents 332 million people? What are we doing here, Mr. Speaker?

□ 1245

We have smoke from wildfires clogging up our air. Scientists are telling us we need to do more on climate change, yet we are passing messaging bills about gas stoves.

By the way, that is not even me calling them messaging bills. It is the Republicans saying that. This is a Republican: We do not need to leave D.C. early because messaging bills are not coming to the House floor. That was Congresswoman BOEBERT last week.

How about this one: When we pass things around here that are messaging bills that don't do anything, is it really a loss that we aren't passing anything?

I mean, their own Members are saying that the bills they are passing do nothing. Essentially, they are just playing a messaging game. Is this really the best we can do with all of the challenges that we face in this country and around the world?

Meanwhile, our constituents are begging us and they are pleading with us to do something about gun violence in this country. What do Republicans do? How do they respond? By bringing to the floor a bill that makes it easier for the next mass shooter to kill more people. It is sick.

Mr. Speaker, killed were: 9 people outside a bar in Dayton in 2019; 10 people, including a police officer, at a grocery store in Boulder in 2021; 5 people in an LGBTQ nightclub in Colorado Springs in 2022; and 6 people, including children, at a school in Nashville just a few months ago. What do they all have in common? They were all killed by mass shooters who used stabilizing braces.

By the way, the ATF rule that the Republicans are trying to overturn, contrary to what they say, doesn't even make stabilizing braces illegal. It doesn't ban them. All it does is it says that you need to register braces because they are used in a lot of mass shootings.

But for Republicans, any amount of commonsense gun safety regulation is too much. Why? Because the NRA says so.

Our kids are being slaughtered, for God's sake. Does anyone care? Do my Republican colleagues care at all that America's parents stay up wondering whether their kids will be the next one shot at school or at a mall or at a movie theater or at their own graduation?

People come up to me all the time and they ask me: Why can't Democrats and Republicans just work together? I tell them I wish we could. There was a time when we did.

I say to them: Go online and Google the bills that Republicans are bringing to the floor. Ask yourself why Republicans oppose background checks on a gun accessory that mass shooters use to kill people. Ask yourself if it is right

that this bill was introduced by a Republican Member of Congress—and you are going to love this—who owns a gun store and makes millions of dollars by selling guns and these types of gun accessories that mass shooters use to kill people. Ask yourself if it makes sense that the only reason this bill is even on the floor is because Speaker MCCARTHY isn't even in charge of the House schedule anymore; the far, far, far right is.

The craziest thing is this rule was inspired by guidance published under the Trump administration. Let me repeat that. Even the Trump administration thought it was necessary to further regulate stabilizing braces. I can't believe I am about to say this, but I agree.

If you want to know why we can't have real action when it comes to gun safety, follow the money. In the last decade, the NRA has spent more than \$100 million to help elect Republicans who will support their extreme agenda. Follow the money. It is no surprise that the far right is demanding this bill, but it is a shame.

How many more mass shootings need to happen? How many more kids need to die before my Republican colleagues pull their heads out of the sand and say the NRA's blood money is not worth the damage that is being done to our country?

I wish I was wrong, Mr. Speaker, but sadly the cowardice and moral bankruptcy on the other side of the aisle seems to know no bounds.

Between the new concept of power sharing in the House, which really just means that the Speaker is going to have to keep a tiny minority of extremist Members happy for the House to be able to function, and the fact that their party's frontrunner for the 2024 Presidential election is being indicted with very serious charges for the second time this afternoon, I am sorry to say the Republican Party is a train wreck, and it doesn't bode well for what is to come.

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

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

Mr. Speaker, I find it ironic that the gentleman on the other side of the aisle is demanding to know what the power-sharing structure is here in the House, when, in fact, he will spend the rest of his time arguing that we should give our power to the White House, that the administrative branch should be making law, in fact, major regulations that have more than \$100 million of impact.

I would say to the gentleman on the other side of the aisle that if he is wondering about the power-sharing arrangement, then he should seek to put some power here in the House, restore the power that the Founders gave us in Article I of the Constitution.

With respect to the solution to the tragic school shootings, some States have taken it upon themselves to allow qualified teachers and staff to carry

firearms. Imagine that, the children are protected by firearms the same way we are protected here. Why do we sit here and say, oh, we have got to do something, when we sit behind protection and the children aren't?

I would encourage the other side of the aisle to cosponsor my bill to change the default setting here in this country. The default setting was set by the Gun-Free School Zone Act, which makes it illegal to even be near a school and have a firearm, which makes it harder for States to set policies that would save our children. All it does is make felons of law-abiding gun owners.

I would encourage them to look at a real solution. You can ban a pistol brace, but you are not going to stop a single mass public shooting. Most of these mass public shootings occur with a pistol, not a pistol with a brace on it or with a short-barreled rifle, as they would say, or with a rifle, an assault rifle they might call it.

They can start banning these pieces of plastic, like the Biden administration is doing, and then they can move on to banning magazines. As the ranking member of the Judiciary Committee admitted to me last night, he would like to ban all of the AR-15s. They could ban handguns. Then they will get down to shotguns. The reality is you can't stop these tragedies with a ban. You have to change the way we protect our children.

This pistol brace rule that has been promulgated by the administrative branch will cause—they just haven't been arrested—will cause and has already caused tens of millions of Americans to be felons. That happened on June 1. Time is up. You are done. You are now a felon if you own one of these braces on your firearm.

Whether you own one or not, most Americans understand what is happening here. Our system of lawmaking has been turned on its head. Even more fundamental than that, people were told it was legal by the ATF. The technical division of the ATF reviewed the prototypes of these pistol braces in 2012 when Obama was the President.

What did Obama's ATF say to Mr. Bosco, the inventor of the pistol brace? "You are asking if the addition of this sample, a buffer tube forearm brace, would convert a firearm in a manner that would cause it to be classified as a 'rifle' and thus a 'firearm' regulated by the National Firearms Act. . . ."

"Based on our evaluation," our technical department "finds that the submitted forearm brace, when attached to a firearm, does not convert that weapon to be fired from the shoulder and would not alter the classification of a pistol or other firearm." ". . . Such a firearm would not be subject to NFA controls."

This is a letter on ATF letterhead, in fact, the Department of Justice letterhead, dated November 26, 2012, that millions of Americans relied on, that many entrepreneurs relied on.

Now what happens? The rug is getting pulled out from under them, but not by the legislative branch. By the way, we could have repealed this. The Democrats controlled both chambers. They could have passed a legislative ban on these braces. They didn't do it. Why didn't they do it? Maybe it is because they are accountable. They are accountable to the people, unlike these bureaucrats. Nobody is going to lose an election at the ATF for promulgating this rule.

The people here are scared. The people here in this Chamber are scared to do their jobs, and the people in the Senate are scared to do their jobs, so they would much prefer the administration do our jobs.

What have they done? What is the penalty for owning this piece of plastic on a firearm that is connected to a pistol? I asked the ranking member of Judiciary Committee last night in the Rules Committee meeting. He did not know. It turns out it is a quarter of a million dollars and 10 years in prison. Is that the appropriate sentence for somebody who followed the law for 10 years, followed ATF guidance that was given during the Obama administration and now doesn't even know they are violating the law? Is 10 years and a quarter million dollars appropriate? I don't think so. They relied on this letter.

Now, to another part of the pistol brace rule. The ranking member of the Judiciary Committee and the ATF Director Dettelbach have both testified incorrectly that you can comply with this pistol brace rule from the ATF by merely separating the firearm from the brace. That is wrong. That is not what the ATF rule says.

Why did they say this in testimony? Why did the ranking member of the Judiciary Committee say this? Why did the ATF Director say this? Because they wanted to sound reasonable. That may seem like a reasonable solution, but it is not the solution that the ATF has put into law.

Again, this isn't a fine. This isn't like saying the EPA decided that we have too much sulfur dioxide in the atmosphere so we are going to reduce emissions and set the sulfur dioxide emissions at a different level and you can be fined if you don't comply and you are a corporation.

This is not a civil infraction. This is a criminal infraction that will put millions of Americans in jeopardy of going to jail. For what, a piece of plastic? Does it make the firearm more dangerous? No. Does it make the firearm more concealable? No. Does it make the firearm more deadly? No.

Then I hear from the other side of the aisle: Oh, well, we are not banning them. Oh, we wouldn't ban them. Really? You are telling people in the United States you have to register them as short-barreled rifles. Guess what? That is illegal in 13 States. Thirty-six percent of Americans live in those 13 States where you can't even comply.

You cannot legally comply with the ATF directive to register that pistol with that brace on it as a short-barreled rifle. Compliance is impossible if you want to keep that accessory. It is a ban. It is a de facto ban, especially on people in those 13 States.

Here is what it is really about. They can't ban guns. They would love to, but they can't ban them. They can't do it legislatively. The President came into office and looked at all of the regulations and how could he ban some guns. Well, he found this one here. How can he get more guns registered.

By the way, it is illegal for the administrative branch to create a registry of firearms that are in common circulation here in the United States. That is illegal. They are not allowed to do it in the administrative branch. What have they done with this pistol brace rule over there that we seek to countermand? They are going to create a registry of millions of Americans who own pistols who happen to have this brace.

