

105TH CONGRESS
1ST SESSION

S. 922

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.

IN THE SENATE OF THE UNITED STATES

JUNE 17, 1997

Mr. LAUTENBERG introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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, re-
25 gardless 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, Unit-
6 ed 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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