

Lloyd's note: The Uvalde School murders occurred less than a month prior (May 24, 2022) to this Congressional speech. Here, Rosendale (MT) has the floor for 30 minutes. He spoke, and then yielded to seditionist/denier Biggs (AZ), and then to seditionist/denier Boebert (CO).

Uvalde Shooting https://en.wikipedia.org/wiki/Robb_Elementary_School_shooting

Lessons from Uvalde:

- A good guy with a gun doesn't stop shootings, even those in progress, with dozens of armed law enforcement outside the door.
- These House members state the 2nd Amendment is God-given, a fabrication that has been dismissed in several SCOTUS and court rulings
- Boebert: "This is a lawless administration that we are serving under, and I would implore the Senate to not compromise on the American citizens' rights."

CONSTITUTIONAL RIGHT TO KEEP AND BEAR ARMS; Congressional Record Vol. 168, No. 101
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CONSTITUTIONAL RIGHT TO KEEP AND BEAR ARMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the Chair recognizes the gentleman from Montana (Mr. Rosendale) for 30 minutes.

Mr. ROSENDALE. Mr. Speaker, for tonight's Special Order, the House Freedom Caucus would like to discuss our constitutional right to keep and bear arms.

I think it is really important that we make exceedingly clear that every one of the Members who is going to be here speaking this evening is as upset and disturbed by the tragic events in Uvalde as everyone else.

But what we will not do is allow the folks on the left side of the aisle to use that as a tool instead of addressing our school safety issues, instead of using it as a tool to address the mental health issues that are rampant across our Nation, instead to use it as a tool to diminish the constitutional rights of law-abiding citizens across our country, not only reducing the rights but, additionally, putting them in jeopardy as well, at the same time that they continue to try to undermine law enforcement and compromise the law enforcement community

to protect these very same individuals so that they are forced to go out and make sure that they can defend themselves and their families and their property.

This is a problem that we see taking place time and time again across our Nation. This isn't just happening in Seattle, in Portland, and in Minneapolis-St. Paul.

Unfortunately, we are seeing some of these exact same leftist radicals who try to strip the power of law enforcement from cities even in the State of Montana.

No one would ever believe it, but we had ordinances that were proposed in Helena, Montana, in Bozeman, Montana, and in Missoula, Montana, to try to defund our law enforcement at the same time we see crime levels rising everywhere. They are violent crimes. I have talked to the attorney general, and he has verified that very information.

The Members who are going to be here tonight are going to talk about the Second Amendment, and they are going to talk about it in great detail because they understand, as the million Montanans do, that the Second Amendment is about much more than just hunting. As a matter of fact, yes, there are people who enjoy hunting with firearms, and they also enjoy just target shooting with firearms. They also have weapons that are antiques or family heirlooms that have been in their homes and families since the 1800s. The most important thing that the Second Amendment is about is home security, defending your home and your household, and that is what we are going to hear a lot about tonight.

I am proud to say that Montana ranks as the number one State with the most guns per household. That, my friends, is how we can keep those crime levels down. Sixty-four percent of Montanans' homes have a gun within them. Guess what? Criminals know that. When you put a sign out that says we defend our homes, people tend to stay away from those areas.

We have a lot of information to go over this evening, and I have several of my colleagues who are going to be here to help me.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. Biggs), my dear friend.

Mr. BIGGS. Mr. Speaker, I thank the gentleman from Montana for yielding to me.

It is important for us to be here tonight. It is important for us to address the attack on the Second Amendment.

The reason I say that is that some people don't care about that Second Amendment. Some people would pack the Court to do away with that Second Amendment. That is an important right. It is so important that, in the Heller decision, Justice Scalia said: ``The very text of the Second Amendment implicitly recognizes the preexistence of the right and declares only that it `shall not be infringed.' ''

What does it mean when you say that right is preexisting? It means that it is not given by the government, and thus it cannot be taken

away by the government. Instead, it is inherent in every individual, every person.