I would argue this wasn't just a way to ban guns with certain accessories. It was a way to do something else that is not legal, not authorized by Congress, and that is to require millions of Americans to register.

To close out this pistol brace rule, I thank Mr. CLYDE for introducing this resolution. It is absolutely necessary. It is very timely. I wish we had gotten it done before June 1 because now we have got millions of felons in the United States just waiting to be arrested; don't even know they are not in compliance. This ATF rule will do nothing to increase safety.

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

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

Mr. Speaker, let me say a couple of things. First of all, nobody is talking about banning anything here. What we are saying is that an accessory that has been used in a number of mass shootings be registered. That is it.

By the way, the gentleman said the administration should not be making laws. The administration is not making laws. They are administrating and enforcing the laws that we have passed, and they do that through regulation and rulemaking. I am not sure what the gentleman is talking about.

Let me also say that he keeps on saying that this bill will turn gun owners into automatic felons, that by owning or buying one of these stabilizing braces, American gun owners will become felons. That is just not true.

By the way, I should tell the gentleman, someone has to be convicted of a crime in a court to become a felon. Let me give him an example, one that he might be able to relate to. Despite being charged with 37 counts for mishandling classified documents, former President Trump is not a felon. He only becomes a felon if he is found guilty of the crimes that he was charged with and is sentenced to a year or more in prison, which may very likely happen.

□ 1300

Mr. Speaker, I ask unanimous consent to include in the RECORD an article from the Washington Post titled: "Here are the 37 charges against Trump and what they mean."

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

There was no objection.

[From the Washington Post, June 9, 2023]

HERE ARE THE 37 CHARGES AGAINST TRUMP
AND WHAT THEY MEAN
(By Rachel Weiner)

A court on Friday unsealed the federal indictment against Donald Trump and an aide over classified documents found at his Mar-a-Lago home and the men's alleged efforts to keep the government from finding the materials. Here's what we know about the charges against the former president, brought by special counsel Jack Smith.

HOW MANY CHARGES DOES TRUMP FACE?

Trump is accused of violating seven federal laws but faces 37 separate charges. That is because each classified document he is accused of holding on to illegally is charged in a separate count, and his alleged efforts to hide classified information from federal investigators is charged in several ways. His longtime aide Walt Nauta faces six charges, five of which are also lodged against Trump.

WHAT ARE THE CHARGES AGAINST TRUMP?

Espionage Act/unauthorized retention of national defense information: Trump is charged with 31 counts of violating a part of the Espionage Act that bars willful retention of national defense information by someone not authorized to have it. Such information is defined as "any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to the national defense, or information relating to the national defense which information the possessor has reason to believe could be used to the injury of the United States or to the advantage of any foreign nation." Technically, that information does not have to be classified, but in practice the law is almost exclusively used to prosecute retention of classified material. In Trump's case, prosecutors say that all but one of the 31 documents he is charged with illegally retaining were marked as classified at the "secret" or "top secret" level. The unmarked document concerned "military contingency planning," according to the indictment.

A conviction does not require any evidence of a desire to disseminate the classified information; having it in an unauthorized location is enough. But the crime requires a "willful" mishandling of material "the possessor has reason to believe could be used to the injury of the United States or to the advantage of any foreign nation." Charges are generally not brought without some aggravating factor making clear the retention was not accidental—such as evidence of intent to share the information, signs of disloyalty to the U.S. government, or simply the volume of documents taken.

Unlike other government employees, the president does not go through a security clearance process that includes a pledge to follow classification rules. But Trump received requests from the National Archives and Records Administration (NARA) and subpoenas from the Justice Department indicating that the documents in question were classified and needed to be returned to the U.S. government. Prosecutors say he instead sought to hide them from federal investigators. And while the president can declassify

most information, there is a process for doing so. According to the indictment, Trump twice showed classified information to others, once while saying that the document was still classified and lamenting that he no longer had the power to declassify it.

Conspiracy to obstruct justice: Trump is charged with one count of conspiring with Nauta to hide classified material from federal investigators, by lying to the FBI about what was found at Mar-a-Lago and moving boxes of documents out of a storage room before agents searched the home. Trump specifically is accused of suggesting that one of his attorneys lie to the FBI and help hide or destroy documents.

Tampering with grand jury evidence: Trump and Nauta face two counts of trying to keep evidence out of grand jurors' hands: one count of withholding the classified documents and one of corruptly concealing them. As part of those charges, Trump is accused of trying to persuade one of his attorneys to help conceal the documents, while Nauta is accused of hiding the evidence by moving the boxes of classified documents.

Concealing evidence in a federal investigation: For the same alleged conduct of hiding the classified information at Mar-a-Lago, Trump and Nauta separately face one count of concealing evidence with the intent to obstruct an FBI investigation.

False statements: Both Trump and Nauta together face one count of scheming to making false statements for allegedly hiding from the FBI and the grand jury that the former president still had classified documents in his possession. Trump faces a separate count for causing his attorney to falsely claim in June 2022 that all classified documents in the former president's possession had been handed over in response to a subpoena, according to the indictment. Nauta alone is accused of lying to the FBI by falsely claiming that he had nothing to do with moving any boxes.

WHAT POSSIBLE PENALTIES DOES TRUMP FACE?

The maximum punishment for each count of unlawful retention of national defense information is 10 years in prison. Conspiracy to obstruct justice, tampering with grand jury evidence, and concealing evidence in a federal investigation all carry punishments of up to 20 years. Each false statement charge is punishable by up to five years in prison.

If Trump was convicted on all charges, the sentences could run consecutively, amounting to hundreds of years in prison. But federal defendants are rarely given the maximum possible punishment. He does not face any mandatory minimum sentences.

Sentences in unlawful retention cases vary widely, depending in part on how sensitive the material is, how much of it there is, how long the person held on to it and his or her cooperation with investigators. A Defense Department employee in Manila who took home a small amount of secret-level information to work on a classified thesis project served only three months behind bars. Kenneth Wayne Ford Jr., who was found guilty at trial of bringing home national defense information after leaving the National Security Agency and lying about the case, received a six-year sentence. A former NSA contractor who over two decades amassed a huge trove of highly sensitive material, including hacking tools and details of overseas operations, was sentenced to nine years in prison. A Navy sailor who took pictures of classified areas of a nuclear-powered submarine and then destroyed the evidence was sentenced to a year in prison for retention and obstruction; Trump later pardoned him.

Retired Gen. David H. Petraeus was given probation after pleading guilty to sharing

classified information with his biographer. At the time, the crime of mishandling classified information—as opposed to national defense information—was a misdemeanor with a maximum punishment of a year behind bars. It became a felony during Trump's presidency.

WHAT OTHER CRIMINAL CHARGES DOES TRUMP FACE?

Trump is charged in New York State Court with unrelated crimes for conduct that predates his presidency. He is accused of falsifying business records to hide payments during the 2016 campaign made to an adult-film star to keep her from saying publicly that she had an affair with Trump.

Trump is also under investigation by a state prosecutor in Georgia, who is looking at his efforts to overturn President Biden's 2020 victory in that state. Smith is also investigating Trump's attempts to stay in office after losing the presidential election, including his pressure on officials in battleground states and fundraising off false claims of election fraud.

HAS TRUMP RESPONDED TO THE CHARGES?

The former president described himself as "an innocent man" being treated unfairly in comparison with Biden. Classified documents from the Obama administration were discovered in Biden's Delaware home late last year by lawyers cleaning out his home office. Biden's attorneys turned those documents over to NARA, and the president gave the Justice Department permission to search the home, as well as his beach house and think tank office. The White House has said that only "a small number" of documents from Biden's vice-presidential tenure were found. A special counsel has been appointed to oversee that investigation.

Mr. MCGOVERN. Mr. Speaker, before I yield to my next speaker, I have to say, we heard a lot of words from the gentleman and from other Republicans who speak on these issues. Do you know what we don't hear? We don't hear any empathy for the families who have lost loved ones to gun violence.

I began my opening remarks by citing examples of how this accessory was used in mass shootings. Children, mothers, fathers, grandmothers, and grandfathers lost their lives. They were murdered. Police were murdered. There is not even any empathy. There is no acknowledgment that this is a terrible tragedy.

All we hear about is: Don't take away my toys. Don't interfere with my hobby. You can't register any of these things.

I think people are so sick and tired of where our priorities are. People are sick and tired of having the National Rifle Association and all of their money dictate what our policies should be on guns. They don't care about all the people who have died and have been murdered in this country.

By the way, other countries have similar challenges and problems that we do, but they don't have the level of gun violence. They don't have massacres on a regular basis. This is what we get. Enough.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Georgia (Mrs. MCBATH).

Mrs. MCBATH. Mr. Speaker, I rise in opposition to the underlying resolution and the rule.

Mr. Speaker, I speak today not just as a Member of Congress but as a mother, a mother whose son was taken from her by gun violence, the very thing that we are talking about again today, and a mother who has fought every day since then to make sure that no other mother, no other family, no other community feels that pain or feels that loss.

Arm braces have become the attachment of choice for mass shooters in this country, the attachment of choice for the King Soopers shooter in Boulder who took the lives of 10 people, including a law enforcement officer; the attachment of choice for the shooter who murdered five individuals at Club Q, an LGBTQ nightclub; and the attachment of choice for the Nashville shooter who slaughtered three innocent babies in an elementary school.

