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Frankel, Lois  
Franklin, C.  
Scott  
Frost  
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Fulcher  
Gaetz  
Gallagher  
Galleo  
Garamendi  
Garbarino  
Garcia (TX)  
Garcia, Mike  
Garcia, Robert  
Gimenez  
Golden (ME)  
Goldman (NY)  
Gomez  
Gonzales, Tony  
Gonzalez,  
Vicente  
Good (VA)  
Gooden (TX)  
Gosar  
Granger  
Graves (LA)  
Graves (MO)  
Green (TN)  
Green, Al (TX)  
Greene (GA)  
Griffith  
Grijalva  
Grothman  
Guest  
Guthrie  
Hageman  
Harder (CA)  
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Hayes  
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Higgins (LA)  
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Hoyer  
Hoyle (OR)  
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Ivey  
Jackson (IL)  
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Jackson Lee  
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James  
Jayapal  
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Johnson (GA)  
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Joyce (OH)  
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Kaptur  
Kean (NJ)  
Keating  
Kelly (IL)  
Kelly (MS)  
Kelly (PA)  
Khanna  
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Kildee  
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Kim (CA)  
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LaHood  
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Larsen (WA)  
Larson (CT)  
Latta  
LaTurner  
Lawler  
Lee (FL)  
Lee (NV)  
Leger Fernandez  
Lesko  
Letlow  
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Lofgren  
Loudermilk  
Lucas  
Luetkemeyer  
Luna  
Luttrell  
Lynch  
Mace  
Magaziner  
Malliotakis  
Mann  
Manning  
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McBath  
McCaul  
McClain  
McClellan  
McClintock  
McGarvey  
McGovern  
McHenry  
Meeks  
Menendez  
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Meuser  
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Miller (IL)  
Miller (OH)  
Miller (WV)  
Miller-Meeks  
Mills  
Molinaro  
Moolenaar  
Mooney  
Moore (AL)  
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Moore (WI)  
Moran  
Morelle  
Moskowitz  
Moulton  
Mrvan  
Mullin  
Murphy  
Nadler  
Napolitano  
Neal  
Neguse  
Nehls  
Newhouse  
Nickel  
Norcross  
Norman  
Nunn (IA)  
Oberholte  
Ogles  
Owens  
Pallone  
Palmer  
Panetta  
Pappas  
Pascrell  
Payne  
Pelosi  
Peltola  
Pence  
Perez  
Perry  
Peters  
Pettersen  
Pfluger  
Phillips  
Pingree  
Pocan  
Porter  
Posey  
Quigley  
Raskin  
Reschenthaler  
Rogers (AL)  
Rogers (KY)  
Rose  
Rosendale

Ross  
Rouzer  
Roy  
Ruiz  
Ruppersberger  
Rutherford  
Ryan  
Salazar  
Salinas  
Sánchez  
Santos  
Sarbanes  
Scalise  
Scanlon  
Schakowsky  
Schiff  
Schneider  
Scholten  
Schrier  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Self  
Sessions  
Sewell  
Sherman  
Sherrill  
Simpson  
Slotkin  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (WA)  
Smucker  
Sorensen  
Soto  
Spanberger  
Spartz  
Stansbury  
Stanton  
Stauber  
Steel  
Stefanik  
Steil  
Steube  
Stevens  
Stewart  
Strickland  
Strong  
Swalwell  
Sykes  
Takano  
Tenney  
Thanedar  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Tiffany  
Timmons  
Titus  
Tokuda  
Tonko  
Torres (CA)  
Torres (NY)  
Trahan  
Trone  
Underwood  
Valadao  
Van Drew  
Van Dune  
Van Orden  
Vargas  
Vasquez  
Veasey  
Velázquez  
Wagner  
Walberg  
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Schultz  
Waters  
Watson Coleman  
Weber (TX)  
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Wild  
Williams (GA)  
Williams (NY)  
Williams (TX)  
Wilson (FL)  
Wilson (SC)  
Wittman  
Womack  
Yakym  
Zinke

## NAYS—13

Bowman  
Bush  
Garcia (IL)  
Lee (CA)  
Lee (PA)  
Massie  
McCollum  
McCormick  
Ocasio-Cortez  
Omar  
Pressley  
Ramirez  
Tlaib

## NOT VOTING—7

Casten  
D'Esposito  
Finstad  
Gottheimer  
Jordan  
Rodgers (WA)  
Turner

□ 1426

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. LEE of California. Mr. Speaker, on roll-call No. 251, I mistakenly voted "nay" when I intended to vote "yea."

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER THE RULE SUBMITTED BY THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES RELATING TO "FACTORING CRITERIA FOR FIREARMS WITH ATTACHED 'STABILIZING BRACES'"

Mr. HUNT. Mr. Speaker, pursuant to House Resolution 495, I call up 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'", and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. LAMBORN). Pursuant to House Resolution 495, the joint resolution is considered read.

The text of the joint resolution is as follows:

## H.J. RES. 44

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress disapproves the rule submitted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives relating to "Factoring Criteria for Firearms with Attached 'Stabilizing Braces'" (ATF final rule 2021R-08F), and such rule shall have no force or effect.

The SPEAKER pro tempore. The joint resolution shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

The gentleman from Texas (Mr. HUNT) and the gentleman from New York (Mr. NADLER) each will control 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. HUNT).

## GENERAL LEAVE

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

insert extraneous material on H.J. Res. 44.

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

There was no objection.

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

Mr. Speaker, H.J. Res. 44 provides for congressional disapproval for the rule submitted by the Biden ATF relating to factoring criteria for firearms with attached stabilizing braces.

