



January 1, 2021

The Honorable Nancy Pelosi  
Speaker  
1236 Longworth House Office Building  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Kevin McCarthy  
Minority Leader  
2468 Rayburn House Office Building  
U.S. House of Representatives  
Washington, DC 20515

Dear Speaker Pelosi and Minority Leader McCarthy:

We write today in support of the existing Capitol Police Board regulations that have helped protect Members for more than 50 years and ask that you not include any provisions in the House Rules package that attempt to alter these protections.

Currently, Members of Congress are allowed to carry firearms within the U.S. Capitol Complex as a result of U.S. Capitol Police Board's regulations and 40 U.S.C. § 5104. The current regulations allowing Members of Congress to carry have helped protect these Members and their Second Amendment rights since 1967.

There are substantial precedents for this type of regulation throughout the U.S. According to the National Conference of State Legislatures, more than two dozen states allow guns in capitol buildings. Of those states, "nine permit 'open carry,' 13 allow firearms owners with permits to carry and four allow legislators or legislative staff to carry in the capitol."

Washington, D.C. has a violent crime problem and D.C.'s violent crime rate is 158% higher than the national average. In 2020 alone, there have been more than 180 homicides, more than 1,500 assaults with a deadly weapon, and more than 1,800 robberies.

Furthermore, there is a history of violent attacks on Members of Congress and Capitol Police.

On March 1, 1954, four members of the Puerto Rican Nationalist Party entered the House Chamber and opened fire onto the House floor. Five Congressmen were wounded in the shooting.

On July 24, 1998, a gunman entered through a Member and employee entrance on the Eastside of the Capitol with a six-shot revolver. When the metal detector alarm went off, the gunman shot a Capitol Police Officer in the back of the head and then fled to a corridor filled with several House leadership offices while engaging in a shootout. The gunman was shot and apprehended after entering the office of then Majority Whip Tom DeLay. Tragically, two Capitol Police Officers died in the 1998 shooting.

On June 14, 2017, at a practice session attended by 24 Members of Congress at Eugene Simpson Stadium Park in Alexandria, Virginia, for the annual Congressional Baseball Game for Charity, a gunman opened fire on the Members and engaged in a ten-minute shootout with officers from the Capitol Police.

The three Capitol Police officers present at the practice were assigned to protect Whip Scalise who, due to his House leadership position, had a full-time security detail. Had these heroes not been there, the 24 Members of Congress present at the practice would have been unguarded and it's likely several more would have been critically injured or even killed. Some of those Members are now licensed to carry firearms in DC.

If Members can't carry on Capitol grounds, they can't protect themselves in D.C. while making their way to and from their offices to perform their official duties. The "last-mile" transition of self-protection is critical. The current regulations provide transitional coverage once the Member is physically on campus. Changing the current regulations could create new problems and uncertainty for lawful carrying Members in terms of what to do with a firearm once the Member arrives at the Congressional Complex.

Moreover, and most importantly, Members need to be able to protect themselves once the Member is in the public space/street and out of the protective care of the Capitol Police. If the current regulations are changed, the Member will be at risk of physical assault and real danger, especially after voicing views of his or her constituents that may not be held by others physically present in Washington D.C.

A 1946 law defines the area of the U.S. Capitol grounds. A 1967 law expanded the prohibition on discharging firearms on U.S. Capitol grounds in section 6 of the 1946 law. The 1967 law expanded that prohibition to include the prohibition on carrying or having a readily accessible firearm.

However, the 1967 law has an exemption for regulations promulgated by the Capitol Police Board (CPB). Subsection 2 of the 1967 law includes a provision stating:

*"Nothing contained in this section shall forbid any act of any Member of Congress, or any employee of a Member of Congress...which is performed in the lawful discharge of his official duties."*

A memorandum by the U.S. House Office of General Counsel addressed what constitutes "lawful carrying" on Capitol grounds as well as "or other lawful purposes." The OGC memo concluded that "lawful carrying" depends on the applicable state prohibitions. The memorandum cited *United States v. De la Cruz-Bancroft*, 2010 WL8752034 (D.N.M. Jan. 4. 2010) (the only case that has interpreted 18 U.S.C. § 930(d)(3)). The court's interpretation of 18 U.S.C. §

930(d)(3) concluded that:


*The Court concludes that the plain language of § 930(d)(3) is clear. It provides that carrying a firearm in a Federal facility "incident to" hunting or other lawful purpose is lawful.*

Protecting the safety and lives of Members of Congress is of the utmost concern and isn't a partisan issue. We ask that you stand with Members of Congress on both sides of the aisle that support the lawful and current Capitol Police Board regulations that have existed for more than half a century.