We cannot continue to allow weapons of war in our communities, in our meeting centers, and in our schools.

What I just cannot understand is: What are our Republican colleagues afraid of? You swore an oath to protect and serve your constituents. What are you afraid of?

My Democratic colleagues are doing their job. We bring forth policy after policy: Federal background checks for all gun sales, so a law-abiding gun owner can still own guns; the assault weapons ban, keeping those weapons of mass destruction, weapons of war, out of the hands of people who shouldn't have them; closing the Charleston loophole. These are just commonsense solutions that the American people are crying out for.

As a mother who has lost her child, I spend all of my time talking to survivors, day in and day out.

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

Mr. MCGOVERN. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from Georgia.

Mrs. MCBATH. Mr. Speaker, I spend all of my time, day in and day out, with survivors and families. What are you afraid of?

We have to do the right thing and preserve human life. That is why we were sent here. I implore you, and I am sure I will do it again and again and again, to do what is right, to respond to that oath to protect and serve the people who are waiting and crying out for us to keep them safe.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. MASSIE. Mr. Speaker, as a father and a grandfather, my heart breaks when I see the victims of these deranged killers at schools and elsewhere. We need serious solutions.

I think it is an insult to the victims and families that banning a piece of plastic is going to save a life—it won't—or telling them that putting up a sign that says gun-free zone will save a life. It won't. It will cost lives.

When one of my former staffers was married for less than a year, she and

her husband had a karaoke business, and she had a stalker who followed them to each of their events. She got a concealed carry license in Tennessee and carried her gun to protect herself from the stalker. This was Nikki who worked for me.

One night, they set up their business in a bar, and the sign said "No Guns Inside" because they served alcohol. Nikki left her firearm to protect herself in the car, but her stalker did not leave his.

He came into the bar and shot her husband viciously in front of her. She has to live with that. That is why she wants serious solutions. She knows that gun-free zones are unserious. She knows that banning pieces of plastic is not serious. She knows that children deserve the protection that we have here.

We all know, if you are willing to look at the data, that in every school that has allowed qualified teachers and staff to carry a firearm, there has never been a school shooting. It is a fact.

We need to work on serious solutions, not unserious solutions like banning a piece of plastic.

Mr. Speaker, going to the stove ban, which is also unserious, it is going to cost consumers. It is going to make the products less safe, not more safe. It is going to make them less available. It is not about safety or efficiency or consumer benefit. It is about banning fossil fuels. That is why this administration has declared a war on gas stoves.

Two of the bills in this package would repeal those rules from this administration.

Natural gas, when it is used in appliances, is 3.4 times more affordable than electricity. Why is that? Let's think about where that electricity comes from. A natural gas plant can burn electricity, spin a turbine, create electricity at maybe 50 percent efficiency and then put it on wires that are hundreds of miles long to go to a household. Those wires may be 70 percent, 80 percent efficient.

When it gets to the household, what do you do with that energy that came from the natural gas that is now electricity? You turn it back into heat if you have an electric stove, which is how this administration would want you to live.

Guess what? That is less than half as efficient. It costs 3.4 times more to do it that way than to create electricity with natural gas and then use the electricity at your house than if you just brought the natural gas to the household. In fact, consumers who use natural gas in their house save over \$1,000 a year.

This is a war on the middle class and the poor. The war on gas stoves is a war on affordable heating and cooking.

When the electricity goes out in natural disasters, whose stoves work? The ones who have gas stoves.

Who can boil water to drink when the water is unsafe because of a natural disaster? Those who have gas stoves.

This administration should quit gaslighting consumers by telling them they are acting in their best interest. The Federal Interagency Committee on Indoor Air Quality has never identified gas stoves as contributing to asthma or respiratory illness. The Consumer Product Safety Commission and the Environmental Protection Agency have never identified gas stoves as a significant contributor to adverse air quality or as a health hazard.

Why are they doing this? It is a war on gas stoves. These two bills would seek to reverse that. It is just common sense.

In fact, the other side of the aisle said these are messaging bills. Guess what? Some Democrats liked the message because they voted for these bills in the Energy and Commerce Committee. It must be a great message. It must be a message the American people want to hear. It must be a message that they like to hear because they know if we had the Senate and the White House, this kind of ridiculousness would not go on. That is why it is important to pass these two bills to protect our gas stoves.

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

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

Mr. Speaker, we didn't call them messaging bills. Members of the Republican Conference called them messaging bills, I would remind the gentleman.

The gentleman says that we need serious solutions to gun violence in this country. I think I heard the gentleman correctly, that he is suggesting it is okay for people to carry guns into bars when they are drunk. I don't think that is very serious.

The idea that we can shoot our way into gun safety is insane. We already have more guns than people in this country. We are the only country in the world that has massacres that occur on a regular basis.

The gentleman is saying that people should be able to carry guns into bars when they are drunk, that we ought to give teachers more guns, and that everybody ought to have more guns and everybody will be safe. This is insane. It doesn't make any sense.

At some point, people are going to have to have the courage to stand up to the gun lobby and say no to the NRA's money and actually do what is in the best interest of the American people, do what will protect the people of this country. To hear this nonsense—this place is crazier than usual.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, the GOP has become, sadly, the "Guns Over People" party. Their answer to the desperate pleas of families from all across America who want to stop the slaughter of schoolchildren and other innocents—their answer is to do absolutely nothing.

Today, during this National Gun Violence Awareness Month, what do they do?

They go a step further. This is the only opportunity this year that Speaker MCCARTHY has permitted us to consider any gun violence legislation. What do they do about gun violence?

They enable a little more of it. More pistol braces in the hands of killers will cause us to brace for more death.

Republicans want to stop an ATF rule that will require background checks in certain narrow instances when a brace turns a handgun into a rifle. Background checks are exactly what we need for all gun purchases so that those who go through the gun shop loophole and don't get a check when they buy it at a gun show or on the internet have to have the same standard as if they bought it in a gun shop.

They will not even permit us to respond to the desperate pleas of the people of Uvalde to ban weapons of war from the hands of teenagers who couldn't on their own go out and buy a beer.

There is an orgy of violence going on, and they are obstructing those of us who want to respond to the police from doing anything about it, from banning weapons of war, from requiring background checks to ensure we know what kind of person is getting a gun and, if they have a problem, they ought to be denied that access.

The gun industry is marketing these so-called "stabilizing braces" to convert heavy pistols into short-barreled rifles that are more concealable.

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

Mr. MCGOVERN. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Texas.

Mr. DOGGETT. Mr. Speaker, the guns are already the number one killer of children in our country. This year, there have been 291 mass shootings. We can count the numbers, but we can't count the pain of an empty chair where there was once a vibrant parent or a wonderful little child who was murdered in a mass shooting. This Congress could do something about it if we could end the obstruction. We need to move toward reducing gun violence, not enabling it.

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Mr. MASSIE. Mr. Speaker, I wonder, since we are proposing that children would be saved by banning a piece of plastic, has anyone on the other side of the aisle proposed that Congressmen are safer now that this piece of plastic is banned?

I don't think so.

Has anyone proposed that gun-free zone signs would keep us safe?

I don't think so.

What I see surrounding me here and right outside the door are people with firearms protecting us. Our children deserve the same respect and the same serious solutions.

Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. ROY), who is my good friend and colleague on the

Rules Committee, to speak in favor of the rule as he did in the committee.

Mr. ROY. Mr. Speaker, I appreciate the gentleman from Kentucky for yielding me time.

Mr. Speaker, here we are engaging in the theater of the absurd, yet again, from our colleagues on the other side of the aisle just blatantly denying the power grab being carried out by the executive branch yet again. They don't seem to care so long as it suits their ends in terms of policy.

Everybody who follows this understands that the court is almost certain to strike this down. We have already seen it happen in the Fifth Circuit. We are pretty clear about the extent to which this is an abuse of the Administrative Procedures Act, the extent to which this is an unconstitutional violation of our Second Amendment rights, and the court, no doubt, like the Fifth Circuit, will follow suit.

That is just the simple truth, just like we expect the court to most likely rule that the President's power grab to extend a bailout for student loans will also be struck down. That is almost certainly true.

However, what is also true is that it is incumbent upon the United States Congress—the House of Representatives in particular—to stand up in defense of the Constitution, in defense not just as might seem most apparent here, a defense of the Second Amendment which this most certainly is, but, in fact, a defense of separation of powers, that, in fact, it is not the executive branch that makes law.

When the Speaker of the House actually says that the President doesn't have power to do something and then refuses, as the previous Speaker, Speaker PELOSI, did to do anything about what the President is doing to exercise that authority unconstitutionally—as was the case with the student loan—then it begs the question: Do any of my colleagues on the other side of the aisle give a whit about separation of powers or about the fact that it is a clear abuse of the power of the executive branch?

The answer is no. That is the clear truth. They don't give a whit about that, nor do they give a whit about it here because they like the outcome of the policy: the banning of a piece of plastic. That is the truth.

However, it is not really about the pistol braces, is it? Because really that was, in fact, something created by marine and Army veteran Alex Bosco inventing the pistol stabilizing brace to help his friend, a disabled combat veteran, at the shooting range.

At the time, the ATF—President Obama's ATF—advised Mr. Bosco that a stabilizing brace did not convert a pistol into a short-barreled rifle. He relied upon that.