In fact, the reason I use the word ``individual'' is because Justice Scalia made very clear, after a very lengthy discussion regarding militia versus individuals, that this is an individual right. It isn't some kind of collective. It isn't some kind of government-organized right. It is a God-given right, and

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thus it is prohibited for government to infringe upon that right.

Justice Scalia went on to say exactly what I just said. He said: ``This is not a right granted by the Constitution. Neither is it in any manner dependent upon that instrument for its existence. The Second Amendment declares that it shall not be infringed.''

Anyone who has taken an oath of office to honor and defend the Constitution against all enemies, foreign and domestic, how can they then vote for legislation that would surrender that right to the government?

My friends across the aisle have failed to remember how important it is. I am going to make three quick points.

Number one: Why is an AR-15 important? It is a gun that is light and easy to handle for people who are being attacked. It is a perfect defensive weapon. It is important that we remember that.

Second thing: Good guys with guns actually do save lives. Democrats ignored the recent incident in West Virginia where a woman used her 9-millimeter pistol to stop a shooter who was shooting toward a crowd of people, with an AR-15, by the way. They ignored the actions of Stephen Willeford, who stopped a shooting in Sutherland Springs, Texas.

If you are relying solely on the police to come--I love my friends of the blue. We rely on them. We depend upon them. But when someone is attacking you, you don't always have time to wait for those first responders to get there.

My last point is this: If you are 18, 19, or 20 years old, you still have that God-given right to defend yourself and to the Second Amendment.

The proposals of this body ignore the fact that the Ninth Circuit recently recognized and realized that they have those rights, and they struck down a California law that imposed a restriction on 18-, 19-, and 20-year-olds.

Ladies and gentlemen, those who are listening, don't give up your right. If you are a Member of Congress, don't take away this important God-given right.

Mr. Speaker, I thank Mr. Rosendale for letting me speak.

Mr. ROSENDALE. Mr. Speaker, I thank very much Representative Biggs,

one of our strongest defenders of the Second Amendment here in the body.

If the left wants to address this issue, let's be up-front about it. Let's be honest about it. Let's stop trying to undermine the Second Amendment through changes in statute. Let's stop trying to strip away people's rights by inserting something into a law that later would be struck down by the Supreme Court.

If you want to be honest and up-front about stripping away people's rights, then come to this floor, propose an amendment to the Constitution, debate it here on the floor, send it to the United States Senate, see if you can get that done. Then send it back to the people of the United States and see how they feel about it.

That is how this is supposed to take place. You cannot violate the Constitution and strip away people's rights.

Mr. Speaker, I yield to the gentlewoman from Colorado (Mrs. Boebert), my good friend.

Mrs. BOEBERT. Mr. Speaker, I thank Mr. Rosendale for yielding.

Mr. Speaker, I love what Mr. Biggs was saying, how these are our God-given rights. That right there is fundamental, and that is why we have a government, to secure our God-given rights.

None of our rights come from politicians. Our rights are not granted to us by the executive, by the legislative, or by the judicial branch. They are granted to us by God. These are our natural rights. They are unalienable. For anyone to say: "I am from the Federal Government, and I am here to help," well, those are very dangerous words.

Another thing that is dangerous is gun-free zones. I am a cosponsor of Congressman Massie's bill that would remove the law that makes our schools gun-free zones. That makes them soft targets. Our children are our Nation's most valuable assets. The more value an asset has, the more protection it should have.

We secure our banks. We secure our airports. We secure the White House. We have even seen the Capitol surrounded by fences, miles of razor wire on top of that fence, 26,000 armed National Guardsmen, because even my colleagues on the other side of the aisle understand that borders that are secure and armed security work.

We need to harden our schools. We need to secure our schools. I believe this starts at a very local level. Maybe there is something there that can be boosted by the Federal Government, some of this unspent COVID money to go toward boosting security in our schools.

We don't need to be inching away the rights and liberties of American citizens. Liberty lost never comes back. We don't get that liberty back that we give away. We certainly were not elected to legislate away liberty from our constituents. We are here to keep the American people free. That is the proper role of government.

