

106TH CONGRESS
1ST SESSION

S. 193

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

IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

Mrs. BOXER introduced the following bill; which was read twice and 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 1999”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

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

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

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

8 (4) each year—

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

11 (B) approximately 75,000 Americans are
12 hospitalized for the treatment of gunshot
13 wounds;

14 (C) Americans spend more than \$20 billion
15 for the medical treatment of gunshot wounds;
16 and

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

19 (5) the disparate treatment of imported hand-
20 guns and domestically produced handguns has led to
21 the creation of a high-volume market for junk guns,
22 defined as those handguns that fail to meet the
23 quality and safety standards required of imported
24 handguns;

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

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

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

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

9 Section 921(a) of title 18, United States Code, is
10 amended by adding at the end the following:

11 “(35) The term ‘junk gun’ means any handgun
12 that does not meet the standard imposed on im-
13 ported handguns as described in section 925(d)(3),
14 and any regulations issued under such section.”.

15 **SEC. 4. RESTRICTION ON MANUFACTURE, TRANSFER, AND**
16 **POSSESSION OF CERTAIN HANDGUNS.**

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

19 “(z)(1) Subject to paragraph (2), it shall be unlawful
20 for a person to manufacture, transfer, or possess a junk
21 gun that has been shipped or transported in interstate or
22 foreign commerce.

23 “(2) Paragraph (1) does not apply to—

24 “(A) the possession or transfer of a junk gun
25 otherwise lawfully possessed under Federal law on

1 the date of the enactment of the American Handgun
2 Standards Act of 1999;

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

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

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

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

19 “(E) the manufacture, transfer, or possession
20 of a junk gun by a licensed manufacturer or licensed
21 importer for the purposes of testing or experimen-
22 tation authorized by the Secretary.”.

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