Now, here we are a decade later, and the Biden ATF wants to reverse that by executive fiat, not through the congressional powers, not by legislation, as was possible last summer when my

colleagues had the House, the Senate, and the White House. No. No. They prefer to go ahead and use the unaccountable and unelected bureaucrat at the ATF to make policy.

We are here to say that that is a bad idea. It is a bad idea for the Republic, it is a bad idea for freedom, and it is a bad idea with respect to our fundamental rights.

The reality here is my colleagues on the other side of the aisle know full well what they want to do. It is not just to ban an accessory. They want to ban firearms. They want to ban firearms from top to bottom, and this is a step to do it. I have always been taught that if your opponents say something, you should believe them. That is the reality.

I hope my colleagues on this side of the aisle will stand up to the CRA and send it over to the Senate where it most assuredly might end up being a message amendment because the President of the United States will almost assuredly veto it because he doesn't care about separation of powers either.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume. This is strange what we hear on the House floor today. My friends keep on talking about veterans and people with disabilities, but I don't see any major veterans organization or disability organization that has endorsed this bill. The gentleman talks about the fact that we have security here. Yes, the Capitol Police who protect us all have had background checks and have all had training.

It is interesting that we have a rule when my friends are in charge where you can't bring weapons on the House floor. I feel good about that after I have listened to some of my colleagues here today.

I also remind the gentleman that there were police officers at Uvalde. We hear from police officers and organizations all across the country all the time how they don't want to have to get into situations where they are battling with somebody who has an AR-15.

People are dying in this country on a regular basis. Massacres are happening on a regular basis, and we are on the floor to basically make it easier for people to have access to an accessory that can make a gun more deadly and more accurate that can kill more people. I mean, it doesn't make any sense. All I can think of is the fact that some of my friends are afraid to take on the gun lobby. They are afraid to lose their money. \$100 million in NRA money went into campaigns in the last 10 years—\$100 million. We have to get our priorities straight here in this Congress. We have to put people ahead of guns. Mr. Speaker, I am going to urge that we defeat the previous question, and if we do, then I will offer an amendment to the rule to provide for consideration of a resolution which states that it is the House's duty to protect and preserve Social Security

and Medicare for our future generations and reject any cuts to these essential programs.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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 2 minutes to the gentleman from Texas (Mr. CASAR), to discuss our proposal.

Mr. CASAR. Mr. Speaker, I was here alongside all of you during the State of the Union when my Republican colleagues stood up and started jeering, booing, yelling, and complaining saying that indeed, they weren't interested in cutting Social Security or Medicare. However, in the weeks since, it has become clear to me that was all talk and no votes, or as we say in Texas, all hat and no cattle.

In fact, this week the Republican head of appropriations just said that she wants to see even deeper cuts to critical Federal programs. That means bigger classroom sizes for our students and our struggling teachers and longer wait times for our veterans seeking healthcare, all to finance bigger tax cuts for billionaires and multinational corporations.

Social Security and Medicare are not safe until we step up and vote to make sure they are safe. That is why I urge my colleagues to defeat the previous question so that we can vote for H.R. 178, which would put our money where our mouth is.

I urge my Republican colleagues to prove me wrong because what we are planning on voting on this week are things like a ludicrous gas stove bill of rights.

Are they kidding me?

What we are talking about voting on this week is deregulating gun accessories that have been used in mass shootings across the country.

Really?

It is disrespectful, it is dangerous, and it is a distortion of our oath and our job that we have committed to doing here today.

So instead of bowing to the gun lobby, we are passing these ludicrous messaging bills. Let's work on solving real problems, or, at a minimum, let's stop these attacks on Social Security and Medicare.

Mr. MASSIE. Mr. Speaker, may I inquire as to how much time each side has remaining?

The SPEAKER pro tempore. The gentleman from Kentucky has 6 minutes remaining. The gentleman from Massachusetts has 8 minutes remaining.

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

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman for yielding time.

This really is about saving lives. Eight children a day die from gun violence. In addition, 40,000 Americans die from gun violence throughout the year.

I thank Congressman THOMPSON of California for making clear what we are saying here today. A veteran can buy a brace any day of the year.

We love, respect, and admire our veterans. However, at the same time, we respect our first responders, police officers, firefighters, and others who are on the front line or former combat officers who say that we don't need automatic weapons in the hands of civilians. There is no hunting purpose. There is no purpose.

You haven't lived until you see a shoot-out in your district between a criminal with a ghost gun against police officers. That is what we are trying to prevent. I don't want to see that in Houston, Texas, ever again.

A person can buy the brace without a background check. When it becomes a dangerous weapon, when that brace changes the gun's legal status and makes it, in essence, the same that caused a mass shooting at a Boulder, Colorado, supermarket, then the stabilizing brace and a shorter barrel made a pistol under Federal gun regulations.

Saving lives is why I am standing here on the floor. Protecting police officers and protecting firefighters is why I am on the floor. The highest calling that I have on the floor is protecting children and stopping Uvalde, Sandy Hook, Parkland, Santa Fe, and the list goes on.

A brace can be bought without a background check, and the rule that is being overturned simply says the ATF is doing the right thing.

Mr. Speaker, vote for the underlying bill.

Mr. Speaker, I am here today to speak in opposition to the proposed legislation, H.R. 1615—the Gas Stove Protection Freedom Act and H.R. 1640—the Save our Gas Stoves Act.

The Consumer Product Safety Commission (CPSC) is responsible for protecting children and other consumers from unreasonable risk of injury or death from consumer products.

The CPSC carries out its mission by investigating allegations that consumer products pose an unreasonable safety risk, working with industry to develop voluntary product safety standards, issuing, and enforcing mandatory standards on hazardous consumer products, and recalling unsafe consumer products or arranging for their repair.

The CPSC has a history of protecting children and adults from safety risks across a wide range of products, including removing hazardous infant sleep products from the market, adopting corded window coverings standards to prevent strangulation of children, and working with industry to reduce the risk of fires from micro mobility devices like hoverboards and e-scooters.

Republicans are deliberately misleading the American public with this legislation, which is designed to scare consumers and, unfortunately, Republicans are ignoring the reasonable steps the CPSC has taken to study and address the hazards posed to our children by gas stove emissions.

Legitimate concerns have been raised about the health impact, particularly on children, of the nitrogen dioxide emitted by gas stoves.

Observational studies have found that children living in households that use gas stoves are 42 percent more likely to have asthma.

In December 2022, CPSC issued a recall on a specific gas stove product that was found to be a serious risk of injury or death from carbon monoxide poisoning.

H.R. 1615 would prohibit CPSC from using its rulemaking authority to ban all such hazardous products to protect to Americans.

As the Chairman of the CPSC explained earlier this year, the Commission does not have a proceeding to ban gas stoves but is researching gas stoves and exploring ways to address health risks.

The Republicans' bill peddles the lie that the Biden Administration is attempting to ban gas stoves, but the facts simply are not on their side.

H.R. 1615 will stifle scientific investigation into health hazards and create bad precedent when it comes to protecting our children from health and safety hazards.

Protecting and improving the health and well-being of our children should not be a partisan issue.

On a bipartisan basis, we should be encouraging the CPSC to explore all allegations that appliances or other consumer products put our children's health at risk and give the CPSC more, not fewer, tools for eliminating or mitigating safety risks they uncover.

It is unconscionable to limit the CPSC's options for addressing the potential risks of gas stoves—a product found in homes across America—before the CPSC has fully explored the risks posed by gas stoves and potential solutions.

Efficiency standards are not bans.

Republicans are deliberately misleading the American public to prevent the Department of Energy (DOE) from fulfilling its statutory obligations and finalizing an efficiency standard that will save consumers money.

H.R. 1640 prohibits the Secretary of Energy from finalizing or enforcing a February 2023 proposed rule that would improve the efficiency of electric and gas stoves, ultimately saving families money on their energy bills.

The Republicans' bill simply peddles the lie that the Biden Administration is attempting to ban gas stoves, but the facts simply are not on their side.

DOE cannot ban gas stoves. DOE is simply proceeding with a Congressionally mandated efficiency standard.

The proposed efficiency standard will save Americans money through lower energy bills while cutting harmful indoor air pollution that disproportionately impacts children's health.

DOE's proposed rule is one of their statutorily required standards—and it follows years of inaction and missed statutorily mandated standards deadlines by the Trump Administration.

In the Fall of 2020, multiple organizations and states filed lawsuits asserting Trump's DOE was in violation of deadlines for the review of 25 of its energy conservation standards.

This Republican bill doubles down on that legacy by obstructing DOE from doing what Congress and a court settlement have required it to do.

Republicans' fearmongering over gas stoves is nothing more than a cheap political stunt

designed to scare consumers and protect their fossil fuel friends.

H.R. 1640 prioritizes profits for Big Oil and Gas over the health and economic well-being of everyday Americans.

Efficiency standards save Americans money, while the Republicans' bill will only increase energy costs for Americans and pad the pockets of their fossil fuel friends.

Republicans' scare tactics include pushing a false narrative about how "96 percent of gas stoves on the market don't meet the proposed standard."

This is simply not true.

This deliberate fearmongering is the result of Republicans purposefully misrepresenting DOE data to serve their own political goals.