A lot of people would like to say that the Second Amendment, well, it

is great because we know you want to hunt. The Second Amendment has nothing to do with hunting. Our Founding Fathers did not just return from a hunting expedition when they created the Bill of Rights, when they drafted that. No, they had just got done liberating a nation from a tyrannical, oppressive King, and they wanted a government that was so strong and powerful that it would be able to fight off that tyranny and oppression that anyone from around the world might seek to reimpose on this people. But they also wanted a government so limited that it would never impose that same tyranny and oppression on its own people.

Isn't it interesting that we heard for weeks how American taxpayers need to send money to Ukraine to make sure that those citizens are armed?

Now the same people who are saying that we were bought by Putin because we didn't want to send billions and billions of dollars to Ukraine while our southern border is unsecure, while we have an invasion taking place at our southern border, when we have our own supply chain crisis, we have inflation that is skyrocketing, and we said maybe let's just put America first for a minute. But the same people who made these accusations against those of us who would vote against that spending are now seeking to take the rights away from American citizens.

And these same people who had no problem arming Ukraine and wanting to disarm American citizens also call to defund the police. We even saw 24 of our colleagues from the other side of the aisle just today vote to not provide added security to our Supreme Court Justices who have had mob violence at their homes, murder attempts against a Supreme Court Justice. And 24 of these radical leftists said: No, they are fine. We are not going to send police to protect you. You won't be able to protect yourself. It is all rogue.

This is a lawless administration that we are serving under, and I would implore the Senate to not compromise on the American citizens' rights.

And I would like to just note that the 10 that we have heard of who are considering siding with these people who would limit the liberties and freedoms of American citizens are either not coming back to the Senate, they are retiring, or they are not up for reelection. I think that that is very telling, and I will not give an inch on the Second Amendment, of the rights of the people to keep and bear arms to protect themselves, especially when cries from this Chamber are calling to defund law enforcement and our southern border is wide open, allowing the cartel to send whatever they want through those borders without any added security.

Mr. Speaker, I thank Mr. Rosendale for leading this special order tonight, and I make reference that it is the House Freedom Caucus that is really setting the standard and protecting American liberties.

Mr. ROSENDALE. Mr. Speaker, we continue to hear the Democrats talk about the flawed arguments that we make that the Founding Fathers didn't know weaponry would advance the way that it has, that the Founding Fathers could not conceive of a government that would never force us to do something against our will or deny us of due process.

Please consider some of the activities that have taken place and the mandates that have been placed

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upon us over the last 2 years, and don't tell me that we have a government that has reached well beyond its boundaries.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. Davidson), who knows what it means to fight for our country.

Mr. DAVIDSON. Mr. Speaker, I don't think there could be a more serious matter before this body. Everyone in the country, frankly, everyone in the world knows we can't continue to see what is happening in our cities, in our schools, in vulnerable communities, we can't continue to see those things happening.

Sadly, Democrats have a preconceived play for every tragedy. A famous Democrat even coined the phrase, never let an emergency go to waste, never let a crisis go to waste.

It is a crisis for sure. But the crisis isn't the fact that America has guns or that individual American citizens have guns. We have always had guns.

What is different is the level of despair in our communities. We see it surging not just in mass shootings but in the rise of violent crimes, in the surge in suicides, in fatal overdoses. The leading cause of death for 18- to 45-year-olds is now fatal drug overdoses.

A lot of people will point to the mass shooters as they are ready to lose their lives. They have even coined a phrase, suicide by cop. They know how it is going to end when they go in doing it.

So what is driving this? Is it the gun? It is an inanimate object.

The solution, the Democrats say--it is a longstanding wish list. They have had a dream for a long time to repeal the Second Amendment. Frankly, they don't want to campaign on that.

