

113TH CONGRESS
2D SESSION

H. R. 4135

To clarify the standard required for the importation of sporting arms into the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2014

Mr. SIMPSON introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To clarify the standard required for the importation of sporting arms into the United States, and for other 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 “Firearm Importation
5 Fairness Act of 2014”.

6 **SEC. 2. FINDINGS; PURPOSES.**

7 (a) FINDINGS.—The Congress finds the following:

8 (1) Citizens have a fundamental, individual
9 right, under the Second Amendment to the United
10 States Constitution, to keep and bear arms. The Su-

1 preme Court has held that the right to self-defense,
2 rather than “sport” is at the core of that right.

3 (2) Despite the meaning of the Second Amend-
4 ment as interpreted by the Supreme Court, section
5 925(d) of title 18, United States Code, requires the
6 Attorney General to approve the importation of fire-
7 arms into the United States for private ownership,
8 but generally only if the firearms are determined to
9 be suitable for or adaptable to “sporting purposes”.

10 (3) The Executive Branch has interpreted
11 “sporting purposes” in a narrow and obstructive
12 manner, impeding firearms imports, interfering with
13 citizens’ constitutional rights, and diminishing con-
14 sumer choice. These interpretations have resulted in
15 bans on the importation of firearms that are com-
16 pletely legal to make, sell, and own in the United
17 States.

18 (b) PURPOSES.—The purposes of this Act are as fol-
19 lows:

20 (1) To clarify the standard used to import fire-
21 arms into the United States.

22 (2) To make it clear that firearms imports may
23 not be subject to discriminatory treatment, and that
24 firearms should be importable for all lawful pur-

1 poses, including hunting, self defense, collecting,
2 competitive shooting, and plinking.

3 (3) To prevent the further impediment of com-
4 merce by allowing faster consideration of firearm im-
5 port permits.

6 **SEC. 3. MODIFICATION OF STANDARD FOR IMPORTATION**
7 **OF FIREARMS.**

8 (a) IMPORTATION.—Section 922(l) of title 18, United
9 States Code, is amended by striking “925(d) of this chap-
10 ter” and inserting “925”.

11 (b) EXCEPTIONS.—Section 925 of such title is
12 amended—

13 (1) in subsection (a)—

14 (A) in paragraph (3), by striking “deter-
15 mined by the Attorney General to be generally
16 recognized as particularly suitable for sporting
17 purposes and”; and

18 (B) in paragraph (4), by striking “(A) de-
19 termined by the Attorney General to be gen-
20 erally recognized as particularly suitable for
21 sporting purposes, or determined by the De-
22 partment of Defense to be a type of firearm
23 normally classified as a war souvenir, and (B)”;
24 and

1 (2) by striking subsections (d) through (f) and
2 inserting the following:

3 “(d)(1) Within 30 days after the Attorney General
4 receives an application therefor, the Attorney General
5 shall authorize a firearm or ammunition to be imported
6 or brought into the United States or any possession there-
7 of if—

8 “(A) the firearm or ammunition is being im-
9 ported or brought in for scientific or research pur-
10 poses;

11 “(B) the firearm is an unserviceable firearm,
12 other than a machinegun as defined in section
13 5845(b) of the Internal Revenue Code of 1986 (not
14 readily restorable to firing condition), imported or
15 brought in as a curio or museum piece;

16 “(C) the firearm is not a firearm (as defined in
17 section 5845(a) of such Code);

18 “(D) the ammunition is not armor piercing am-
19 munition (as defined in section 921(a)(17)(B) of
20 this title), incendiary ammunition, or tracer ammu-
21 nition; or

22 “(E) the firearm or ammunition was previously
23 taken out of the United States or a possession by
24 the person who is bringing in the firearm or ammu-
25 nition.

1 “(2) Within 30 days after the Attorney General re-
2 ceives an application therefor, the Attorney General shall
3 permit the conditional importation or bringing in of a fire-
4 arm or ammunition for examination and testing in connec-
5 tion with the making of a determination as to whether
6 the importation or bringing in of the firearm or ammuni-
7 tion will be allowed under this subsection.

8 “(3) The Attorney General shall not authorize, under
9 subsection (d), the importation of any firearm the impor-
10 tation of which is prohibited by section 922(p).”.

11 (c) DOMESTIC MANUFACTURE.—Section 922 of such
12 title is amended by striking subsection (r).

13 **SEC. 4. APPLICABILITY.**

14 The amendments made by this Act shall apply to ap-
15 plications pending on or after the date of the enactment
16 of this Act.

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