

## Sean McCaney

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**From:** Jason Metrick  
**Sent:** Tuesday, December 08, 2015 1:12 PM  
**To:** Rachel Neil; William Johnson; David Berry; Sean McCaney  
**Subject:** FW: RAD Act  
**Attachments:** 292069163-Rad-Act-2015.pdf; HR 4934.pdf

<http://www.washingtonexaminer.com/gop-lawmakers-propose-taking-guns-away-...-from-federal-agencies/article/2577527>

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### Rep. Stewart Introduces Bill to De-Militarize Federal Regulatory Agencies

Dec 2, 2015  
Press Release

Washington, D.C. - Today, Rep. Chris Stewart (R-Utah) introduced the Regulatory Agency De-militarization (RAD) Act, which halts the trend of federal regulatory agencies developing SWAT-like teams.

In recent years, numerous federal regulatory agencies - including the National Oceanic and Atmospheric Administration, the Food and Drug Administration, Department of Education and the Environmental Protection Agency- have created their own special law enforcement teams to conduct their own arrests and raids. This is in part a product of the 2002 Homeland Security Act, which gave most Offices of Inspector General arrest and firearm authority.

"It's disturbing to see the stories of federal regulators armed to the teeth and breaking into homes and businesses when there was no reason to think there would be resistance," Stewart said.

"I understand that federal agents must be capable of protecting themselves, but what we have observed goes far beyond providing necessary protection. When there are genuinely dangerous situations involving federal law, that's the job of the Department of Justice, not regulatory agencies like the FDA or the Department of Education. Not only is it overkill, but having these highly-armed units within dozens of agencies is duplicative, costly, heavy handed, dangerous and destroys any sense of trust between citizens and the federal government."

The RAD Act has three pieces:

- 1.Repeals the arrest and firearm authority granted to Offices of Inspectors General in the 2002 Homeland Security Act.
- 2.Prohibits federal agencies, other than those traditionally tasked with enforcing federal law-such as the FBI and U.S. Marshals, from purchasing machine guns, grenades, and other weaponry regulated under the National Firearms Act.
- 3.Directs the Government Accountability Office (GAO) to write a complete report detailing all federal agencies, including Offices of Inspectors General, with specialized units that receive special tactical or military-style training and that respond to high-risk situations that fall outside the capabilities of regular law enforcement officers.

"The militarization of agencies is only a symptom of a much deeper and more troubling problem within Washington - that the federal government no longer trusts the American people," Stewart said. "When all of us feel that we are no longer seen as citizens but as potential dangerous suspects - a relationship of trust is impossible. I'm working to restore and rebuild trust - beginning with this effort to defund paramilitary capabilities within federal regulatory agencies."

Specific examples of the militarization of federal regulatory agencies include:

\*In July 2010, a multi-agency taskforce, including armed officers from the Food and Drug Administration, raided a Venice, California organic grocery store suspected of using raw milk. (LA Times, July 10, 2010).

\*In June 2011, armed federal agents with the Department of Education's OIG broke down the door of a Stockton, California home at 6 AM and handcuffed a man suspected of student aid fraud. (Washington Post, June 8, 2011).

\*In July 2013, an armed multi-agency taskforce, including officers from the Environmental Protection Agency, the Bureau of Land Management, National Oceanic and Atmospheric Administration, the National Park Service, the Fish and Wildlife Service raided a small Alaska mining operation suspected of violating the Clean Water Act. (Washington Times, Oct. 11, 2013).

\*On May 7th, 2014, the U.S. Department of Agriculture's OIG released a solicitation for submachine guns.

For the full text of the bill, [click here](#). Stewart also introduced this bill in the 113th Congress.

Original Co-sponsors of the bill include: Representatives Mark Amodei (R-Nev.), Kevin Cramer (R-N.D.), Jeff Duncan (R-S.C.), Virginia Foxx (R-NC.), Sam Graves (R-Mo.), Reid Ribble (R-Wisc.).

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(Original Signature of Member)

114TH CONGRESS  
1ST SESSION

# H. R. \_\_\_\_\_

To prohibit certain Federal agencies from using or purchasing certain firearms, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. STEWART introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To prohibit certain Federal agencies from using or purchasing certain firearms, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Regulatory Agency De-  
5 militarization Act”.

1 **SEC. 2. PROHIBITION ON PURCHASE AND USE BY A FED-**  
2 **ERAL AGENCY OF FIREARMS.**

3 (a) PROHIBITION.—Not later than 30 days after the  
4 date of the enactment of this Act, a Federal agency may  
5 not purchase or use a firearm.