The statistic Republicans are referencing comes from a DOE test of high-end models that they anticipated would not meet the standard. The test, by design, was not representative of the entire market.

The truth is, nearly half of products on the market today are already in compliance with the proposed rule, including all entry level models.

In a testament to just how far Republicans are willing to go to prop up their polluter friends, H.R. 1640 goes beyond an amendment offered by Rep. PALMER (R-AL) that was added to H.R. 1 by significantly limiting future DOE rulemaking.

This bill does not include a sunset clause—it could forever limit DOE from taking substantive action to improve the energy efficiency of Americans' cooktops.

While the Palmer Amendment would prevent DOE from moving forward with one standard related to cooktop efficiency, H.R. 1640 goes even further by amending the Energy Policy and Conservation Act to restrict DOE from taking similar action in the future.

This bill sets a bad precedent that polluters could seek to exploit.

DOE is already prohibited from banning products based on their fuel source, but H.R. 1640 adds yet another hurdle: it requires DOE to prove that a conservation standard is not likely to result in the unavailability of a product based on the fuel it consumes.

This added condition could significantly weaken and slow down DOE's ability to issue future energy conservation standards.

DOE's proposed energy efficiency standard for gas and electric stoves is smart, commonsense policy that would cut pollution, improve Americans' health, and lower energy bills. And it can be achieved using readily available design changes.

DOE's commonsense proposal will benefit Americans' health and pocketbooks.

DOE estimates the proposal will: Save consumers as much as \$1.71 billion and slash nearly 22 million metric tons of carbon dioxide and 245 thousand tons of methane.

These benefits would come without imposing any undue burdens on manufacturers.

DOE's proposed rule gives manufacturers three years after the date of the rule's publication to comply.

Nearly half of products on the market today are already in compliance with the proposed rule, and there are readily available design changes available for those that don't.

Energy efficiency standards are popular: three out of five Americans support stricter energy efficiency standards for appliances and buildings.

It is time we stop the negativity and counter-productive efforts that are ripping apart our country, and to instead focus on coming together to work towards sensible and effective solutions that can work for the betterment and growth of our country.

Mr. Speaker, I rise today to reassert my opposition to H.R. 277, the "Regulation from the Executive in Need of Scrutiny (REINS) Act" and H.R. 288, "The Separation of Powers Restoration Act of 2023."

First in addressing, H.R. 277, the REINS Act, is a measure that has been offered by Republicans dating back to 2012, is and has always been a problematic bill that would restrict agency rulemaking procedures and undermine public health and safety.

Because it would require both houses of Congress to pass, and the President to sign, a joint resolution of approval for any major rule before they can take effect, this bill would effectively act as a chokehold on Federal agency rulemaking.

I along with my colleagues have attempted to address many of the ills these bills purport by offering common sense amendments that Republicans have continued to refuse any meaningful consideration.

My amendment to H.R. 277, listed on the Rules Committee roster as Amendment #30 would have exempted from the bill the congressional approval requirement for any proposed rule that is made to ensure the safety of products used or consumed by children under the age of 2.

Without such an amendment, the RAINS act cripples the Federal government's ability to protect our children and prioritize their safety.

As it stands, this bill has no exceptions or flexibility when it comes to pressing issues of public health and safety.

It is deeply troubling that REINS Act will delay the implementation of integral new public health and safety safeguards, putting our children at risk.

As such, the REINS Act will ultimately fail to protect the public as it places an expertise-based process into the hands of the government, allowing the political games we have seen in the House this Congress to continue.

Because of the special vulnerability of young children and the distinct threat that the implementation of the REINS poses to the current regulatory process, I urge my colleagues to join me in opposition to H.R. 277.

Second in addressing H.R. 288, "The Separation of Powers Restoration Act of 2023" which purports to address constitutional and statutory deficiencies in the judicial review of agency rulemaking.

Yet, this bill is a long-repeated effort to shift the scope and authority of judicial review of agency actions away from federal agencies by amending Section 706 of the Administrative Procedures Act (APA) to "require that courts decide all relevant questions of law, including all questions of the interpretation of constitutional, statutory, and regulatory provisions, on a de novo basis without deference to the agency that promulgated the final rule, unless otherwise expressly provided by statute.

Effectively, H.R. 288 would abolish judicial deference to agencies' statutory interpretations in federal rulemaking and create harmful and costly burdens to the administrative process.

Mr. Speaker, I am concerned about the ability for agencies to act in times of imminent need to protect citizens.

In particular, H.R. 288 would make sweeping and dangerous changes that would jeopardize the ability of the Department of Homeland Security to protect our nation in times of urgent and imminent need.

My amendment to H.R. 288, listed on the Rules Committee roster as Amendment #3 would have been a simple but necessary revision that would remedy this concern by excluding from the bill cases with rules made by the Secretary of Homeland Security and pertaining to any matter of national security.

As a Senior Member of the Homeland Security Committee, I understand the many challenges the Department of the Homeland Security (DHS) already faces and its critically important role in preventing terror threats and keeping Americans safe.

The Department is the first line of defense in protecting the nation and leading recovery efforts from all-hazards and threats which include everything from weapons of mass destruction to natural disasters.

We do not need to be reminded of the heightened state of security our nation is in and the ever-increasing demands imposed upon our government agencies tasked with keeping our borders and citizens safe.

Now is not the time to undermine or slow the ability of DHS and its ability to address growing threats and active acts of terrorism.

The overall mission of DHS is too critical and its functions indispensably essential, such that it would be impugned to do anything that will slow down the process that allows DHS to do its job.

Given the absence of my essential amendment and the fact that H.R. 288 would cripple Federal agency's ability to act in times of imminent need, I urge opposition to H.R. 288.

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

Mr. Speaker, I thank the other side of the aisle for pointing out that all the ATF rule does is change the legal status, that you can still get the brace and you can still get the pistol.

The last thing that is on a criminally deranged person's mind is: What is the legal status of my firearm? Is this a pistol? Is this a rifle? Is it a short-barreled rifle? How much time will I get when I go on this suicide mission for doing this because of the legal status?

However, what changing legal status does is it creates millions of felons out of legal firearm owners who presumed they were operating legally.

Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. ROY).

Mr. ROY. Mr. Speaker, I appreciate my friend from Kentucky for yielding.

The gentleman from Massachusetts was questioning why he hasn't heard from any veteran groups in support of this.

Mr. Speaker, I ask unanimous consent to include in the RECORD an article titled: "Wisconsin veterans sue ATF over new rule for stabilizing braces."

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

There was no objection.

[From the Capital Times, January 31, 2023]

WISCONSIN VETERANS SUE ATF OVER NEW
RULE FOR STABILIZING BRACES

(By Jessie Opolen)

A conservative Wisconsin law firm filed a lawsuit on Tuesday challenging a new federal firearm registry rule it says would curb the Second Amendment rights of disabled military veterans.

The Wisconsin Institute for Law & Liberty is representing two Wisconsin veterans and one from Texas in the suit, which was filed in the Northern District of Texas. It's the first legal challenge to the Bureau of Alcohol, Tobacco, Firearms and Explosives rule, and the sixth WILL has filed against the Biden administration.

Under the rule, pistols with stabilizing braces must be treated as short-barreled rifles, which have been subject to heightened regulations including stricter registration requirements since the 1930s. Those regulations include mandatory background checks for all transfers (sales), including private transfers.

Stabilizing braces were invented to help disabled shooters fire guns safely—but they have also been used in recent mass shootings in Colorado and Ohio.

"In the days of Al Capone, Congress said back then that short-barreled rifles and sawed-off shotguns should be subjected to greater legal requirements than most other guns. The reason for that is that short-barreled rifles have the greater capability of long guns, yet are easier to conceal, like a pistol," said ATF director Steven Dettelbach in a statement. "But certain so-called stabilizing braces are designed to just attach to pistols, essentially converting them into short-barreled rifles to be fired from the shoulder. Therefore, they must be treated in the same way under the statute."

The plaintiffs in the case are Gabriel A. Tauscher, of Oconomowoc; Shawn M. Kroll, of Hartland; and Darren A. Britto, of Amarillo, Texas. All three are Marine veterans who own pistols with barrels less than 16 inches and use stabilizing braces. They use their weapons for personal protection, recreational shooting and hunting. Under the ATF rule, they would be required to register their firearms as short-barreled rifles.

A stabilizing brace is attached to the shooter's forearm to assist with accuracy, comfort and safety. The lawsuit argues that stabilizing braces are not designed and intended for a pistol to be fired from the shoulder, unlike a rifle.

"These military veterans defended our country overseas, and now they are defending our rights here at home," said WILL deputy counsel Dan Lennington in a statement. "WILL is proud to represent these patriots. The Biden administration has no power to re-classify pistols as rifles, and we will vigorously defend the Second Amendment in federal court."

WILL's complaint argues the rule violates the Second Amendment and the separation of powers.

The rule implements a 120-day period for manufacturers, dealers and individuals to register affected weapons tax-free. People can also comply with the rule by removing stabilizing braces or surrendering guns covered by it to the ATF. Those who don't comply could face fines or imprisonment.

WILL's lawsuit asks the court to block the rule.

Mr. ROY. Mr. Speaker, there are others. The fact of the matter is there are many veterans groups—that is one; we will get you some more—who are supportive of this bill and who are supportive of this effort to protect their Second Amendment rights.