Our colleague, Mr. Mondaire Jones from New York, when we were moving some of these bills through Judiciary Committee said, ``You will not stop us from passing gun control. If the filibuster obstructs us, we will abolish it. If the Supreme Court objects, we will expand. We will not rest until we have taken weapons of war out of our communities.'' Frankly, Justin Trudeau agrees, but he is the Prime Minister of Canada. Canada doesn't have a Second Amendment.

Just today, I was walking through the Capitol from the Senate side to the House side, and a reporter stopped me, and she pointed out inaccurately that the Second Amendment grants us the right to keep and bear arms.

No, ma'am, the Second Amendment does not grant us anything. In fact, the Bill of Rights grants us nothing. The Second Amendment is a limitation on the ability of government to infringe on our preexisting rights. Just as the Declaration recognized we were endowed by our creator with certain inalienable rights that among them are life, liberty, and the pursuit of happiness.

This is an extension of the right to life. And, hopefully, tomorrow we will see the Supreme Court defend life. You can't defend freedom without defending life. In the modern era one of the key instruments to defending life for adults is the right to keep and bear arms.

People have referred to some weapons as weapons of war. No, they are not the same weapons as weapons of war. Those were outlawed in the 1930s under the National Firearms Act. They have been outlawed for a long time. A semiautomatic rifle or a semiautomatic pistol is not a

weapon of war, though sometimes they are used in that mode in combat. They are very effective in war, but our Founding Fathers didn't vest the defense of this Nation originally in a standing Army. In fact, they said we don't want a standing Army.

One of the limitations on this body is we have to fund the defense budget every cycle. We can't have it operate in perpetuity without reauthorizing it every time. We had a standing Navy, but we didn't have a standing Army.

Let's read the text of the Second Amendment. The Second Amendment says: ``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.''

Famous words.

People want to pretend that somehow the Second Amendment granted the State the ability to keep and bear arms. Only if you are in the military. Only if you are in the militia. That is the same right to keep and bear arms the North Korean Army has. What a fallacy. I can't believe some of our countrymen fall for that, but some of them do. And that is why my colleagues repeat it. They know, though, but they say the lie anyway.

Well, what are we going to do about it? Well, we are certainly not going to surrender our freedoms because we know freedom surrendered is rarely reclaimed. We aim to keep our Second Amendment.

Just as Ben Franklin--recognized walking out of the Constitutional Convention--was asked: What have you wrought, sir? A Republic if you can keep it. The people, and we aim to keep it as the people's Representatives.

Who defends freedom in Congress? The Freedom Caucus. I am proud to be here with my colleagues taking this time tonight to defend this important freedom.

But I think people are right to say, So what are we going to actually do about it?

If you listen to the debate you might know that there are a lot of shooters that turn into active shooters, mass murderers, doers of evil deeds that people will say after the fact, well, you know, everybody kind of knew Johnny or whoever was crazy. You know, we kind of saw this coming. Maybe we could have stopped him. If only there was a red flag law.

So people in America might not realize that in every single State and in the District of Columbia it is already possible to stop such a person. The law is known as the Baker Act. It is possible to have a person, even involuntarily, against their will, adjudicated mentally incompetent. That law preserves due process. The person has a right to confront his or her accusers. That law locks up the right thing. You can't deprive a person--under the Fifth Amendment and the 14th, you cannot deprive a person of life, liberty, or property without due process.

Red flag laws reverse that. Not only do they get rid of the due process, it is essentially civil asset forfeiture. First, you seize the guns and you get to due process later. It seizes the wrong things. It locks up the guns.

The person is the dangerous thing. So you take the guns away from the person. The person, if they really are mentally dangerous, they can get access to guns in other ways, perhaps illegally, as a substantial portion of shooters do. Perhaps they could drive a car through a parade route. They could use a blade. They could use all kinds of ways to harm others, and frankly, they could also harm themselves, turning into one

of the tragic suicides that occur every day in our country.

So, no, I think the Baker Act ought to be the thing that people focus on. Those are overwhelmingly State laws. And we have to focus on understanding why those laws aren't used.

