

Newsfront

Congress OKs Va Tech-Inspired Gun Bill

Wednesday, December 19, 2007 8:30 PM

WASHINGTON -- Congress on Wednesday passed a long-stalled bill inspired by the Virginia Tech shootings that would more easily flag prospective gun buyers who have documented mental health problems. The measure also would help states with the cost.

Passage by voice votes in the House and Senate came after months of negotiations between Senate Democrats and the lone Republican, Sen. Tom Coburn of Oklahoma, who had objected and delayed passage.

It was not immediately clear whether President Bush intended to sign, veto or ignore the bill. If Congress does not technically go out of session, as Senate Majority Leader Harry Reid, D-Nev., has threatened, the bill would become law if Bush does not act within 10 days.

"This bill will make America safer without affecting the rights of a single law-abiding citizen," said the Senate's chief sponsor, New York Democrat Chuck Schumer.

One of the House's chief sponsors, Rep. Carolyn McCarthy, spoke in the full House about her husband, who was killed by a gunman on the Long Island Railroad in New York. "To me, this is the best Christmas present I could ever receive," said McCarthy, D-N.Y.

Rep. John Dingell, D-Mich., added that the bill will speed up background checks and reinforce the rights of law abiding gun owners.

Propelling the bill were the Virginia Tech shootings on April 16 and rare agreement between political foes, the Brady Campaign to Prevent Gun Violence and the National Rifle Association.

But other interest groups said that in forging compromise with the gun lobby, the bill's authors unintentionally imposed an unnecessary burden on government agencies by freeing up thousands of people to buy guns.

"Rather than focusing on improving the current laws prohibiting people with certain mental health disabilities from buying guns, the bill is now nothing more than a gun lobby wish list," said Kristen Rand, legislative director of the Violence Policy Center. "It will waste millions of taxpayer dollars restoring the gun privileges of persons previously

determined to present a danger to themselves or others."

The measure would clarify what mental health records should be reported to the National Instant Criminal Background Check System, which help gun dealers determine whether to sell a firearm to a prospective buyer, and give states financial incentives for compliance. The attorney general could penalize states if they fail to meet compliance targets.

Despite the combined superpowers of bill's supporters, Coburn held it up for months because he worried that millions of dollars in new spending would not be paid for by cuts in other programs.

His chief concern, he said, was that it did not pay for successful appeals by veterans or other people who say they are wrongly barred from buying a gun.

Just before midnight Tuesday, Coburn and the Democratic supporters of the bill struck a deal: The government would pay for the cost of appeals by gun owners and prospective buyers who argue successfully in court that they were wrongly deemed unqualified for mental health reasons.

The compromise would require that incorrect records - such as expunged mental health rulings that once disqualified a prospective gun buyer but no longer do - be removed from system within 30 days.

The original bill would require any agency, such as the Veterans Administration or the Defense Department, to notify a person flagged as mentally ill and disqualified from buying or possessing a gun. The new version now also would require the notification when someone has been cleared of that restriction.

The bill would authorize up to \$250 million a year over five years for the states and as much as \$125 million a year over the same period for state courts to help defray the cost of enacting the policy.

Propelling the long-sought legislation were the April 16 killings at Virginia Tech. Student Seung-Hui Cho killed 32 students and himself using two guns he had bought despite his documented history of mental illness.

Cho had been ruled a danger to himself during a court commitment hearing in 2005. He had been ordered to have outpatient mental health treatment and should have been barred from buying the two guns he used. But Virginia never forwarded the information to the national background check system.

© 2007 Associated Press. All Rights Reserved. This material may not be published, broadcast, rewritten or redistributed.