On January 31, 2023, the ATF issued a final rule that effectively bans pistol stabilizing braces nationwide. The ATF's rule redefined a firearm with an attached stabilizing brace as a short-barreled rifle subject to regulation under the Gun Control Act of 1968 and the National Firearms Act of 1934.

Let's be clear about what is happening here today. With one stroke of a pen, unelected bureaucrats in Biden's ATF changed regulatory definitions that will turn millions of law-abiding citizens into felons overnight. That is a fact.

If the owners of the roughly 40 million stabilizing braces in circulation today do not obtain a special registration, surrender, destroy their brace, or turn their brace in to the ATF by May 31, 2023, they could now face criminal penalties up to 10 years in Federal prison, with fines of up to \$250,000.

This isn't happening because Congress passed a law or because a judge issued a ruling. This is an example of the executive branch making law. This is a Federal agency usurping the legislative authority that Congress has under the Constitution.

Congressional Democrats couldn't pass a bill that outlawed pistol stabilizing braces, so the Biden administration has utilized executive fiat to achieve the desired outcome.

To make matters worse, the rule directly contradicts a prior 2012 determination made by the Obama ATF. President Obama's ATF said that a firearm equipped with a stabilizing brace would not be subject to the National Firearms Act controls. The ATF says one thing for a decade and then does another which will then turn millions of law-abiding citizens into felons literally overnight.

Now, American citizens who own these pistol stabilizing braces and relied on the statements made by the ATF are in violation of Federal law and are subject to serious criminal penalties.

The Second Amendment is imbued in the Bill of Rights for a reason. It preserves the First Amendment and all other unalienable rights afforded to the American people. We don't need to reimagine the Second Amendment. We don't need to curtail it. We most certainly won't be repealing it with a 28th amendment.

This ATF rule is an affront against the rights of the American citizen and an assault on the Second Amendment, and it must be defeated.

This resolution will nullify the ATF rule and further protect one of our most basic rights and reclaim Congress' lawmaking authority given to us by our Constitution.

Mr. Speaker, I urge my colleagues to support the resolution, and I reserve the balance of my time.

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

Mr. Speaker, I rise in strong opposition to this resolution, which would ignore the considered judgment of the Bureau of Alcohol, Tobacco, Firearms, and Explosives and make stabilizing braces, a favorite tool of mass shooters, widely available without a background check.

Today is one of those clarifying moments when the priorities of the Republican majority are on clear display. Instead of taking up legislation to reduce gun violence in America, we are advancing a bill to ensure that more deadly weapons are in the hands of mass shooters in this country. What a disgrace.

Mr. Speaker, gun violence continues to take the lives of more than 100 Americans every day. It changes how safe we feel in our schools and in our houses of worship. It reduces vibrant cities to somber headlines. It takes our loved ones, old and young, and leaves us with another anniversary of lives cut short and a community forever changed.

Today, rather than stand up against gun violence, the majority plans to pass this bill so that they can yet again stand with the gun industry.

Rather than support the law enforcement officers who are on the front lines of protecting our communities, the majority is attempting to weaken law enforcement by rolling back a rule created by the ATF meant to protect us from dangerous weapons. The ATF is the law enforcement agency tasked with keeping guns out of the wrong hands and keeping our gun laws in line with congressional intent through rule-making.

In 1934, Congress passed the National Firearms Act, creating additional requirements to own certain especially dangerous firearms, like short-barreled rifles, which were widely used by violent criminals. Congress included short-barreled rifles because they combine the firepower of a rifle with the concealability of a smaller gun.

In recent years, the gun industry discovered a way to circumvent the restrictions of the National Firearms Act by selling stabilizing braces, an accessory that allows a pistol to be fired from the shoulder, turning it into a deadly yet concealable short-barreled rifle.

In 2020, under the Trump administration, the ATF concluded that stabilizing braces were being widely used to create short-barreled rifles and pub-

lished guidance regarding their use. House Republicans cried foul. Just 4 days after the guidance was published, 90 House Republicans sent a letter to the ATF and the DOJ expressing their opposition, and just a few days later, the guidance was withdrawn.

A few months later, under the Biden administration, the ATF revived its efforts to regulate stabilizing braces and published the final rule in January to ensure that our laws stay in line with the intent of Congress, dating all the way back to 1934, when Congress decided that deadly, concealable short-barreled rifles should be subject to heightened regulation.

Republicans will stop at nothing to block the ATF from taking this simple lifesaving measure, even though they know that blocking this rule could have deadly consequences.

Mass shooters used guns with stabilizing braces to kill 9 people outside a bar in Dayton in 2019; to kill 10 people, including a responding officer, in a grocery store in Boulder in 2021; to kill 5 people in an LGBTQ nightclub in Colorado Springs last year; and just this past March, to kill 6 people, including 3 children, in a school in Nashville, the nineteenth school shooting this year.

The Nashville shooting occurred the day before the Judiciary Committee initially planned to mark up this resolution, so the majority, apparently sensitive to the optics, if not the substance, of marking up this resolution, postponed the markup.

Three weeks later, they decided that enough time had passed since three more families woke up without the child they had taken to school, and they were ready to advance a bill to enable more mass shooters to inflict death and destruction in our communities. I guess they thought that we had forgotten the lives lost in that terrible tragedy. We will never forget them or the countless others who lose their lives to gun violence every day.

Now, today, the majority seeks to pass this bill on the House floor, despite the deadly consequences. How many more lives will be lost because Republicans refuse to acknowledge that these weapons are a favorite of mass shooters for their ability to make a gun both deadly and concealable? How many more people have to die before Republicans will value the lives of our children over the profits of the gun industry?

During the last Congress, Democrats put forth a range of solutions to prevent gun violence, to support law enforcement, and to solve violent crimes, but our colleagues across the aisle continue to push for unfettered access to every firearm and accessory imaginable.