My colleagues know of these laws, particularly the ones on the Judiciary Committee, but they don't bring them up. They pretend as if the only way to stop this is with the red flag laws. And you know, while I know the Democrats have had a longstanding desire to go after the Second Amendment, I will admit it is especially discouraging when Republicans break ranks on this core issue.

I was disappointed to see 10 of our House colleagues vote for some measure of gun control in the House. Five of them aren't running again, and five of them may find that they are not running again at some point. In the Senate there are already 10 that are openly supportive of this outline, framework of a deal. We haven't seen text, but we do know it encourages red flag laws, which ought to be ruled unconstitutional, as all civil asset forfeiture ought to be ruled unconstitutional.

When you look at civil asset forfeiture, it is disproportionately used in minority and disadvantaged communities.

Why? How? Because they don't have the money to get the assets back. The government seizes it. It spins due process on its head, and you have to go to court to prove the property is yours or that you are able to own it safely.

And when you talk about a gun, while guns aren't always cheap, lawyers are more expensive. So most people will simply buy another gun, rather than go back and fight the unjust action in courts. It is so ripe for abuse. It is horrible to see anyone who has sworn an oath to support and defend our Constitution support such measures. I hope people will pull back and rethink it; not rethink solving the problem.

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Let's look at the Baker Act, and let's look at mental health. Let's look at these acts of despair that are wrecking our communities and individual lives, and let's stop falling for the fallacies that somehow gun control is going to end the actions of these doers of evil deeds.

Mr. Speaker, I thank the gentleman for hosting this special order.

Mr. ROSENDALE. Mr. Speaker, I am proud to stand here with the members of the Freedom Caucus tonight because they are the ones that understand we are standing here with a simple task, and that is to defend the rights of the people across this Nation. That is what our job is.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. Hice), my good friend.

Mr. HICE of Georgia. Mr. Speaker, I thank the gentleman from Montana for your leadership on this issue and for all the members of the House Freedom Caucus who stand for the issues that are both constitutional and extremely important to the American citizens.

All of us, all of us, all of us have been shocked over and over to see the unspeakable acts of violence, mass shootings and the like that have taken place in recent years and are rising in intensity and frequency. We see the heart-wrenching situations that these tragedies create in families and communities, and we see the rippling effect that they have in our Nation as a whole.

But far too often when these types of things happen, the reaction has become predictable from our colleagues on the other side of the aisle, from the media, from others who immediately jump to conclusions, politicize the tragedies, and transfer to an agenda that includes

disarming law-abiding citizens and stripping away our constitutionally protected Second Amendment.

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Stricter regulation is not the issue--it is not the answer. Stripping away constitutional rights of American citizens is not the answer to these problems.

When considering how to deal with issues like mass shootings, we need to dig down to the root cause. This is just common sense. We have a major problem, let's get to the cause of the problem.

Firearms are just a tool, and like with any tool, the tool is only as effective or ineffective as the one operating the tool. I am not a violent person, that is why I don't have violent guns. The guns are not the problem. The person is the problem.

If you have a violent person--as has already been stated tonight--a violent person is going to commit violent acts. What is our response here--let's not go after the person, let's not deal with the cause, let's go after the tool, the instrument that was used. That does not solve the problem.

If we are ever going to deal with issues like mass shootings, and a host of other issues of that nature, then we have got to look at the problem, which is the shooter. We, in this country right now, we are a Nation in deep moral and spiritual crisis.

Among other things, we are watching our values in the family unit deteriorate right under our nose. Just today in a hearing in the Oversight Committee where the Democrats were yet again offering one piece of legislation after another that continues to deteriorate and dismantle the most critical unit in this country--that is the family unit.

Mr. Speaker, I would challenge anyone to take a deeper look at those who have committed such violent, heinous crimes that we have watched and see what their family life was like, what their spiritual life was like, and we will start finding some of the issues here that must be addressed.

Yet, we have so many attempts right now to address all the wrong things.

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