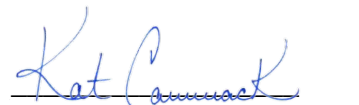
Sincerely,

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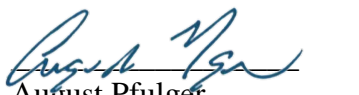
Lauren Boebert  
Member-Elect of Congress



Burgess Owens  
Member-Elect of Congress




Kat Cammack  
Member-Elect of Congress




August Pfulger  
Member-Elect of Congress

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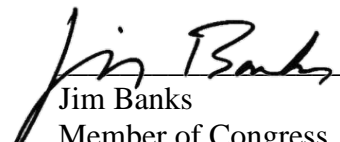
Dan Crenshaw  
Member of Congress



Chip Roy  
Member of Congress



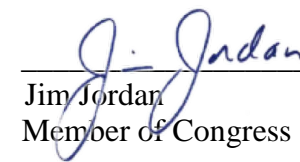
Andy Biggs  
Member of Congress




Jim Banks  
Member of Congress

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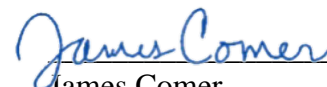
Don Young  
Member of Congress



Jim Jordan  
Member of Congress



Thomas Massie  
Member of Congress



James Comer  
Member of Congress

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Andrew S. Clyde  
Member-Elect of Congress

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Paul A. Gosar, D.D.S.  
Member of Congress

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Dan Newhouse  
Member of Congress

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Cliff Bentz  
Member-Elect of Congress

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Mo Brooks  
Member of Congress

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Kelly Armstrong  
Member of Congress

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Madison Cawthorn  
Member-Elect of Congress

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Ken Buck  
Member of Congress

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Brian Babin  
Member of Congress

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Jay Obernolte  
Member-Elect of Congress

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Michael C. Burgess, M.D.  
Member of Congress

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Ralph Abraham, MD  
Member of Congress

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Tedd Budd  
Member-Elect of Congress

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James R. Baird  
Member of Congress

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Ben Cline  
Member of Congress

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Scott Franklin  
Member-Elect of Congress

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Michael Cloud  
Member of Congress

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Matt Gaetz  
Member of Congress

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Patt Fallon  
Member-Elect of Congress

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Jeff Duncan  
Member of Congress

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Jody Hice  
Member of Congress

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Member-Elect of Congress

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Member of Congress

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Member of Congress

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Member-Elect of Congress

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Dusty Johnson  
Member of Congress

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Doug LaMalfa  
Member of Congress

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Ronny Jackson  
Member-Elect of Congress

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Doug Lamborn  
Member of Congress

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Member of Congress

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Member-Elect of Congress

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Member of Congress

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Member of Congress

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Lance Gooden  
Member of Congress

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Randy Feenstra  
Member-Elect of Congress

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Scott DesJarlais  
Member of Congress

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Earl L. "Buddy" Carter  
Member of Congress

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Diana Harshbarger  
Member-Elect of Congress

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Jack Bergman  
Member of Congress

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Andy Harris, M.D.  
Member of Congress

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Guy Reschenthaler  
Member-Elect of Congress

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Richard Hudson  
Member of Congress

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Bill Johnson  
Member of Congress

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Fred Keller  
Member of Congress

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Gregory F. Murphy, M.D.  
Member of Congress

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John H. Rutherford  
Member of Congress

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Brian Mast  
Member of Congress

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Tim Burchett  
Member of Congress

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Dan Bishop  
Member of Congress

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Marjorie Greene  
Member-Elect of Congress

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Steve King  
Member of Congress

Cc: United States Capitol Police Board