□ 1445

As Republicans continue to seek freedom from gun regulation, we will con-

tinue to seek communities free from gun violence.

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

Mr. HUNT. Mr. Speaker, I include in the RECORD a cost estimate for H.J. Res. 44 prepared by the Congressional Budget Office.

H.J. RES. 44, A JOINT RESOLUTION 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'", AS REPORTED BY THE HOUSE COMMITTEE ON THE JUDICIARY ON MAY 17, 2023

	By fiscal year, millions of dollars—		
	2023	2023– 2028	2023– 2033
Direct Spending (Outlays) .....	0	0	0
Revenues .....	–14	–243	–506
Increase or Decrease (–) in the Deficit .....	14	243	506
Spending Subject to Appropriation (Outlays) .....	*	*	**

\* = between zero and \$500,000.  
\*\* = not estimated.

Increases *net direct spending* in any of the four consecutive 10-year periods beginning in 2034? No. Statutory pay-as-you-go procedures apply? Yes.

Increases *on-budget deficits* in any of the four consecutive 10-year periods beginning in 2034? <\$5 billion.

Mandate Effects:

Contains intergovernmental mandate? No.

Contains private-sector mandate? No.

H.J. Res. 44 would disapprove the final rule "Factoring Criteria for Firearms With Attached 'Stabilizing Braces,'" which was submitted by the Department of Justice and took effect on January 31, 2023, the day it was published in the *Federal Register*. The resolution would invoke a legislative process established by the Congressional Review Act to repeal the final rule and prohibit the department from issuing the same or a similar rule in the future.

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) regulates firearms under the National Firearms Act of 1934 (NFA) and the Gun Control Act of 1968 (GCA). The NFA requires certain guns, including short-barreled rifles, to be licensed and registered with the ATF and subjects them to various taxes, including a \$200 tax on the transfer of those weapons and on the production by anyone other than a qualified manufacturer. The final rule reclassifies certain firearms equipped with a stabilizing brace that allows the user to fire from their shoulder as short-barreled rifles. Thus, the owners and manufacturers of those weapons are subject to taxation under the NFA. Disapproval of the final rule would return those firearms to regulation under the GCA, which does not require registration or transfer and production taxes.

The staff of the Joint Committee on Taxation estimates that by disapproving the rule, H.J. Res. 44 would reduce revenues by \$506 million over the 2023–2033 period (see Table 1).

By fiscal year,  
millions of dollars—

Source: Staff of the Joint Committee on Taxation.  
Components may not sum to totals because of rounding.

Unregistered arm-brace-equipped firearms have been used in a number of high-profile mass shootings: Dayton, Ohio, 9 killed and 17 injured outside of a bar; Boulder, Colorado, 10 killed at a

grocery store; Colorado Springs, 5 killed, 19 injured at a club; Nashville, Tennessee, 6 killed, including 3 9-year-old children at an elementary school.

The ATF final rule closes the loophole that helps arm-brace-equipped pistols circumvent firearm regulations, including the National Firearms Act, which has regulated short-barreled rifles under heightened scrutiny since 1934.

The resolution before us today will take an already menacing and lethal weapon and turn it into a more accurate killing machine. This is misguided and callous, and it will only lead to more death.

Mr. Speaker, I urge my colleagues to vote “no.”

Mr. HUNT. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. HUDSON).

Mr. HUDSON. Mr. Speaker, I rise today in support of the resolution.

Our Nation's veterans have served our Nation honorably. They and their families have sacrificed for our freedoms. Today, they are calling on us to support their Second Amendment right to keep and bear arms and to ensure that they can protect themselves and their families. Will you answer the call?

Mr. Speaker, everyone in this Chamber, both Republicans and Democrats, say that we support our Nation's veterans. Now is the chance to prove it.

Today, we can block an overreaching regulation by ATF on pistol braces. We can defend the rights of our veterans. We can defend the rights of all law-abiding gun owners.

A new regulation by President Biden's ATF on pistol braces has turned millions of combat-wounded veterans and law-abiding citizens into felons overnight. Before my colleagues cast a vote today, I want you to know the story of how the pistol brace was developed.

Several years ago, a combat-wounded veteran went to a local gun range with his buddy. However, he was asked to leave due to his lack of control over the pistol because of his combat wounds.

After leaving the range, his buddy went home and created the first pistol brace concept so that his friend and other combat-wounded veterans could exercise their constitutional right to protect themselves, their families, and their homes and could participate in shooting sports again, even on pistol platforms that were otherwise too cumbersome for a disabled shooter to use.

Two years ago, I held a press conference outside of this U.S. Capitol with a group of combat-wounded veterans from around the country, including Army veteran Rick Cicero. They came to share how devastating a new regulation from President Joe Biden's ATF would be on veterans.

Cicero lost his right leg and right arm due to an IED explosion while serving our country in Afghanistan. As

a son of a firearms instructor and long-time shooter, he didn't want to give up his Second Amendment rights.

In Rick's own words that day: “The most important thing to me about this brace [is it] is another avenue of getting injured veterans out of the house. . . . And it helps to maintain a bit of confidence that you are still able to do something.”

Veterans like Rick Cicero served our country and put their bodies literally on the line for us and for our families. Starting this month, the ATF has taken away their God-given rights protected by our Constitution. It is outrageous.

Since the creation of the brace, the ATF has repeatedly approved stabilizing brace designs. As recently as July 2018, the ATF said a brace used “to assist shooters in stabilizing a handgun while shooting with a single hand . . . is not considered a shoulder stock and therefore may be attached to a handgun without making an NFA firearm.”

As a result of those former decisions, tens of millions of Americans already legally owned pistols with stabilizing braces.

Yet, the ATF's new rule requires owners of the device to either remove or destroy them or register the braced firearms with the ATF as short-barreled rifles.

