

**Statement for the Record of
Rep. Henry A. Waxman
H.R. 822
November 15, 2011**

Mr. Speaker, I rise in strong opposition to H.R. 822, the National Right-to-Carry Reciprocity Act.

I share the view of many Californians that states have a responsibility to enact commonsense measures to keep deadly weapons out of the hands of children, criminals and individuals with a history of serious mental illness. I am appalled that this bill would supersede reasonable state standards and subject California to weaker and oftentimes dangerous gun laws of other states.

As the leading Democrats on the Judiciary Committee stated in their dissenting views to this bill:

H.R. 822, the 'National Right-to-Carry Reciprocity Act of 2011,' is a dangerous bill that would override the laws of almost every state by obliging each to accept concealed handgun carry permits from every other state, even if the permit holder would not be allowed to carry or even possess a handgun in the state where he or she is traveling. The law tramples federalism and endangers public safety.

For example, in California, we believe – and it is the law – that if you're a convicted sex offender, you should lose your right to own a gun. But under this bill, an individual in California convicted of misdemeanor sexual battery could carry a firearm.

In California, it is the law that that gun owners should have some basic training to ensure guns are stored safely and away from children. But under this bill, individuals with no knowledge of how to handle a firearm could keep and carry a gun in California.

In California, we believe – and it is the law – that gun owners should have a clean criminal record. But under this bill, a man convicted of multiple counts of domestic violence could walk the streets of California with a concealed handgun.

This is not a trivial issue. In January 2008, a Florida man, Michael Leopold Phillips, killed his wife and then turned the gun on himself, committing suicide. Mr. Phillips had a long history of spousal abuse; he had been arrested on three occasions for domestic violence, and an ex-wife had issued a restraining order against him years earlier. But Florida has some of the most relaxed gun laws in the country, and Mr. Phillips was granted a concealed carry permit by the state even though he had documented history of abusing women.

I believe that California should have every right, with the full force of our laws behind them, to keep guns out of the hands of people like Mr. Phillips.

The Republican leadership likes to preach its fidelity to the overarching principle of states' rights—but this bill shows their fidelity to states' rights is subject to a test of political convenience. When it comes to a state's right to decide how to protect its citizens from gun violence, the Republican leadership has ceded its principles to the gun lobby.

This bill is an affront to federalism and an assault on public safety. I urge my colleagues to vote no on this dangerous legislation.