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**CONGRESSWOMAN SHEILA JACKSON LEE, OF TEXAS**

**RULES COMMITTEE TALKING POINTS**

**H.R.822,**

**“THE NATIONAL RIGHT-TO-CARRY RECIPROCITY ACT  
OF 2011”**

**AMENDMENT # 3**



**MONDAY, NOVEMBER 14, 2011**

Thank you, Mr. Chairman; I appreciate the opportunity to explain my amendment to H.R. 822, the “National Right-to-Carry Reciprocity Act of 2011.” My amendment # 3 ensures that anyone convicted of stalking or unlawful surveillance in one state will be subject to state laws that limit their ability to posses or carry a concealed weapon in another.

I believe that my amendment to prevent individuals convicted of stalking from carrying concealed, loaded guns nationwide is an important public safety measure. States should also maintain their right to determine the minimum standards that must be met in order to obtain a permit to carry a concealed weapon within their borders. This measure would require a state to recognize another state’s permit to carry firearms even if the thresholds to obtain a permit significantly differ.

Currently, federal law prohibits possession of guns by felons but not by individuals convicted of the misdemeanor crime of stalking or unlawful surveillance. Some states have already chosen not to grant permits to carry concealed, loaded guns to individuals convicted of dangerous misdemeanors. The amendment will raise rather than lower the standards for the types of convicts who are able to walk about our cities and towns with loaded, concealed weapons.

The measure before us today takes away a state's right to set their own criteria for determining who should be allowed to carry a fire arm within their borders. There are at least 10 states that grant law enforcement officials the broad discretion to deny permits to carry concealed, loaded guns based on an applicant's record or other pertinent factors. In addition, 14 other states grant law enforcement officials limited discretion. Further, at least 14 states require applicants to show good moral character.

Specifically, at least 12 states deny permits to people convicted of stalking, though this is not an exhaustive list. Those states include IA, LA, WY, PA, TN, OK, ND, NY, CT, MI, OH, MN. The Franks substitute amendment to H.R.822 will override these laws and allow stalkers to carry concealed, loaded guns nationwide. This is an unacceptable standard.

Texas has robust handgun concealed carry laws and these laws would only undermine the criteria established by my home state. This measure would enforce a minimum standard for gun possession. Texas standard to attain a permit is currently higher than current federal law and the requirements of a number of other states.

Unlike in some states, in Texas individuals who are delinquent on child support payments, tax payments, or have defaulted on a higher education loan will not be allowed to obtain a permit. Further, to ensure that individuals are able to properly use their fire arm they are required to complete at least 10 to 15 hours of a handgun proficiency course, which must include live firing from 3 different positions and workshops on non-violent dispute resolution and firearms laws, with a certified instructor.

As it stands Texas already honors the permits of 39 other states; which only emphasizes that this can be address at the state level. One of my main concerns is that a currently ineligible state residence could exploit weaker standards in other states and be able to carry a concealed weapon in Texas.

There are at least 20 other states that grant concealed carry permits to non-residents. In effect this measure could allow an individual who failed to meet Texas's permitting standards to easily circumvent those laws by shopping for favorable laws in any of these states.

If this law passes individuals who would not have met the stringent standards established by Texas would then be able to carry in Texas.

I urge the committee to support my amendment to H.R. 822 in order to ensure that individuals who already been convicted of stalking, thereby violating the personal space of their victims will at least not have the ability to follow their targets from state to state armed.

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