For those combat-wounded veterans in New York and Connecticut, which don't allow short-barreled rifles, you have no option. You can't register that brace.

This registration process involves submitting fingerprints and identifying information as well as photographs of the owner and the firearm. Additionally, the registration will require a \$200 tax stamp.

The 120-day grace period is well short of previous grace periods where a gun was reclassified under the NFA. In fact, back in 1994, the last time a weapon was reclassified, they had over 6 years to reregister that weapon.

This has led to less compliance and leads me to speculate whether the ATF instituted a short timeline by design. Either way, these regulations are especially difficult for servicemembers deployed overseas, like so many in my district. If they are overseas when the deadline hit the end of last month, they are unable to register their firearms. They are now felons. Think about that. They are serving us overseas, and we have now labeled them a felon.

This travesty illustrates the dangers of an unchecked Federal agency that is willing to go around Congress and the millions of constituents we represent.

Our constituents are fed up. They are sick and tired of unelected bureaucrats making up new laws and calling them regulations. I say enough is enough.

Mr. Speaker, I thank my friend, the gentleman from Georgia (Mr. CLYDE), for partnering with me on this important resolution, and I urge my colleagues to support it.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

□ 1500

Ms. JACKSON LEE. Mr. Speaker, I thank the distinguished ranking member and certainly the distinguished Member who is managing, my friend from Texas.

Let me be very clear. I support a stabilizing brace for disabled Americans and veterans.

Could anybody stand here and disagree with that?

They were wounded in combat, and they are fighters for our freedom. It is my honor to have represented the Houston National Cemetery in Texas over a number of years.

Let me be very clear on what we are debating here today. Might I say that there are veterans in the ATF, men and women who served in the United States military who have come home to serve again. Their desire is not to violate the Second Amendment, neither is their desire to take innocent Americans in.

You can get a brace for those disabled veterans, and it is a legal process. This provision specifically is to deal with when you make it a lethal weapon to be used like an assault weapon to kill people.

I don't know why we can't be clear. Let me tell you why it is very clear. It is because we started out with this bill so many days and weeks ago, but in the midst of it, someone used the exact same brace to go into the Covenant School in Nashville and murder three 9-year-olds and three staff members. That is what the ATF is against. Eight children are dying every day and 40,000 Americans are dying throughout the year through gun violence, not your Second Amendment.

Mr. Speaker, who would even think that you could tamper with the Second Amendment?

It is in the Bill of Rights.

However, we do believe that when you have this weapon being created to be the kind of dangerous and lethal weapon to kill, Americans will stand up and say: It is not about the Second Amendment, it is about saving lives.

In Dayton 2019, 9 killed, 17 injured; Boulder 2021, 10 killed; Colorado Springs 2022, 5 killed and 19 injured; Nashville 2023, 6 killed, and children are amongst them.

This is the procedure that is used, not at a shooting range where our veterans may go, but for criminal acts that kill people.

Mr. Speaker, let's hear from the person who actually designed it. It was the creator of the SB tactical stabilizing brace who acknowledged in a 2017 interview with the editor of The Firearm Blog that many who bought the braces did so to avoid National Firearms Registration. They were going to do bad, not those good veterans.

He also said during our joint hearing last month—in answer to a question where I asked him to discuss the ATF

order—that the stabilizing brace was originally designed to allow a disabled veteran to shoot a pistol more accurately and safely.

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

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

Ms. JACKSON LEE. Under this regulation, they will still be allowed to do so.

Let me be very clear. It is for veterans, and under the regulation of ATF, who is full of combat veterans themselves doing their duty to this Nation, who looked at this and said they cannot stand for more children being murdered by someone taking a brace—not disabled at all—but to make a steady aim to kill and take innocent lives.

I commend the ATF for its fortitude. I will tell you, Mr. Speaker, that the work we need to be doing right now, passing the Kimberly Vaughn Firearm Safe Storage Act, extreme risk protection laws, and an assault weapons ban that more than 200 persons voted against but the right people voted for, this is not an injury to our veterans. It is saving lives.

Who would stand up here against a veteran?

Nobody. However, I am going to stand up here against the killing of children.

Mr. Chairman, I rise in Opposition to H.J. Res. 44, which opposes regulation of stabilizing braces—one of the modifications the shooter used to blast their way into Covenant School in Nashville and murder three nine-year olds and three staff members.

After this shooting occurred, the Judiciary Committee postponed the markup of this resolution of disapproval, which was originally scheduled to take place the day after the shooting.

For some reason, which I do not claim to know, Republicans didn't want to talk about stabilizing braces then. But less than a month after more Americans learned that children would never again come home or go to school, Republicans decided that the time was right to hold a markup of this resolution.

It took just twenty-two days for Republicans to move on from the tragic loss of life—of children—and get back to the business of supporting and protecting the gun lobby.

Now here we are today—while the wounds of that tragic day are still fresh—not to vote on a bill to make sure this deadly modification never ends up in the wrong hands again but to make it easier to purchase and possess them.

Instead of offering legislation to address the problem of gun violence or to tackle public safety issues, Republicans are here today to shake their disapproving fingers at the ATF for doing its job and to uplift the very modification used to slaughter nine people and injure 17 in downtown Dayton, Ohio; to massacre ten people, including a police officer, at a supermarket in Boulder, Colorado; to murder five people and injure 19 at a club in Colorado Springs; and as I said—most recently—in Nashville, to kill children and the people who cared for them.

Had the rule on stabilizing braces been in place at the time, these murderers might have been deterred—and lives saved—by the National Firearms Act registration requirements, which include an enhanced background check.