That is a fact because my colleagues on the other side of the aisle want registration because they want to take guns from the American people because they know that liberty rests with the people.

Mr. MCGOVERN. Mr. Speaker, I won't hold my breath waiting for the other names.

It is astounding to me that my friends on the other side of the aisle don't want any gun laws. Basically, they lack empathy for the murders and deaths in this country that happen on a regular basis. I mean, at some point, we have to say enough is enough. They have to put people ahead of the gun lobby, and my friends are incapable of doing that.

Mr. Speaker, I yield 3 minutes to the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ), who is a distinguished member of the Rules Committee.

Ms. LEGER FERNANDEZ. Mr. Speaker, last month, there were two mass shootings in my district, one in Farmington and another in Red River.

On Friday, I met with police officers, victims, and neighbors who were terrified and wounded. An 18-year-old used an assault rifle and several other guns to kill three beautiful souls and injure six, including two police officers.

I sat with the victims and listened to their stories of horror and pain. There were 144 bullets fired before the shooter even left his front yard. One neighbor held my shoulders as he shared, from a place of unbearable pain, what it sounds like when a powerful weapon discharges and you see your neighbor bleeding to death on the street.

We know that the trauma of gun violence extends beyond those killed or injured. That is why my constituents and Americans are pleading with Congress to do what we can to prevent gun violence.

What happens, though? What do we come back to? Instead of addressing gun violence, Republicans stand with the gun lobby to make it easier to evade gun safety laws.

When it became obvious that gun manufacturers were selling powerful pistols and then selling shoulder braces to turn them into rifles, the Trump administration began work on a regulation to treat these constructed rifles as the powerful weapons they are. The Biden administration finished the job.

□ 1330

Gun manufacturers and sellers are using a loophole to avoid public safety protections. This is how gun salesmen are describing the loophole: "It might look and function like a rifle, but thanks to the fact that AR-15 pistols don't come built with a stock, they're legally classified as pistols, giving them a full pardon from inconvenient NFA restrictions."

Listen, if it looks like a rifle, shoots like a rifle, and kills like a rifle, we should treat it like a rifle. That is common sense, but sometimes common

sense isn't that common in the House these days.

Mr. Speaker, I urge my colleagues to stand with the victims, to stand with the people, and put people over the profits of the gun lobby.

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

Mr. Speaker, 6,000 veterans signed a petition opposing the ATF rule, so I hope that is enough to convince the other side.

However, I now switch to two other bills that are in this rules package because this is Groundhog Day. We will be here again. The administration does something which has the effect of law, and then we are feckless to change it.

There have been over 90,000 rules promulgated since the Congressional Review Act was put into place. Only 20 rules have ever been countermanded because it is such a high bar to get a majority of the House and a majority of the Senate and the President to sign something to undo a law.

How did it become law? Just because the administrative branch willed it into existence.

Our Constitution says: "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives."

Does it say, and also an ATF or also an EPA? No, it does not. It says House and Senate.

Does it say, some legislative powers? No. It says, all legislative powers are vested in Congress.

The REINS Act would do quite a bit to restore our power. Not enough, though, because the Chevron deference still exists.

The other bill in this package is the Separation of Powers Restoration Act, which is a legislative repeal of the tragic Chevron deference that has plagued this country for so many years, where the Supreme Court gives full latitude, broad authority to the administrative branch to twist and contort the laws that we make in creating new laws.

I urge people to vote for this rule because it includes these two packages, which put our Republic back into a structure that our Founding Fathers envisioned, where the legislators make the laws, and the administration enforces the laws.

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

Mr. MCGOVERN. Mr. Speaker, may I inquire of the gentleman how many additional speakers he has?

Mr. MASSIE. Mr. Speaker, I have no further speakers, and I am prepared to close.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, we have real problems in this country. I mean, the Northern Hemisphere was on fire. You couldn't walk outside last week without a mask in Washington, D.C., New York City, or a number of major cities and communities all across the Northeast. Our

planet has a fever. I mean, we have a real issue here with climate change, but we don't talk about those things.

There are a zillion issues that we need to deal with, but instead we come to the floor with—this is what the Republicans have said—messaging bills. Those are their words, not mine. These messaging bills promote their culture war against gas stoves, and these messaging bills, I guess, make the NRA even happier.

The gentleman talks about veterans who want this. There are 16 million veterans in this country. If this were a priority of our veterans, these major organizations would be supporting this bill, but they are not.

The bottom line is, we are here talking about stuff that will not help anybody. In fact, this gun bill just makes it easier for people to kill people.

Why are we doing this? This makes absolutely no sense.

Last week, my Republican friends fought with each other, and nothing got done. This week, we are bringing bills to the floor that Republican Members are calling nothing more than messaging bills.

Congress was created to help solve problems, to help people. My Republican friends think that that is a foreign idea. This is helping nobody. It is a joke that we are here today bringing this horrific bill to the floor basically so that the NRA can be happy and justify another \$100 million into their campaigns.

People are dying every single day in this country, and we hardly hear a word about it from the other side of the aisle. In fact, during this debate, very little was even acknowledged in terms of the people who are dying in this country. We can do so much better.

I used to have a history teacher who used to say the world will not get better on its own. I didn't really know what he was talking about when I took the course, but I do now. Nothing good happens unless good people come together and make change.

There have to be some reasonable people on the Republican side who understand that gun violence is out of control. We have more guns in this country than people. We can't shoot our way out of this problem, and yet that is what my Republican friends are suggesting.

Enough is enough. We need to get back to doing the people's business.

Mr. Speaker, I urge my colleagues to vote "no" on the previous question, vote "no" on the rule, and vote "no" on all this garbage messaging legislation that will follow. We are here to solve problems, to make people's lives better. Let's do something that actually makes the American people proud of this Congress. This is embarrassing.

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

Mr. MASSIE. Mr. Speaker, I ask unanimous consent to submit for the RECORD a letter to Speaker MCCARTHY,

Ranking Member HAKEEM JEFFRIES, and others signed by 11 veterans and military organizations in support of H.J. Res. 44.

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

There was no objection.

JUNE 7, 2023.

Hon. KEVIN MCCARTHY,
Speaker of the House
Hon. MITCH MCCONNELL,
Minority Leader of the Senate
Hon. STEVE SCALISE,
Majority Leader of the House
Hon. CHUCK SCHUMER,
Majority Leader of the Senate
Hon. HAKEEM JEFFRIES,
Minority Leader of the House

DEAR SPEAKER MCCARTHY, LEADERS SCHUMER AND MCCONNELL, AND LEADERS JEFFRIES AND SCALISE: We, the undersigned veteran and military serving organizations, endorse immediate passage of House Joint Resolution 44 (H.J. Res. 44) and Senate Joint Resolution 20 (S.J. Res. 20). Congress must execute its oversight powers under the Congressional Review Act to rein in this unconstitutional and discriminatory overreach of Executive Branch powers by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) to wrongfully limit the use of "pistol braces," and should follow up such Resolutions with more permanent legislation to reclaim this unconstitutional delegation of legislative powers by Congress to the Executive Branch and limit the ability of Executive Branch to engage in such Administrative assumption of Congress' enumerated legislative powers.

ATF is exercising extreme Executive Branch powers overreach in unilaterally declaring pistol braces as the equivalent of short-barreled rifles. They are not. Instead, pistol braces are compensatory accommodation devices for disabled U.S. citizens to exercise their fundamental natural "right to keep and bear arms" safely and securely by stabilizing the use of a handgun where they would not otherwise have full use of both hands.

The inventor of the first stabilizing brace for pistols was Alex Bosco of SB Tactical, who designed and intended his device to accommodate a friend and wounded veteran. Bosco testified to the House Judiciary and Oversight and Accountability Committees: One day at the range, an over-eager range officer told one of my range buddies, a wounded veteran, that he was not carefully firing his weapon. The range officer said that because (in his opinion) my friend was firing erratically, he had to bench his pistol from the seated position. Because of the wounds my friend had received in service of his country, the range officer's suggestion made me angry, first because I did not agree that my friend was shooting in a dangerous manner, and second, because I thought it unconscionable that he or anyone like him should be denied the opportunity to safely use a firearm due to wounds received in service of the United States. This experience led to the invention of the pistol stabilizing brace.

The first pistol brace design was approved by ATF in 2012, and so SB Tactical began marketing them to other disabled veterans. In the years following, millions of stabilizing brace-equipped pistols were sold legally across the country. That interpretive guidance stood for almost 10 years and was first made when now President Biden was Vice President of the United States. But then, with less than four months of legal sanctuary for the millions of disabled firearm owners who relied on that decade of regulatory precedent, The ATF implemented its

draconian, unnecessary, poorly developed, and unconstitutional gun-grab making millions of these law-abiding citizens, including hundreds of thousands of military service veterans disabled in the service of their country to defend exactly these rights, criminals as of May 31st, 2023.

Now is the time for Congress to act to preserve these fundamental rights and stop this unconstitutional assumption of legislative powers by the Executive Branch. Because, despite that incredibly short legal grace period, if a disabled veteran brings such a pistol brace to a legally operating gun range as of June 1st, 2023, and is acting in a legal manner in all other respects, they are subject to arrest by the ATF, a criminal fine of \$250,000, and incarceration in federal prison for 10 years—all because they wished to more safely and securely exercise their inalienable rights to keep and bear arms.