6 (b) GAO REPORT.—Not later than 18 months after  
7 the date of the enactment of this Act the Comptroller Gen-  
8 eral shall submit to Congress a report that includes the  
9 following:

10 (1) Each Federal agency, including the office of  
11 Inspector General for the Federal agency, that has  
12 specialized units that receive special tactical or mili-  
13 tary-style training or use hard-plated body armor,  
14 shields, or helmets and that respond to high-risk sit-  
15 uations that fall outside the capabilities of regular  
16 law enforcement officers, including any special weap-  
17 ons and tactics (SWAT) team, tactical response  
18 teams, special events teams, special response teams,  
19 or active shooter teams.

20 (2) A description of each such unit.

21 (3) A description of the training and weapons  
22 of each such unit.

23 (4) The criteria for activating each such unit  
24 and how often each such unit was activated for each  
25 year of the previous ten years.

1           (5) The annual cost of equipping and operating  
2 each such unit.

3           (6) Any other information that is relevant to  
4 understanding the usefulness and justification for  
5 the units.

6           (e) DEFINITIONS.—In this section:

7           (1) FEDERAL AGENCY.—The term “Federal  
8 agency” has the meaning given that term in section  
9 102 of title 40, United States Code, but does not in-  
10 clude—

11                   (A) the Department of Defense;

12                   (B) the Department of Justice;

13                   (C) the Department of Homeland Security;

14                   (D) the Nuclear Regulatory Commission;

15                   (E) the United States Capitol Police;

16                   (F) the Bureau of Diplomatic Security;

17                   (G) the Central Intelligence Agency; and

18                   (H) the military departments (as defined  
19 in section 102 of title 5, United States Code).

20           (2) FIREARM.—The term “firearm” has the  
21 meaning given that term in section 5845(a) of the  
22 Internal Revenue Code of 1986, but does not include  
23 a silencer (as defined in section 921 of title 18,  
24 United States Code).

1 **SEC. 3. REMOVAL OF LAW ENFORCEMENT POWERS OF IN-**  
2 **SPECTOR GENERAL AGENTS.**

3 (a) **IN GENERAL.**—Section 6 of the Inspector General  
4 Act of 1978 (5 U.S.C. App.) is amended—

5 (1) by striking subsection (e); and

6 (2) by redesignating subsection (f) as sub-  
7 section (e).

8 (b) **EFFECTIVE DATE.**—Subsection (a) shall take ef-  
9 fect on the date of the enactment of this Act.

113TH CONGRESS  
2D SESSION

# H. R. 4934

To prohibit certain Federal agencies from using or purchasing certain firearms, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2014

Mr. STEWART (for himself, Mr. COTTON, Mr. CRAMER, Mr. GRAVES of Missouri, Mr. MCCLINTOCK, Mr. POMPEO, Mr. DUNCAN of South Carolina, Mr. BENTIVOLIO, Mr. ROKITA, Mr. LONG, Mr. LAMALFA, Mr. SMITH of Nebraska, Mr. LANKFORD, Mr. GOHMERT, Mr. SALMON, Mr. RICE of South Carolina, and Mr. AMODEI) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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## A BILL

To prohibit certain Federal agencies from using or purchasing certain firearms, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Regulatory Agency De-  
5 militarization Act”.

1 **SEC. 2. PROHIBITION ON PURCHASE AND USE BY A FED-**  
2 **ERAL AGENCY OF FIREARMS.**

3 (a) PROHIBITION.—Not later than 30 days after the  
4 date of the enactment of this Act, a Federal agency may  
5 not purchase or use a firearm.

6 (b) GAO REPORT.—Not later than 90 days after the  
7 date of the enactment of this Act, and annually thereafter,  
8 the Comptroller General shall submit to Congress a report  
9 that includes the following:

10 (1) Each Federal agency, including the office of  
11 Inspector General for the Federal agency, that has  
12 specialized units that receive special tactical or mili-  
13 tary-style training or use hard-plated body armor,  
14 shields, or helmets and that respond to high-risk sit-  
15 uations that fall outside the capabilities of regular  
16 law enforcement officers, including any special weap-  
17 ons and tactics (SWAT) team, tactical response  
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22 of each such unit.

23 (4) The criteria for activating each such unit  
24 and how often each such unit was activated for each  
25 year of the previous ten years.



1           (5) The annual cost of equipping and operating  
2 each such unit.

3           (6) Any other information that is relevant to  
4 understanding the usefulness and justification for  
5 the units.

6           (c) DEFINITIONS.—In this section:

7           (1) FEDERAL AGENCY.—The term “Federal  
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9 102 of title 40, United States Code, but does not in-  
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