Although my Republican colleagues see fit to abolish or defund ATF or “zero out their salaries”—when it became obvious that stabilizing braces had become a workaround against the short barreled rifle rules, the subject-matter experts at ATF exercised their statutory authority—granted by Congress—as a regulatory agency—to implement, clarify, and interpret the terms and requirements within its jurisdiction, including application of the National Firearms Act.

I should point out that it was under the previous administration that ATF first concluded that stabilizing braces were being designed to avoid NFA requirements.

And it was the creator of the SB Tactical stabilizing brace who acknowledged in a 2017 interview with the editor of The Firearm Blog, that many who bought the braces did so to avoid NFA registration. He also said during our joint hearing last month to discuss the ATF—that the stabilizing brace was “originally designed to allow a disabled veteran” shoot a pistol more accurately and safely. Under this regulation, they will still be allowed to do so.

I commend the ATF for having the fortitude to press forward despite the unfair attacks and bullying by House Republicans—including their December 2020 letter to then Attorney General Barr and ATF Acting Director Lombardo—to provide guidance to prevent the harm created by certain stabilizing braces that convert firearms into concealable, killing machines.

And let me be clear. We all know that this resolution is not particularly about the ATF, disabled veterans, or even stabilizing braces. This resolution is about allowing more guns on the street and in our communities.

Our divisions could not be clearer—as Republicans continue to put more guns, that are more dangerous, in more hands.

They want unfettered access to more guns—to be used against women; more guns to be used against children in their homes and in their schools; more guns to be used against law enforcement—against people shopping in grocery stores—and against people enjoying a night out with friends.

Democrats, on the other hand, will continue to support the ATF in its efforts to address gun violence and to promote commonsense laws that keep Americans safe—like the Kimberly Vaughn Firearm Safe Storage Act, Extreme Risk Protection laws, and an Assault Weapons ban that more than 200 Republicans voted against and could have yielded a much different result in mass shootings that have become an American way of life.

That is why I urge my colleagues to vote no to this dangerous resolution.

Mr. HUNT. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. RUTHERFORD).

Mr. RUTHERFORD. Mr. Speaker, I thank my good friend from Texas for yielding.

Mr. Speaker, the Second Amendment, which undergirds all the other amendments, is the only amendment in the U.S. Constitution to include the following four words: “shall not be infringed.”

As a lifetime law enforcement officer and former sheriff, I have seen firsthand how law-abiding citizens using legal firearms protect themselves, their families, their neighbors, and other innocent persons from those who would do them harm. Mr. Speaker, any crime I have ever seen, I have never seen a stabilizing brace used.

While we are prioritizing safe gun ownership and work to keep firearms out of the hands of criminals and those with mental illness, the Federal Government shall not infringe on the rights of legal gun owners.

That means that the executive branch must not use this administrative rulemaking to rewrite the bounds of the Second Amendment—all without even a vote from Congress.

That, Mr. Speaker, is exactly what the Biden administration is trying to do. They legislate by fiat, through rulemaking.

Earlier this year, the ATF finalized a rule that redefines these pistols with attached stabilizing braces as a short-barreled rifle. After decades, they changed the interpretation.

Mr. Speaker, this insidious rule would turn millions of law-abiding gun owners—including many disabled veterans, as we have heard—who rely on these stabilizing braces into criminals simply for possessing firearms with a legal accessory.

Mr. Speaker, I am proud to cosponsor this important resolution, and I urge my colleagues to support its passage.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Speaker, my colleagues across the aisle are shamelessly trying to make this into a veterans' issue. It is an NRA bill plain and simple, and they are just trying to put lipstick on a pig. If they cared so much about veterans, then they would have voted for the PACT Act, but they didn't seem to worry that much at that point.

Over the years we have seen the gun industry circumvent existing laws by developing new and advanced accessories to increase the power and lethal capabilities of certain firearms.

From bump stocks to auto sears to pistol braces, these unnecessary accessories serve the primary purpose of making guns more deadly.

Unfortunately, we have seen this play out in events so tragic that we just have to refer to them by their first name and people know what we mean: Pulse nightclub, Sandy Hook, Nashville, the October 1 shooting in my district, and others; every time every precious life was taken with the help of one of these accessories.

Time and time again, we have reminded our Republican colleagues of these facts, yet they offer nothing but thoughts and prayers and then proceed to try and expand access to guns and conversion devices.

Mr. Speaker, vote “no” on this.

Mr. HUNT. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. BURLISON).

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

Mr. Speaker, I rise today in support of H.J. Res. 44, which will nullify the ATF's overreaching and unconstitutional rule to regulate firearms that happen to have stabilizing braces such as short-barreled rifles.

Make no mistake, Mr. Speaker, the ATF's rule is nothing short of an assault on our Second Amendment rights. Our Constitution does not grant the ATF the authority to unilaterally redefine what laws constitute a firearm because lawmaking power rests with the elected Representatives of the American people.

If pistol brace owners fail to register their firearms with the ATF, then they will be deemed felons, face up to 10 years of prison, and be fined thousands. This reclassification is arbitrary, it bucks a decade of the ATF's own precedent, it is an assault on our Second Amendment, and it threatens to turn millions—tens of millions—of law-abiding Americans into criminals overnight.

Mr. Speaker, I urge a vote in favor of H.J. Res. 44 to reassert the power of the American people, protect the rights of law-abiding gun owners, and stop this retroactive gun grab.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan (Ms. TLAIB).

Ms. TLAIB. Mr. Speaker, I don't think my colleagues on the other side are aware that it is Gun Violence Awareness Month, which should actually be every month.

We have already had over 290 mass shootings this year. That is more mass shootings than days in the year.

It is time for us to come together to try to address the horrific gun crisis. It is tearing our communities apart, Mr. Speaker, by our legislative inaction every single day.

So how do we start Gun Violence Awareness Month?

