

106TH CONGRESS  
1ST SESSION

# S. 967

To provide a uniform national standard to ensure that concealed firearms are available only to authorized persons for lawful purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 5, 1999

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

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## A BILL

To provide a uniform national standard to ensure that concealed firearms are available only to authorized persons for lawful 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 “Concealed Firearms  
5       Prohibition Act”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

8               (1) crimes committed with firearms threaten  
9       the peace and domestic tranquility of the United

1 States and reduce the security and general welfare  
2 of the people of the United States;

3 (2) crimes committed with firearms impose a  
4 substantial burden on interstate commerce and lead  
5 to a reduction in productivity and profitability for  
6 businesses around the country whose workers, sup-  
7 pliers, and customers are adversely affected by gun  
8 violence;

9 (3) the public carrying of firearms increases the  
10 level of gun violence by enabling the rapid escalation  
11 of otherwise minor conflicts into deadly shootings;

12 (4) the public carrying of firearms increases the  
13 likelihood that incompetent or careless firearm users  
14 will accidentally injure or kill innocent bystanders;

15 (5) the public carrying of firearms poses a dan-  
16 ger to citizens of the United States who travel  
17 across State lines for business or other purposes;  
18 and

19 (6) all Americans have a right to be protected  
20 from the dangers posed by the carrying of concealed  
21 firearms, regardless of their State of residence.

22 **SEC. 3. UNLAWFUL ACT.**

23 Section 922 of title 18, United States Code, is  
24 amended by inserting after subsection (y) the following:

25 “(z) FIREARMS.—

1           “(1) IN GENERAL.—Except as provided in para-  
2           graph (2), it shall be unlawful for a person to carry  
3           a firearm, any part of which has been transported  
4           in interstate or foreign commerce, on his or her per-  
5           son in public.

6           “(2) EXCEPTIONS.—Paragraph (1) does not  
7           apply to—

8                   “(A) a person authorized to carry a fire-  
9                   arm under State law who is—

10                           “(i) a law enforcement official;

11                           “(ii) a retired law enforcement offi-  
12                           cial;

13                           “(iii) a duly authorized private secu-  
14                           rity officer;

15                           “(iv) a person whose employment in-  
16                           volves the transport of substantial amounts  
17                           of cash or other valuable items; or

18                           “(v) any other person that the Attor-  
19                           ney General determines should be allowed  
20                           to carry a firearm because of compelling  
21                           circumstances, under regulations that the  
22                           Attorney General may promulgate;

23                           “(B) a person authorized to carry a fire-  
24                           arm under a State law that permits a person to  
25                           carry a firearm based on an individualized de-

1 termination, based on a review of credible evi-  
2 dence, that the person should be allowed to  
3 carry a firearm because of compelling cir-  
4 cumstances (not including a claim of concern  
5 about generalized or unspecified risks); or

6 “(C) a person authorized to carry a fire-  
7 arm on his or her person under Federal law.

8 “(3) EFFECT ON OTHER LAWS.—

9 “(A) FEDERAL LAWS.—Nothing in this  
10 subsection supersedes or limits any other Fed-  
11 eral law (including a regulation) that prohibits  
12 or restricts the possession or transportation of  
13 a firearm.

14 “(B) STATE AND LOCAL LAWS.—Nothing  
15 in this subsection supersedes or limits any law  
16 (including a regulation) of a State or political  
17 subdivision of a State that—

18 “(i) grants a right to carry a con-  
19 cealed firearm that is more restrictive than  
20 a right granted under this subsection;

21 “(ii) permits a private person or enti-  
22 ty to prohibit or restrict the possession of  
23 a concealed firearm on property belonging  
24 to the person;

1           “(iii) prohibits or restricts the posses-  
2           sion of a firearm on any property, installa-  
3           tion, building, facility, or park belonging to  
4           a State or political subdivision of a State;  
5           or

6           “(iv) permits a person to—

7                   “(I) transport a lawfully-owned  
8                   and lawfully-secured firearm in a vehi-  
9                   cle for hunting or sporting purposes;

10          or

11                   “(II) use a lawfully-owned fire-  
12                   arm for hunting or sporting pur-  
13                   poses.”.

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