

105TH CONGRESS  
1ST SESSION

# H.R. 2359

To require the Secretary of the Treasury, acting through the Director of the Bureau of Alcohol, Tobacco, and Firearms, to issue minimum safety and security standards for dealers of firearms.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 31, 1997

Mr. ROTHMAN (for himself, Mrs. LOWEY, Mrs. ROUKEMA, Mr. YATES, Mr. DELLUMS, Mr. STARK, Mr. FILNER, and Mr. WEXLER) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To require the Secretary of the Treasury, acting through the Director of the Bureau of Alcohol, Tobacco, and Firearms, to issue minimum safety and security standards for dealers of firearms.

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 “Gun Shop Safety Act  
5       of 1997”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

1           (1) crimes committed with firearms threaten  
2           the peace and domestic tranquility of the United  
3           States and reduce the security and general welfare  
4           of the Nation and its people;

5           (2) crimes committed with firearms impose a  
6           substantial burden on interstate commerce and lead  
7           to a reduction in productivity and profitability for  
8           business around the Nation whose workers, suppli-  
9           ers, and customers are adversely affected by gun vio-  
10          lence;

11          (3) all stolen firearms are available to criminals  
12          by definition;

13          (4) licensed gun dealers have reported nearly  
14          30,000 firearms stolen from their shops since 1994,  
15          when a Federal law was enacted requiring the re-  
16          porting of such thefts;

17          (5) between 10 and 32 percent of firearms used  
18          in the commission of a crime are obtained directly  
19          through theft, while an approximately equal number  
20          of firearms used in the commission of a crime have  
21          been stolen at some point before ultimately being  
22          used in the commission a crime; and

23          (6) all Americans have a right to be protected  
24          from crime and violence from stolen firearms,  
25          regardless of their State of residence.

1 **SEC. 3. MINIMUM SAFETY AND SECURITY STANDARDS FOR**  
2 **GUN SHOPS.**

3 (a) IN GENERAL.—Section 923 of title 18, United  
4 States Code, is amended by adding at the end the follow-  
5 ing:

6 “(m) SAFETY AND SECURITY STANDARDS FOR GUN  
7 SHOPS.—

8 “(1) IN GENERAL.—Not later than 1 year after  
9 the date of enactment of the Gun Shop Safety Act  
10 of 1997, the Secretary of the Treasury, acting  
11 through the Director of the Bureau of Alcohol, To-  
12 bacco, and Firearms, shall issue final regulations  
13 that establish minimum firearm safety and security  
14 standards that shall apply to dealers who are issued  
15 a license under this section.

16 “(2) MINIMUM STANDARDS.—The regulations  
17 issued under this subsection shall include minimum  
18 safety and security standards for—

19 “(A) a place of business in which a dealer  
20 covered by the regulations conducts business or  
21 stores firearms;

22 “(B) windows, the front door, storage  
23 rooms, containers, alarms, and other items of a  
24 place of business referred to in subparagraph  
25 (A) that the Secretary of the Treasury, acting  
26 through the Director of the Bureau of Alcohol,

1 Tobacco and Firearms, determines to be appro-  
 2 priate; and

3 “(C) the storage and handling of the fire-  
 4 arms contained in a place of business referred  
 5 to in subparagraph (A).”.

6 (b) INSPECTIONS.—Section 923(g)(1) of title 18,  
 7 United States Code, is amended—

8 (1) in subparagraph (A)—

9 (A) in clause (i), by striking “, and” and  
 10 inserting a semicolon;

11 (B) in clause (ii), by striking the period at  
 12 the end and inserting “; and”; and

13 (C) by adding at the end the following:

14 “(iii) with respect the place of business of a li-  
 15 censed dealer, the safety and security measures  
 16 taken by the dealer to ensure compliance with the  
 17 regulations issued under subsection (m).”; and

18 (2) in subparagraph (B)—

19 (A) in the matter preceding clause (i), by  
 20 inserting “and the place of business of a li-  
 21 censed dealer” after “licensed dealer”;

22 (B) in clause (ii), by striking “or” at the  
 23 end;

24 (C) in clause (iii), by striking the period at  
 25 the end and inserting “; or”; and

1 (D) by adding at the end the following:

2 “(iv) not more than once during any 12-month  
3 period, for ensuring compliance by a licensed dealer  
4 with the regulations issued under subsection (m).”.

5 (c) PENALTIES.—Section 924(a)(1) of title 18,  
6 United States Code, is amended—

7 (1) in subparagraph (C), by striking “or” at  
8 the end;

9 (2) by redesignating subparagraph (D) as sub-  
10 paragraph (E); and

11 (3) by inserting after subparagraph (C) the fol-  
12 lowing:

13 “(D) being a licensed dealer, knowingly  
14 fails to comply with any applicable regulation  
15 issued under section 923(m); and”.

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