And while ATF lamely claims there are adequate safeguards for "legitimate" use of pistol braces, those safeguards contained in ATF's Final Rule ATF 2021 R-08F, are wholly inadequate and barely conceal ATF's apparent underlying desire simply to outlaw pistol braces without so blatantly doing so. In fact, those "accommodations" only apply if a veteran has not turned their pistol over to the ATF, registered their firearm with the federal government, destroyed their lawfully acquired pistol, or rebuilt their firearm such that it is no longer handicap accessible.

Instead of complying with this rule, many gun owners and organizations opted to fight for the right to have these handicap-accessible firearms. Now, veterans who did not comply with ATF's rule and who are current members of the organization who sued the federal government in *State of Texas and Gun Owners of America v. Garland, Mock v. Garland, SAF v. ATF, or Britto v. ATF* are protected from this Rule because four federal courts ruled that these plaintiffs are likely to succeed in their lawsuits and have enjoined the ATF from punishing the plaintiffs for not rebuilding, registering, destroying, or turning in their pistols.

Still, other veterans who have sued the federal government in different lawsuits have not been granted an injunction yet. Rick Cicero, who "lost two limbs while serving his country in Afghanistan" and "cannot fire certain pistols without a stabilizing brace" has yet to receive a ruling from the Eighth Circuit as to whether he is protected from the Biden Administration's new rule. No one should have to join an organization or file a lawsuit to have their firearm ownership rights protected from a federal overreach, and so therefore now is the time for Congress to act to restore these protections to all Americans.

Indeed ATF's actions disproportionately impact disabled veterans, as 27 percent of those veterans, and 41 percent of post-9/11 veterans, suffer under at least one service-connected disability. And with almost half of the country's 19 million veterans owning firearms (as compared to 30 percent gun ownership by the general population), the ATF's action disproportionately and discriminatorily impacts disabled veterans, which ATF did not adequately investigate nor consider in its Final Rule. Fortunately, Congress has the power to reclaim its Constitutionally enumerated legislative powers from this Executive Branch overreach.

And while such proscriptive restriction of ATF is supported by the federal courts, those courts do not have sufficient power to prevent Executive Branch overreach. Yes, the Supreme Court did decide in *District of Columbia v. Heller* the individual right to have a pistol at home. And, a Seventh Circuit Court affirmed that banning pistols equipped with stabilizing braces violates the Constitutional protections against undue restrictions

of that individual right to keep and bear arms because: braces are needed by certain individuals with disabilities to operate a firearm. Thus, arm braces are an integral part of the meaningful exercise of Second Amendment rights for such individuals and can also be considered an “arm.” . . . [because i]t is uncontroverted that law-abiding members of society, including the elderly, infirmed, and disabled, have the constitutional right to arm themselves for self-defense.”

But those Court decisions are insufficient to protect these gun rights for disabled veterans because they still allow ATF to exercise arbitrary and capricious Executive Branch power to define the specifics of a crime (which is clearly a Legislative power), prosecute it on their own recognizance based upon those non-legislatively defined crimes, and then, effectively adjudicate what constitutes a deprivation of fundamental liberties and property without due process by a judicial court. Only Congress can restrain this unconstitutional Executive Branch power grab, and that is why the immediate passage of Congressional Review Act resolutions to strike down these impertinent actions is needed.

We stand ready to assist you in its House and Senate passage and to engage the Biden Administration as to why this is not the time to veto a resolution which so clearly protects disabled veterans' rights.

Very Respectfully,

National Defense Committee, The Ranger Leadership and Policy Center, Arizona Veterans, US Army Ranger Association, Naval Enlisted Reserve Association, Worldwide Army Rangers, Sea Service Family, Foundation, The 75th Ranger Regiment Association, The Gallant Few, American GI Forum, and Three Rangers Foundation.

Mr. MASSIE. Mr. Speaker, I yield myself the balance of my time to close.

The REINS Act, which I would argue is the most important part of these five bills, is here, and we are debating it today because my constituent, Lloyd Rogers—who grew up in an orphanage in Kentucky, where he met his future wife in that same orphanage—sent this idea for this bill to his Congressman who preceded me.

Lloyd Rogers served in the Army during the Korean war. Then he came home, and he served as a county judge executive. He was shocked when he was trying to serve the people in his community at how many of the rules and regulations that tied his hands were never passed by Congress. He wrote this bill, and he sent it to his Congressman.

By the way, he and his wife were married for 65 years, and Lloyd turned 90 on Saturday. He is watching this debate.

This is how our Republic is supposed to work. Laws aren't supposed to come from unelected bureaucrats with no accountability. They are supposed to be ideas that people in our communities have that would make their lives better, and then we are accountable to them, so when they talk to us, we have to listen. They can throw us out every 2 years. Maybe they should throw more of us out every 2 years.

Lloyd came to his Congressman and said, please, put this bill on the floor. It went to legislative counsel. The Congressman introduced this bill, and it

has been very popular. It is one of the most popular bills among the American people because they know the structure of our government intended by our Founding Fathers was for us to write the laws and for the administrative branch to execute the laws, not to write them themselves.

Mr. Speaker, I urge adoption of this rule, which contains five bills that I urge the passage of.

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

AN AMENDMENT TO H. RES. 495 OFFERED BY
MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following:

SEC. 7. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the resolution (H. Res. 178) affirming the House of Representatives' commitment to protect and strengthen Social Security and Medicare. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means or their respective designees.

SEC. 8. Clause 1(c) of rule XIX shall not apply to the consideration of H. Res. 178.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on the adoption of the resolution, if ordered, and the motion to suspend the rules and pass H.R. 3099.

The vote was taken by electronic device, and there were—yeas 216, nays 209, not voting 8, as follows:

[Roll No. 249]

YEAS—216

Aderholt	Burgess	Duncan
Alford	Burlison	Dunn (FL)
Allen	Calvert	Edwards
Amodei	Cammack	Ellzey
Armstrong	Carey	Emmer
Arrington	Carl	Estes
Babin	Carter (GA)	Ezell
Bacon	Chavez-DeRemer	Fallon
Baird	Ciscomani	Feenstra
Balderson	Cline	Ferguson
Banks	Cloud	Fischbach
Barr	Clyde	Fitzgerald
Bean (FL)	Cole	Fitzpatrick
Bentz	Collins	Fleischmann
Bergman	Comer	Flood
Bice	Crane	Foxx
Biggs	Crawford	Franklin, C.
Bilirakis	Crenshaw	Scott
Bishop (NC)	Curtis	Fry
Boehert	Davidson	Fulcher
Brecheen	De La Cruz	Gaetz
Buchanan	DesJarlais	Gallagher
Buck	Diaz-Balart	Garbarino
Bucshon	Donalds	Garcia, Mike
Burchett	Duarte	Gimenez

Gonzales, Tony	Lee (FL)	Rosendale
Good (VA)	Lesko	Rouzer
Gooden (TX)	Letlow	Roy
Gosar	Loudermilk	Rutherford
Granger	Lucas	Salazar
Graves (LA)	Luetkemeyer	Santos
Graves (MO)	Luna	Scalise
Green (TN)	Luttrell	Schweikert
Greene (GA)	Mace	Scott, Austin
Griffith	Malliotakis	Self
Grothman	Mann	Sessions
Guest	Massie	Simpson
Guthrie	Mast	Smith (MO)
Hageman	McCauley	Smith (NE)
Harris	McClain	Smith (NJ)
Harshbarger	McClintock	Smucker
Hern	McCormick	Spartz
Higgins (LA)	McHenry	Stauber
Hill	Meuser	Steel
Hinson	Miller (IL)	Stefanik
Houchin	Miller (OH)	Steil
Hudson	Miller (WV)	Steube
Huizenga	Miller-Meeks	Stewart
Hunt	Mills	Strong
Issa	Molinaro	Tenney
Jackson (TX)	Moolenaar	Thompson (PA)
James	Mooney	Tiffany
Johnson (LA)	Moore (AL)	Timmons
Johnson (OH)	Moore (UT)	Valadao
Johnson (SD)	Moran	Van Drew
Jordan	Murphy	Van Dwyne
Joyce (OH)	Nehls	Van Orden
Joyce (PA)	Newhouse	Wagner
Kean (NJ)	Norman	Walberg
Kelly (MS)	Nunn (IA)	Waltz
Kelly (PA)	Oberholte	Weber (TX)
Kiggans (VA)	Ogles	Webster (FL)
Kiley	Owens	Wenstrup
Kim (CA)	Palmer	Westerman
Kustoff	Pence	Williams (NY)
LaHood	Perry	Williams (TX)
LaLota	Pfenger	Wilson (SC)
LaMalfa	Posey	Wittman
Lamborn	Reschenthaler	Womack
Langworthy	Rodgers (WA)	Yakym
Latta	Rogers (AL)	Zinke
LaTurner	Rogers (KY)	
Lawler	Rose	

