

Bill no.:	HR 2037
Amendment no.:	H.L.C. 2
Date offered:	9/25/02
Disposition:	Ruled as Non-Germane

**AMENDMENT TO THE AMENDMENT
IN THE
NATURE OF A SUBSTITUTE TO H.R. 2037
OFFERED BY MR. ENGEL**

In lieu of the matter proposed to be inserted by the amendment, insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "Safe Gun Sale Arms
3 Act".

4 SEC 2. AMENDMENT TO ORGANIC ACT.

5 The Act entitled "An Act to establish the Department
6 of Commerce and Labor", approved February 14, 1903
7 (15 U.S.C. 1501 et seq.), is amended by redesignating sec-
8 tion 13 as section 14 and by inserting after section 12
9 the following:

10 "SEC. 13. SAFE GUN SALES.

11 "(a) LOCKING DEVICES REQUIRED.—No person,
12 that—

13 "(1) is a manufacturer of a firearm or an am-
14 munition product,

15 "(2) is a seller of a firearm,

16 "(3) is a seller of an ammunition product, or

17 "(4) is a trade association representing such
18 manufacturers or sellers,

19 may offer for sale or sell any firearm that does not include
20 a locking device.



1 “(b) DEFINITIONS.—In this section:

2 “(1) AMMUNITION PRODUCT.—The term ‘am-
3 munition product’ means ‘ammunition’ as defined in
4 section 921(a)(17) of title 18, United States Code,
5 and includes a component part of such ammunition
6 product that has been shipped or transported in
7 interstate or foreign commerce.

8 “(2) ENGAGED IN THE BUSINESS.—The term
9 ‘engaged in the business’ has the meaning given that
10 term in section 921(a)(21) of title 18, United States
11 Code, and, as applied to a seller of an ammunition
12 product described in paragraph (8)(B), means a per-
13 son who devotes, time, attention, and labor to the
14 sale of ammunition products as a regular course of
15 trade or business with the principal objective of live-
16 lihood and profit through the sale or distribution of
17 the ammunition products.

18 “(3) FIREARM.—The term ‘firearm’ means
19 ‘firearm’ as defined in section 921(a)(3)(A) or (B)
20 of title 18, United States Code, and includes—

21 “(A) any ‘antique firearm’ as defined in
22 section 921(a)(16) of such title; and

23 “(B) a component part of any firearm de-
24 scribed in this paragraph that has been shipped



1 or transported in interstate or foreign com-
2 merce.

3 “(4) INTERSTATE OR FOREIGN COMMERCE.—
4 The term ‘interstate or foreign commerce’ has the
5 meaning given that term in section 921(a)(2) of title
6 18, United States Code.

7 “(5) LOCKING DEVICE.—The term ‘locking de-
8 vice’ means—

9 “(A) a device which, if installed on a fire-
10 arm and secured by means of a key or a me-
11 chanically, electronically, or electromechanically
12 operated combination lock, prevents the firearm
13 from being discharged without first deactivating
14 or removing the device by means of such key or
15 combination lock; or

16 “(B) a locking mechanism incorporated
17 into the design of a firearm which prevents the
18 firearm from being discharged by any person
19 who does not have access to the key or other
20 device designed to unlock the mechanism and
21 thereby allow discharge of the firearm;

22 “(6) MANUFACTURER.—The term ‘manufac-
23 turer of a firearm or an ammunition product’ means
24 a ‘manufacturer’ as defined in section 921(a)(10) of
25 title 18, United States Code, who is engaged in the



1 business of manufacturing a firearm or an ammuni-
2 tion product in interstate or foreign commerce.

3 “(7) SELLER OF A FIREARM.—The term ‘seller
4 of a firearm’ means—

5 “(A) an importer as defined in section
6 921(a)(9) of title 18, United States Code, with
7 respect to firearms, or

8 “(B) a dealer as defined in section
9 921(a)(11) of title 18, United States Code,
10 who is engaged in the business as such importer or
11 dealer in interstate or foreign commerce.

12 “(8) SELLER OF AMMUNITION PRODUCT.—The
13 term ‘seller of an ammunition product’ means—

14 “(A) an importer as defined in section
15 921(a)(9) of title 18, United States Code, with
16 respect to ammunition products, who is engaged
17 in the business as such importer in interstate or
18 foreign commerce; or

19 “(B) any other person who is engaged in
20 the business of selling ammunition products, in-
21 cluding component parts of such ammunition
22 products, in interstate or foreign commerce at
23 the wholesale or retail level, consistent with
24 Federal, State, and local law.



1 “(9) STATE.—The term ‘State’ includes the
2 District of Columbia, the Commonwealth of Puerto
3 Rico, and any territory of possession of the United
4 States.

5 “(10) TRADE ASSOCIATION.—The term ‘trade
6 association’ means any association or business orga-
7 nization (whether or not incorporated under the laws
8 of any State) that is not operated for profit, and 2
9 or more members of which are manufacturers of a
10 firearm or an ammunition product, sellers of a fire-
11 arm, or sellers of an ammunition product.”.