They are pushing a bill that would make mass shootings even more deadly. You heard that right, Mr. Speaker. The plan is for them to raise awareness around gun violence in our country, to make it more horrific and more deadly, and to ensure it impacts more American families than ever before by making it easier to access stabilizing braces that have been misused and that have been used for mass shootings.

It is not just mass shootings, Mr. Speaker. It is everyday violence that doesn't even make the news anymore.

It is a travesty that campaign cash from the NRA, gun manufacturers, and the pro-death lobby have blocked the major reforms we need to keep our communities safe.

Our communities need an assault weapons ban. We need reforms on handguns and bold initiatives to reduce the number of firearms in our communities. Most of all, Mr. Speaker, we need accountability for the people who are causing this violence because the gun violence crisis is enabling more

people in power unwilling to do anything to stop the mass murder of countless Americans, especially our children.

I look forward to supporting future legislation that truly does fight the crisis with the urgency it deserves instead of pouring more fuel on the fire like this disgusting Republican bill.

Mr. HUNT. Mr. Speaker, I am a Texan, I am a veteran, and I am a gun owner. I am a gun owner of multiple AR-15s, primarily for hunting, and, of course, to protect my three little kids at home, a 4-year-old, a 2-year-old, and a 5-month-old. No one is going to walk into my house and harm my children or my wife—my family. That, I can assure you.

Mr. Speaker, 6 percent of all gun homicides are at the hands of an AR-15 and weapons that are outfitted with a pistol brace—6 percent, and 60 percent are at the hands of a handgun, and the rest are weapons designated not as the two that I just mentioned—6 percent.

This is clearly an attempt to diminish our Second Amendment rights because if you just take away 6 percent of the gun homicides, it leaves you with 94, and I can assure you, Mr. Speaker, that a homicidal maniac who wants to arbitrarily murder people will find another weapon of choice.

I hear the words weapon of war oftentimes, as well. I am an A-64 Delta Apache pilot. I flew 55 combat air missions in Baghdad. That is a weapon of war. A civilian-made AR-15 is nothing that I would ever take to battle.

Now, I also recognize that we do have a mass shooting problem in this country, and my colleagues on the left want to, of course, blame the AR-15. However, Mr. Speaker, I stand before you to blame the homicidal maniac.

I walk in these Halls every single day, and I am surrounded by brave men and women who carry AR-15s and weapons every single day. I have to walk through a metal detector just to get in this building every single day. Just because I wear this pin does not make me more important than my children.

So what I offer is that instead of trying to erode our Second Amendment rights, I would offer let's protect our kids. Let's ensure that they have the same protection that we have in the Halls of Congress.

There are over 400 million guns currently in circulation. By the way, the overwhelming majority of the people who don't use weapons are law-abiding citizens like myself. I refuse to allow the erosion of our Second Amendment rights to further disarm our population, making us less safe as a further push toward communism, because that is what happens.

When you disarm your population, then the government runs amok. We, especially down in Texas, are not going to allow that to happen.

Mr. Speaker, I certainly encourage my colleagues to support this resolution, and I reserve the balance of my time.

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

Mr. Speaker, the gentleman says that the cause of gun violence in this country is homicidal maniacs. We have 78 times as much gun violence per unit of population than any other country in the world.

Does the gentleman think that we are 78 times as mentally ill and that we have 78 times as many gun maniacs in this country as anywhere else per unit of population?

That is a slander on the American people.

The obvious cause is we have guns run amok.

□ 1515

Mr. Speaker, Republicans have claimed this rule affects forearm braces. It does not. If a disabled veteran needs a forearm brace to shoot a pistol, he or she can still get one without registering it.

The only firearms affected by this rule are those that have a brace that is "designed, made, and intended to be fired from the shoulder." If a veteran or anyone else wants a covered brace, all they have to do is register it. It was even free to do so until June 1. The ATF waived the fee to encourage compliance.

All this rule does is close a loophole so that all short-barreled rifles are subjected to the commonsense requirements of the National Firearms Act: Registration and a background check.

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

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

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Speaker, I thank the chairman kindly for his courtesy in granting me this time.

Today is June 13. We have had 164 days in the year 2023, and we have had 291 mass shootings. We are having, on average, 1½ mass shootings every single day in America.

Of course, our colleagues would prefer not to talk about it because they say it is impolite to talk about a mass shooting on the day it happens. With that theory, we would never talk about it, and we would continue ad infinitum into the carnage and the bloodshed that this unlimited, open-arms policy is giving America today.

A number of my colleagues have invoked the Second Amendment. They only quote half of it. They say: "... the right of the people to keep and bear arms, shall not be infringed."

What about the first half of it? "A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed."

They say we want to repeal the Second Amendment. Mr. Speaker, we don't want them to repeal the Second Amendment. We want them to read the Second Amendment because the Second Amendment would ask us why we



are allowing people to go into elementary schools, Walgreens, supermarkets, churches, and synagogues all over America with AR-15s enabled sometimes with a stabilizing brace—as in Dayton, Ohio; Boulder, Colorado; Colorado Springs; Nashville, Tennessee—and assassinate our people.

If a foreign government were doing it, we would declare war on them, but since we are just allowing the gun industry to spread these weapons of mass destruction around the country, they want to allow it.

They say that the Second Amendment must be respected in this strange and distorted way because they believe the Second Amendment gives people the right to overthrow the government. This insurrectionist theory of the Second Amendment means that the people must have an arsenal equal to that of the government.

Well, it is very hard to explain the rest of the Constitution, then. The Second Amendment doesn't mention anything about rebellion or insurrection.

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

Mr. NADLER. Mr. Speaker, I yield an additional 1 minute to the gentleman from Maryland.

Mr. RASKIN. Article I, Section 8, Clause 15 says Congress has the power to call forth the militias from the States in order to “suppress insurrections.”

Does that sound like a pro-insurrection document to you?

How about the Republican Guarantee Clause?

Congress shall guarantee to the people of the States a republican form of government and assist them in putting down domestic violence.

How about the treason clause, which says that treason shall consist of levying arms against the Union?

I could give you six more examples like that, but why don't we pause on Section 3 of the 14th Amendment, which says that anybody who has sworn an oath to uphold and defend the Constitution of the United States and violates that oath by engaging in insurrection or rebellion shall never be allowed to hold Federal or State office again.

That is not the meaning of our Constitution.

The regulation the administration has adopted is perfectly constitutional, so if you want more bloodshed, just stand for that. It has got nothing to do with the Second Amendment. It is perfectly constitutional for us to engage in reasonable gun safety regulation. Check out *Heller v. The District of Columbia*. Justice Scalia wrote that opinion.

Mr. HUNT. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. DONALDS).

Mr. DONALDS. Mr. Speaker, I actually want to welcome the people who are here in the gallery. I am glad they are here to see this. What they are witnessing is actually something functional that Congress should be doing.

We have a Federal agency called the ATF that has unilaterally decided that they want to make illegal a piece of equipment that they legalized more than a decade ago. The ATF said that the pistol brace is a functional and legal piece that can be added to—and I stress “added to”—a firearm, and they allowed it to be sold in the United States for more than a decade.

Now, why do I say, “added to”? The question for the people in the gallery and the people watching on C-SPAN across the country is: Have you ever seen a pistol brace? It is mostly plastic and/or carbon fiber. It wraps around your forearm, and it has a little pole that sticks out to the midpoint of your hand. The purpose of said brace is for people who actually had an arm injury but still wanted to take advantage of their Second Amendment rights, and the ATF more than a decade ago allowed that brace to be sold in the United States.

We now have the same ATF who is deciding unilaterally to go back and say that that brace now needs to be registered, and if you don't register it, you are a felon in the United States. If that is not a gross violation of separation of powers, I don't know what is. Congress never gave the ATF that authority to criminalize American citizens after they were allowed to buy a piece of equipment.

If an agency says that they think a piece of equipment is a detriment to public safety, then it is the requirement of the agency and the executive branch to come to this body and ask for legal permission to say so. They did not.

They don't just get to act on their own accord. They don't just get to define terms for themselves unless Congress gives them that ability.

Mr. Speaker, one of the fundamental problems we are having here at the national level is that we have too many agencies who are taking too much latitude with the liberties of the American people. Instead of going to their Representatives for clarification, they decide that they want to make them felons through the back door. That is abhorrent.

That is a violation of separation of powers. It is a violation of the very Constitution, and it is a violation of the liberties of the American people that we are all here to represent.

Regardless of how you feel about guns, and regardless of how you may feel about a pistol brace, none of us should be supportive of an agency using their authorities or not using any of their authorities to criminalize the American people.

This is a good CRA. We should be voting up on this CRA.

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

Mr. HUNT. Mr. Speaker, I yield an additional 1 minute to the gentleman from Florida.

Mr. DONALDS. Mr. Speaker, I appreciate my colleague from Texas yielding

me additional time, but I don't think I will need another minute.

Mr. Speaker, we should be voting for this measure. This is a measure to stop a Federal agency from stepping over its bounds and turning law-abiding American citizens into felons. A “no” vote on this measure is a vote to allow the Federal agencies to run amok, unobstructed over the will of the people. Our Members should be supporting it. Frankly, every Member in this Chamber should be supporting this resolution today.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Pennsylvania (Ms. LEE).

Ms. LEE of Pennsylvania. Mr. Speaker, I rise today in honor of the millions of victims of gun violence whose voices have been silenced.

We need to acknowledge what it means to be an American today. It means checking where the exits are in a grocery store or being afraid to drop your child off at an elementary school or always wondering when and where the next shooting will happen.

What are we doing?

This bill is a slap in the face to the victims of mass shootings. It ignores the realities of gun violence in our country, and it demonstrates how Republicans choose the gun lobby over children and families over and over again.

In fact, they planned to mark up this bill on March 28. They postponed it after a shooter used a stabilizing brace to murder six people at the Covenant School in Nashville, Tennessee.

Instead, they choose the seventh anniversary of the Pulse nightclub shooting.

All the while, in my district, the Tree of Life families are in court fighting for justice, facing the gunman who killed their loved ones. Mass shootings have become so commonplace that it would be hard to schedule this on a day that is not a terrible anniversary.

This bill today is shameful. To my Republican colleagues, if you are not with us, at least get out of the way. You owe it to the American people.

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

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

We have heard the majority claim over and over that this rule is going to come as a surprise to the gun industry and to those who have purchased stabilizing braces. This is simply not true.

There are dozens of videos online of people promoting the use of braces to create short-barreled rifles that circumvent the National Firearms Act. One brace promoter even said the resulting short-barreled rifle could easily fit into a briefcase or a backpack.

Let's be clear. The majority is defending the widespread availability without a background check of a brace that allows more rifles to easily fit into a backpack. The majority has seen these promotional videos. We watched

them in our hearing and in our mark-up, yet they continue to seek to invalidate this rule and claim it will come as a surprise.

The fact is that those who profit from the sale of these braces have long known that they were circumventing the law. The ATF wrote to one brace manufacturer multiple times over the last 10 years. In 2018, 5 years ago, the ATF, under President Trump, told the brace manufacturer that it was engaging in false advertising by claiming devices were ATF approved, when in fact the ATF had not even evaluated those devices.

Mr. Speaker, I include in the RECORD a July 18, 2018, letter from the ATF to SB Tactical, a brace manufacturer, stating that they must cease the false advertisement of products as ATF approved when they had not even been evaluated, much less approved by ATF.

U.S. DEPARTMENT OF JUSTICE,  
BUREAU OF ALCOHOL, TOBACCO,  
FIREARMS, AND EXPLOSIVES,  
Martinsburg, WV.

SB TACTICAL,  
Saint Petersburg, FL.

DEAR SB TACTICAL: This letter is to inform SB Tactical that certain products currently marketed and sold by SB Tactical have not been evaluated nor approved by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB). It has come to the attention of FTISB that all of SB Tactical "braces" are being marketed as evaluated and approved by ATF as "pistol stabilizing braces," although, in most cases no evaluations or classification have ever occurred.

FTISB has found the following statement on the boxes of unevaluated SB Tactical models:

ATF Compliant—ATF has reviewed this product and determined that attaching a Pistol Stabilizing Brace to a firearm does not alter the classification of the firearm or subject the firearm to NFA control.

To date, FTISB has evaluated only two SB15 Tactical submissions: the SB15 brace and the MPX PSB brace. FTISB approved both of these models for use as "stabilizing braces," and classified them as not designed or intended to be used as shouldering devices. However, these classifications were based on the samples as submitted. Any change in the submitted design could change FTISB's classification.

Currently, SB Tactical markets more than 20 different designs of "pistol stabilizing braces." While some of these new models are similar to the original evaluated models, several are advertised as being based off shoulder stock designs. FTISB does not approve "stabilizing braces" which are similar or based off shoulder stock designs.

These are the submitted SB Tactical braces approved by ATF:

SB15 (Original submission)

MPX PSB

SB Tactical braces not submitted nor approved by ATF:

SBA3, SBPDW, SB-MINI, SBL, SBM4, SOB, SBX-K, SBV, SBM47, SOB47, SBT5, SBT5A,

SBT5KA, SBTEVO, SBT805, SBT, SBTI, VECTOR PSB, UZI PSB, TAC14-SBM4, 590-SBM4, TAC14-SBL, 590-SBL.

SB Tactical must cease false advertisement of products as ATF approved which have not been evaluated nor approved. If SB Tactical would like to get an official determination for these products, they may be submitted to FTISB for evaluation and classification.

In order for FTISB to evaluate these products and make an official determination, please submit the samples to: Chief, FTISB.

In order for FTISB to perform an evaluation, any submission must be on a complete firearm, with the "stabilizing brace" installed.

Please contact us if you have any additional questions regarding this matter.

Sincerely yours,

MICHAEL R. CURTIS,  
Chief, Firearms Technology Industry  
Services Branch.

Mr. NADLER. Mr. Speaker, the ATF, the agency specifically tasked with regulating dangerous weapons and keeping them out of the wrong hands, underwent a careful review process that began under the Trump administration.

The agency determined that gun owners were exploiting a loophole that allowed stabilizing braces to be used to assemble a short-barreled rifle without being subjected to the existing regulations for such highly dangerous weapons. The ATF then issued a rule, using the standard administrative process, to close this loophole and to protect our communities.

There should be nothing controversial about this rule, but Republicans want to overturn this sensible regulation and put more stabilizing braces on the streets and in the hands of more mass shooters.

I remind Members that mass shooters have already used stabilizing braces to kill 9 people outside a bar in Dayton in 2019; to kill 10 people, including a responding police officer, at a grocery store in Boulder in 2021; to kill 5 people in an LGBTQ nightclub in Colorado Springs last year; and just a few months ago to kill 6 people, including 3 children, at a school in Nashville.

Once again, Republicans are putting the interests of the gun industry over the safety of their communities.

I urge all Members to oppose this dangerous legislation, and I yield back the balance of my time.

Mr. HUNT. Mr. Speaker, I urge all Members to support this resolution, and I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition to H.J. Res. 44.

This resolution seeks to repeal reasonable restrictions on deadly weapons, at a time when gun violence is the leading cause of death for children and youth in the United States.

H.J. Res. 44 would nullify the Biden-Harris administration's stabilizing arm brace rule, which keeps dangerous firearms out of dangerous hands by requiring that guns equipped with stabilizing arm braces are subject to the same requirements as weapons with the same fire power. This rule makes it harder for individuals intending to inflict carnage and take lives to obtain these weapons, and it should remain in place in order to save more lives.

With this resolution, extreme Republicans continue their unpopular and unconscionable quest to oppose any and all restrictions on firearms, abolish the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and prioritize the gun industry over the safety of

our communities and the law enforcement officers who serve them.

House Democrats are determined to defend the sensible and effective policies in place to protect Americans, and we will continue to work to pass additional safeguards to end America's gun violence.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 495, the previous question is ordered on the joint resolution.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the joint resolution.

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

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

The yeas and nays were ordered.

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

□ 1530

#### DISAPPROVING THE ACTION OF THE DISTRICT OF COLUMBIA COUNCIL IN APPROVING THE COMPREHENSIVE POLICING AND JUSTICE REFORM AMENDMENT ACT OF 2022

The SPEAKER pro tempore. Pursuant to the order of the House of May 26, 2023, the unfinished business is the further consideration of the veto message of the President on the joint resolution (H.J. Res. 42) disapproving the action of the District of Columbia Council in approving the Comprehensive Policing and Justice Reform Amendment Act of 2022.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration pass the joint resolution, the objections of the President to the contrary notwithstanding?

(For veto message, see proceedings of the House of May 26, 2023, at page H2645.)

The SPEAKER pro tempore. The gentleman from Kentucky (Mr. COMER) is recognized for 1 hour.

Mr. COMER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Maryland (Mr. RASKIN), the ranking member of the House Committee on Oversight and Accountability, pending which I yield myself such time as I may consume.

GENERAL LEAVE

Mr. COMER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the measure under consideration.