



House of Representatives
Judiciary Committee

Understanding H.R. 8

Topline

- Democrats are perpetrating fraud on victims of mass violence: Unfortunately, H.R. 8 claims to be a solution, but solves nothing.
- Republicans support background checks and stand ready to work on a host of solutions that would actually prevent mass violence. It's disappointing that Democrats are presenting a bill that offers no way to make schools or communities safer.
- By pushing H.R. 8 forward, Democrats refuse to take the most logical step to combat gun violence—namely, preventing criminals from acquiring firearms → To be clear, H.R. 8 does not prevent criminals from acquiring firearms.
- In markup, Republicans introduced an amendment to establish an FBI fusion center to combat mass violence by collecting and processing intelligence related to violent acts. This would help local, state, and federal law enforcement respond to threats more swiftly and appropriately. The Chairman rejected it.
- H.R. 8 makes vulnerable people more vulnerable by criminalizing their right to defend themselves.
- H.R. 8 would make it illegal for a domestic abuse or stalking victim to borrow a gun from a friend for protection, unless the threat is “imminent.”
- H.R. 8 could make exercising a basic Constitutional right impossibly expensive for millions of Americans because it doesn't put a cap on the cost of government background checks.
- Republicans have a track record of taking meaningful action to protect communities from mass violence. We passed the FIX NICS background check bill into law under President Trump and the Comprehensive Justice and Mental Health Act under President Obama.
- Democrats aren't offering real solutions to mass violence because they're ignoring the human factors, like the mental health crisis, behind this epidemic.
- Instead of creating new laws that would undermine the Second Amendment and offer nothing more than a false sense of security, Congress should look at ways to save lives by addressing the root causes of mass violence.

Background

- Current federal laws are already strong on this issue. We must better apply the laws we already have on the books. Federal law already prohibits:
 - Transferring a firearm to anyone known or believed to be prohibited from possessing firearms.
 - Anyone without a Federal Firearm License (FFL) from acquiring a handgun outside their state of residence.
 - Anyone without an FFL from acquiring a rifle or shotgun from someone without an FFL outside their state of residence.
 - Individuals from transferring a handgun across state lines to someone without a firearms license.
 - Anyone from acquiring firearms on behalf of another person who is prohibited from possessing firearms.
 - Anyone from providing a handgun to a juvenile.
 - Dealers from selling rifles or shotguns to individuals under age 18.
- Proponents of this bill cite poorly worded opinion polls to claim that this bill is supported by 97% of Americans. The reality on the ground is quite different. For example, when the state of Maine asked its voters whether or not to implement universal background checks, the state's voters rejected the measure outright.
- The vast majority of firearm transfers at gun shows are conducted by federal firearms licensees performing a NICS background check.
- H.R. 8 would not have stopped any of these mass shootings:*
- Columbine High School, Columbine, CO—April 20, 1999
- Virginia Tech, Blacksburg, VA—April 16, 2007
- Fort Hood, TX—November 5, 2009
- Tuscon, AZ—January 8, 2011
- Sandy Hook Elementary, Newtown, CT—December 14, 2012
- Aurora, CO,—July 20, 2012
- Navy Yard, Washington, DC—September 16, 2013
- Emanuel AME Church, Charleston, SC—June 17, 2015
- San Bernardino, CA—December 2, 2015
- Pulse Nightclub, Orlando, FL—June 12, 2016
- Las Vegas, NV—October 1, 2017
- First Baptist Church, Sutherland Springs, TX—November 5, 2017
- Marjory Stoneman Douglas High School, Parkland, FL—February 14, 2018

*Note, this is not a comprehensive list of events that H.R. 8 would not have prevented. This information is helpful to understand that the underlying challenge of mass violence is not a need for expanded background checks, and it should be used with judgment and care when engaging on the issue.