

105TH CONGRESS
1ST SESSION

H. R. 492

To apply the same quality and safety standards to domestically manufactured handguns that are currently applied to imported handguns.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 22, 1997

Mr. SCHUMER (for himself, Mr. STARK, Mrs. LOWEY, and Mr. BROWN of California) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To apply the same quality and safety standards to domestically manufactured handguns that are currently applied to imported handguns.

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 “American Handgun
5 Standards Act of 1997”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

1 (1) the Gun Control Act of 1968 prohibited the
2 importation of handguns that failed to meet mini-
3 mum quality and safety standards;

4 (2) the Gun Control Act of 1968 did not impose
5 any quality and safety standards on domestically
6 produced handguns;

7 (3) domestically produced handguns are specifi-
8 cally exempted from oversight by the Consumer
9 Product Safety Commission and are not required to
10 meet any quality and safety standards;

11 (4) each year—

12 (A) gunshots kill more than 35,000 Ameri-
13 cans and wound approximately 250,000;

14 (B) approximately 75,000 Americans are
15 hospitalized for the treatment of gunshot
16 wounds;

17 (C) Americans spend more than \$20 billion
18 for the medical treatment of gunshot wounds;
19 and

20 (D) gun violence costs the United States
21 economy a total of \$135 billion;

22 (5) the disparate treatment of imported hand-
23 guns and domestically produced handguns has led to
24 the creation of a high-volume market for junk guns,
25 defined as those handguns that fail to meet the

1 quality and safety standards required of imported
2 handguns;

3 (6) traffic in junk guns constitutes a serious
4 threat to public welfare and to law enforcement offi-
5 cers;

6 (7) junk guns are used disproportionately in the
7 commission of crimes; and

8 (8) the domestic manufacture, transfer, and
9 possession of junk guns should be restricted.

10 **SEC. 3. DEFINITION OF JUNK GUN.**

11 Section 921(a) of title 18, United States Code, is
12 amended by adding at the end the following new para-
13 graph:

14 “(33)(A) The term ‘junk gun’ means any hand-
15 gun that does not meet the standard imposed on im-
16 ported handguns as described in section 925(d)(3),
17 and any regulations issued under such section.”.

18 **SEC. 4. RESTRICTION ON MANUFACTURE, TRANSFER, AND**
19 **POSSESSION OF CERTAIN HANDGUNS.**

20 Section 922 of title 18, United States Code, is
21 amended by adding at the end the following new sub-
22 section:

23 “(y)(1) It shall be unlawful for a person to manufac-
24 ture, transfer, or possess a junk gun that has been shipped
25 or transported in interstate or foreign commerce.

1 “(2) Paragraph (1) shall not apply to—

2 “(A) the possession or transfer of a junk gun
3 otherwise lawfully possessed under Federal law on
4 the date of the enactment of the American Handgun
5 Standards Act of 1997;

6 “(B) a firearm or replica of a firearm that has
7 been rendered permanently inoperative;

8 “(C)(i) the manufacture for, transfer to, or pos-
9 session by, the United States or a State or a depart-
10 ment or agency of the United States, or a State or
11 a department, agency, or political subdivision of a
12 State, of a junk gun; or

13 “(ii) the transfer to, or possession by, a law en-
14 forcement officer employed by an entity referred to
15 in clause (i) of a junk gun for law enforcement pur-
16 poses (whether on or off-duty);

17 “(D) the transfer to, or possession by, a rail po-
18 lice officer employed by a rail carrier and certified
19 or commissioned as a police officer under the laws
20 of a State of a junk gun for purposes of law enforce-
21 ment (whether on or off-duty); or

22 “(E) the manufacture, transfer, or possession
23 of a junk gun by a licensed manufacturer or licensed

- 1 importer for the purposes of testing or experimen-
- 2 tation authorized by the Secretary.”.