NAYS—209

Adams	DeGette	Khanna
Aguilar	DeLauro	Kildee
Allred	DelBene	Kilmer
Auchincloss	Deluzio	Kim (NJ)
Balint	DeSaulnier	Krishnamoorthi
Barragan	Dingell	Kuster
Beatty	Doggett	Landsman
Bera	Escobar	Larsen (WA)
Beyer	Eshoo	Larson (CT)
Bishop (GA)	Espallat	Lee (CA)
Blumenauer	Evans	Lee (NV)
Blunt Rochester	Fletcher	Lee (PA)
Bonamici	Foster	Leger Fernandez
Bowman	Foushee	Levin
Boyle (PA)	Frankel, Lois	Lieu
Brown	Frost	Lofgren
Brownley	Galleo	Lynch
Budzinski	Garamendi	Magaziner
Bush	Garcia (IL)	Manning
Caraveo	Garcia (TX)	Matsui
Carbajal	Garcia, Robert	McBath
Cardenas	Golden (ME)	McClellan
Carson	Goldman (NY)	McCollum
Carter (LA)	Gomez	McGarvey
Cartwright	Gonzalez,	McGovern
Casar	Vicente	Meeks
Case	Green, Al (TX)	Menendez
Castor (FL)	Grijalva	Meng
Castro (TX)	Harder (CA)	Mfume
Cherfilus-	Hayes	Moore (WI)
McCormick	Higgins (NY)	Morelle
Chu	Himes	Moskowitz
Clark (MA)	Horsford	Moulton
Clarke (NY)	Houlihan	Mrvan
Cleaver	Hoyer	Mullin
Clyburn	Hoyle (OR)	Nadler
Cohen	Huffman	Napolitano
Connolly	Ivey	Neal
Correa	Jackson (IL)	Neguse
Costa	Jackson (NC)	Nickel
Courtney	Jackson Lee	Norcross
Craig	Jacobs	Ocasio-Cortez
Crockett	Jayapal	Omar
Crow	Jeffries	Pallone
Cuellar	Johnson (GA)	Panetta
Davids (KS)	Kamlager-Dove	Pappas
Davis (IL)	Kaptur	Pascarell
Davis (NC)	Keating	Payne
Dean (PA)	Kelly (IL)	Pelosi

Peltola
Perez
Peters
Pettersen
Phillips
Pingree
Pocan
Porter
Pressley
Quigley
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Ryan
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff

Schneider
Scholten
Schrier
Scott (VA)
Scott, David
Sherman
Sherrill
Slotkin
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)

Titus
Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Vasquez
Veasey
Velázquez
Wasserman
Schultz
Waters
Watson Coleman
Wexton
Wild
Williams (GA)
Wilson (FL)

NOT VOTING—8

Bost
Carter (TX)
Casten

D'Esposito
Finstad
Gottheimer

Sewell
Turner

□ 1406

Mr. PAPPAS and Ms. HOULAHAN changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 209, not voting 6, as follows:

[Roll No. 250]

AYES—218

Aderholt
Alford
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bean (FL)
Bentz
Bergman
Bice
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brecheen
Buchanan
Buck
Bucshon
Burchett
Burgess
Burlison
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Chavez-DeRemer
Ciscomani
Cline
Cloud
Clyde
Cole

Collins
Comer
Crane
Crawford
Crenshaw
Curtis
Davidson
De La Cruz
DesJarlais
Diaz-Balart
Donalds
Duarte
Duncan
Dunn (FL)
Edwards
Ellzey
Emmer
Estes
Ezell
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Flood
Flood
Foxy
Franklin, C.
Scott
Fry
Fulcher
Gaetz
Gallagher
Garbarino
Garcia, Mike
Gimenez
Gonzales, Tony
Good (VA)
Gooden (TX)

Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hageman
Harris
Harshbarger
Hern
Higgins (LA)
Hill
Hinson
Houchin
Hudson
Huizenga
Hunt
Issa
Jackson (TX)
James
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Kean (NJ)
Kelly (MS)
Kelly (PA)
Kiggans (VA)
Kiley
Kim (CA)
Kustoff
LaHood
LaLota
LaMalfa

Lamborn
Langworthy
Latta
LaTurner
Lawler
Lee (FL)
Lesko
Letlow
Loudermilk
Lucas
Luetkemeyer
Luna
Luttrell
Mace
Malliotakis
Mann
Massie
Mast
McCaul
McClain
McClintock
McCormick
McHenry
Meuser
Miller (IL)
Miller (OH)
Miller (WV)
Miller-Meeks
Mills
Molinaro
Moolenaar
Mooney
Moore (AL)

Moore (UT)
Moran
Murphy
Nehls
Newhouse
Norman
Nunn (IA)
Oberholte
Ogles
Owens
Palmer
Pence
Perry
Pfluger
Posey
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Santos
Scalise
Schweikert
Scott, Austin
Self
Sessions
Simpson
Smith (MO)

Smith (NE)
Smith (NJ)
Smucker
Spartz
Staubert
Steel
Stefanik
Steil
Steube
Stewart
Strong
Tenney
Thompson (PA)
Tiffany
Timmons
Valadao
Van Drew
Van Dwyne
Van Orden
Wagner
Walberg
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (NY)
Williams (TX)
Wilson (SC)
Wittman
Womack
Yakym
Zinke

NOES—209

Adams
Aguilar
Alfred
Auchincloss
Balint
Barragán
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle (PA)
Brown
Brownley
Budzinski
Bush
Caraveo
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Casar
Case
Castor (FL)
Castro (TX)
Cherfilus-
McCormick
Chu
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Correa
Costa
Courtney
Craig
Crockett
Crow
Cuellar
Davids (KS)
Davis (IL)
Davis (NC)
Dean (PA)
DeGette
DeLauro
DeBene
Deluzio
Landsman
Larsen (WA)
Larson (CT)
Lee (CA)
Lee (NV)
Lee (PA)
Leger Fernandez
Levin
Lieu
Lofgren
Lynch
Magaziner
Manning
Matsui
McBath
McClellan
McCollum
McGarvey
McGovern
Meeks
Menendez
Meng
Mfume
Moore (WI)
Morelle

Frost
Gallego
Garamendi
García (IL)
García (TX)
García, Robert
Golden (ME)
Goldman (NY)
Gomez
Gonzalez,
Vicente
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Hoyle (OR)
Huffman
Ivey
Jackson (IL)
Jackson (NC)
Jackson Lee
Jacobs
Jayapal
Jeffries
Johnson (GA)
Kamlager-Dove
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Krishnamoorthi
Kuster
Landsman
Larsen (WA)
Larson (CT)
Lee (CA)
Lee (NV)
Lee (PA)
Scott, David
Sewell
Sherman
Sherrill
Slotkin
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus

Moskowitz
Moulton
Mrvan
Mullin
Nadler
Napolitano
Neal
Neguse
Nickel
Norcross
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Pelosi
Peltola
Perez
Peters
Pettersen
Phillips
Pingree
Pocan
Porter
Pressley
Quigley
Ramirez
Raskin
Ross
Ruiz
Ruppersberger
Ryan
Salinas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scholten
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Slotkin
Smith (WA)
Sorensen
Soto
Spanberger
Stansbury
Stanton
Stevens
Strickland
Swalwell
Sykes
Takano
Thanedar
Thompson (CA)
Thompson (MS)
Titus

Tlaib
Tokuda
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone

Underwood
Vargas
Vasquez
Veasey
Velázquez
Wasserman
Schultz

Waters
Watson Coleman
Wexton
Wild
Williams (GA)
Wilson (FL)

NOT VOTING—6

Casten
D'Esposito

Finstad
Gottheimer

Green, Al (TX)
Turner

□ 1416

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GREEN of Texas. Mr. Speaker, had I been present, I would have voted “no” on roll-call No. 250.

SPECIAL ENVOY FOR THE ABRAHAM ACCORDS ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3099) to establish in the Department of State the position of Special Envoy for the Abraham Accords, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MCCAUL) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 13, not voting 7, as follows:

[Roll No. 251]

YEAS—413

Adams
Aderholt
Aguilar
Alford
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Balint
Banks
Barr
Barragán
Bean (FL)
Beatty
Bentz
Bera
Bergman
Beyer
Bice
Biggs
Bilirakis
Bishop (GA)
Bishop (NC)
Blumenauer
Blunt Rochester
Boebert
Bonamici
Bost
Boyle (PA)
Brecheen
Brown
Brownley
Buchanan
Buck
Bucshon

Budzinski
Burchett
Burgess
Burlison
Calvert
Cammack
Caraveo
Carbajal
Cárdenas
Caret
Carl
Carson
Carter (GA)
Carter (LA)
Carter (TX)
Cartwright
Casar
Case
Castor (FL)
Castro (TX)
Chavez-DeRemer
Cherfilus-
McCormick
Chu
Ciscomani
Clark (MA)
Clarke (NY)
Cleaver
Cline
Cloud
Clyburn
Clyde
Cohen
Cole
Collins
Comer
Connolly
Correa
Costa
Courtney
Craig

Crane
Crawford
Crenshaw
Crockett
Crow
Cuellar
Curtis
Davids (KS)
Davidson
Davis (IL)
Davis (NC)
De La Cruz
Dean (PA)
DeGette
DeLauro
DeBene
Deluzio
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Donalds
Duarte
Duncan
Dunn (FL)
Edwards
Ellzey
Emmer
Escobar
Eshoo
Españat
Estes
Evans
Ezell
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick