

AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
Childers OF Mississippi, OR HIS  
DESIGNEE, DEBATABLE FOR 60 MINUTES:

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 6842, AS REPORTED  
OFFERED BY MR. CHILDERS OF MISSISSIPPI**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Second Amendment  
3 Enforcement Act".

4 **SEC. 2. CONGRESSIONAL FINDINGS.**

5 Congress finds the following:

6 (1) The Second Amendment to the United  
7 States Constitution provides that the right of the  
8 people to keep and bear arms shall not be infringed.

9 (2) As the Congress and the Supreme Court of  
10 the United States have recognized, the Second  
11 Amendment to the United States Constitution pro-  
12 tects the rights of individuals, including those who  
13 are not members of a militia or engaged in military  
14 service or training, to keep and bear arms.

15 (3) The law-abiding citizens of the District of  
16 Columbia are deprived by local laws of handguns, ri-  
17 fles, and shotguns that are commonly kept by law-  
18 abiding persons throughout the United States for

1 sporting use and for lawful defense of their persons,  
2 homes, businesses, and families.

3 (4) The District of Columbia has the highest  
4 per capita murder rate in the Nation, which may be  
5 attributed in part to local laws prohibiting posses-  
6 sion of firearms by law-abiding persons who would  
7 otherwise be able to defend themselves and their  
8 loved ones in their own homes and businesses.

9 (5) The Federal Gun Control Act of 1968, as  
10 amended by the Firearms Owners' Protection Act of  
11 1986, and the Brady Handgun Violence Prevention  
12 Act of 1993, provide comprehensive Federal regula-  
13 tions applicable in the District of Columbia as else-  
14 where. In addition, existing District of Columbia  
15 criminal laws punish possession and illegal use of  
16 firearms by violent criminals and felons. Con-  
17 sequently, there is no need for local laws which only  
18 affect and disarm law-abiding citizens.

19 (6) Officials of the District of Columbia have  
20 indicated their intention to continue to unduly re-  
21 strict lawful firearm possession and use by citizens  
22 of the District.

23 (7) Legislation is required to correct the Dis-  
24 trict of Columbia's law in order to restore the funda-  
25 mental rights of its citizens under the Second

1 Amendment to the United States Constitution and  
2 thereby enhance public safety.

3 **SEC. 3. REFORM D.C. COUNCIL'S AUTHORITY TO RESTRICT**  
4 **FIREARMS.**

5 Section 4 of the Act entitled "An Act to prohibit the  
6 killing of wild birds and wild animals in the District of  
7 Columbia", approved June 30, 1906 (34 Stat. 809; sec.  
8 1-303.43, D.C. Official Code) is amended by adding at  
9 the end the following: "Nothing in this section or any  
10 other provision of law shall authorize, or shall be con-  
11 strued to permit, the Council, the Mayor, or any govern-  
12 mental or regulatory authority of the District of Columbia  
13 to prohibit, constructively prohibit, or unduly burden the  
14 ability of persons not prohibited from possessing firearms  
15 under Federal law from acquiring, possessing in their  
16 homes or businesses, or using for sporting, self-protection  
17 or other lawful purposes, any firearm neither prohibited  
18 by Federal law nor subject to the National Firearms Act.  
19 The District of Columbia shall not have authority to enact  
20 laws or regulations that discourage or eliminate the pri-  
21 vate ownership or use of firearms. Nothing in the previous  
22 two sentences shall be construed to prohibit the District  
23 of Columbia from regulating or prohibiting the carrying  
24 of firearms by a person, either concealed or openly, other

1 than at the person's dwelling place, place of business, or  
2 on other land possessed by the person.”.

3 **SEC. 4. REPEAL D.C. SEMIAUTOMATIC BAN.**

4 (a) **IN GENERAL.**—Section 101(10) of the Firearms  
5 Control Regulations Act of 1975 (sec. 7–2501.01(10),  
6 D.C. Official Code) is amended to read as follows:

7 “(10) ‘Machine gun’ means any firearm which  
8 shoots, is designed to shoot, or readily restored to  
9 shoot automatically, more than 1 shot without man-  
10 ual reloading by a single function of the trigger, and  
11 includes the frame or receiver of any such weapon,  
12 any part designed and intended solely and exclu-  
13 sively, or combination of parts designed and in-  
14 tended, for use in converting a weapon into a ma-  
15 chine gun, and any combination of parts from which  
16 a machine gun can be assembled if such parts are  
17 in the possession or under the control of a person.”.

18 (b) **CONFORMING AMENDMENT TO PROVISIONS SET-**  
19 **TING FORTH CRIMINAL PENALTIES.**—Section 1(c) of the  
20 Act of July 8, 1932 (47 Stat. 651; sec. 22—4501(c), D.C.  
21 Official Code) is amended to read as follows:

22 “(c) ‘Machine gun’, as used in this Act, has the  
23 meaning given such term in section 101(10) of the Fire-  
24 arms Control Regulations Act of 1975.”.

1 **SEC. 5. REPEAL REGISTRATION REQUIREMENT.**

2 (a) **REPEAL OF REQUIREMENT.—**

3 (1) **IN GENERAL.—**Section 201(a) of the Fire-  
4 arms Control Regulations Act of 1975 (sec. 7-  
5 2502.01(a), D.C. Official Code) is amended by strik-  
6 ing “any firearm, unless” and all that follows  
7 through paragraph (3) and inserting the following:  
8 “any firearm described in subsection (c).”

9 (2) **DESCRIPTION OF FIREARMS REMAINING IL-**  
10 **LEGAL.—**Section 201 of such Act (sec. 7-2502.01,  
11 D.C. Official Code) is amended by adding at the end  
12 the following new subsection:

13 “(c) A firearm described in this subsection is any of  
14 the following:

15 “(1) A sawed-off shotgun.

16 “(2) A machine gun.

17 “(3) A short-barreled rifle.”

18 (3) **CONFORMING AMENDMENT.—**The heading  
19 of section 201 of such Act (sec. 7—2502.01, D.C.  
20 Official Code) is amended by striking “Registration  
21 requirements” and inserting “Firearm Possession”.

22 (b) **CONFORMING AMENDMENTS TO FIREARMS CON-**  
23 **TROL REGULATIONS ACT.—**The Firearms Control Regu-  
24 lations Act of 1975 is amended as follows:

1 (1) Sections 202 through 211 (secs. 7–2502.02  
2 through 7–2502.11, D.C. Official Code) are re-  
3 pealed.

4 (2) Section 101 (sec. 7—2501.01, D.C. Official  
5 Code) is amended by striking paragraph (13).

6 (3) Section 401 (sec. 7—2504.01, D.C. Official  
7 Code) is amended—

8 (A) in subsection (a), by striking “the Dis-  
9 trict;” and all that follows and inserting the fol-  
10 lowing: “the District, except that a person may  
11 engage in hand loading, reloading, or custom  
12 loading of ammunition for firearms lawfully  
13 possessed under this Act.”; and

14 (B) in subsection (b), by striking “which  
15 are unregistrable under section 202” and in-  
16 serting “which are prohibited under section  
17 201”.

18 (4) Section 402 (sec. 7—2504.02, D.C. Official  
19 Code) is amended—

20 (A) in subsection (a), by striking “Any  
21 person eligible to register a firearm” and all  
22 that follows through “such business,” and in-  
23 serting the following: “Any person not other-  
24 wise prohibited from possessing or receiving a  
25 firearm under Federal or District law, or from

1 being licensed under section 923 of title 18,  
2 United States Code,”; and

3 (B) in subsection (b), by amending para-  
4 graph (1) to read as follows:

5 “(1) The applicant’s name;”

6 (5) Section 403(b) (sec. 7—2504.03(b), D.C.  
7 Official Code) is amended by striking “registration  
8 certificate” and inserting “dealer’s license”.

9 (6) Section 404(a)(3) (sec. 7—2504.04(a)(3)),  
10 D.C. Official Code) is amended—

11 (A) in subparagraph (B)(i), by striking  
12 “registration certificate number (if any) of the  
13 firearm,”;

14 (B) in subparagraph (B)(iv), by striking  
15 “holding the registration certificate” and insert-  
16 ing “from whom it was received for repair”;

17 (C) in subparagraph (C)(i), by striking  
18 “and registration certificate number (if any) of  
19 the firearm”;

20 (D) in subparagraph (C)(ii), by striking  
21 “registration certificate number or”; and

22 (E) by striking subparagraphs (D) and  
23 (E).

24 (7) Section 406(c) (sec. 7—2504.06(c), D.C.  
25 Official Code) is amended to read as follows:



1       “(c) Within 45 days of a decision becoming effective  
2 which is unfavorable to a licensee or to an applicant for  
3 a dealer’s license, the licensee or application shall—

4           “(1) lawfully remove from the District all de-  
5 structive devices in his inventory, or peaceably sur-  
6 render to the Chief all destructive devices in his in-  
7 ventory in the manner provided in section 705; and

8           “(2) lawfully dispose, to himself or to another,  
9 any firearms and ammunition in his inventory.”.

10       (8) Section 407(b) (sec. 7—2504.07(b), D.C.  
11 Official Code) is amended by striking “would not be  
12 eligible” and all that follows and inserting “is pro-  
13 hibited from possessing or receiving a firearm under  
14 Federal or District law.”.

15       (9) Section 502 (sec. 7—2505.02, D.C. Official  
16 Code) is amended—

17           (A) by amending subsection (a) to read as  
18 follows:

19           “(a) Any person or organization not prohibited from  
20 possessing or receiving a firearm under Federal or District  
21 law may sell or otherwise transfer ammunition or any fire-  
22 arm, except those which are prohibited under section 201,  
23 to a licensed dealer.”;

24           (B) by amending subsection (c) to read as  
25 follows:

1       “(c) Any licensed dealer may sell or otherwise trans-  
2 fer a firearm to any person or organization not otherwise  
3 prohibited from possessing or receiving such firearm under  
4 Federal or District law.”;

5               (C) in subsection (d), by striking para-  
6 graphs (2) and (3); and

7               (D) by striking subsection (e).

8               (10) Section 704 (sec. 7—2507.04, D.C. Offi-  
9 cial Code) is amended—

10              (A) in subsection (a), by striking “any reg-  
11 istration certificate or” and inserting “a”; and

12              (B) in subsection (b), by striking “reg-  
13 istration certificate,”.

14       (c) **OTHER CONFORMING AMENDMENTS.**—Section  
15 2(4) of the Illegal Firearm Sale and Distribution Strict  
16 Liability Act of 1992 (sec. 7—2531.01(2)(4), D.C. Offi-  
17 cial Code) is amended—

18              (1) in subparagraph (A), by striking “or ignor-  
19 ing proof of the purchaser’s residence in the District  
20 of Columbia”; and

21              (2) in subparagraph (B), by striking “registra-  
22 tion and”.

23 **SEC. 6. REPEAL HANDGUN AMMUNITION BAN.**

24       Section 601(3) of the Firearms Control Regulations  
25 Act of 1975 (sec. 7—2506.01(3), D.C. Official Code) is

1 amended by striking “is the holder of the valid registration  
2 certificate for” and inserting “owns”.

3 **SEC. 7. RESTORE RIGHT OF SELF DEFENSE IN THE HOME.**

4 Section 702 of the Firearms Control Regulations Act  
5 of 1975 (sec. 7-2507.02, D.C. Official Code) is repealed.

6 **SEC. 8. REMOVE CRIMINAL PENALTIES FOR POSSESSION  
7 OF UNREGISTERED FIREARMS.**

8 (a) **IN GENERAL.**—Section 706 of the Firearms Con-  
9 trol Regulations Act of 1975 (sec. 7-2507.06, D.C. Offi-  
10 cial Code) is amended—

11 (1) by striking “that:” and all that follows  
12 through “(1) A” and inserting “that a”; and

13 (2) by striking paragraph (2).

14 (b) **EFFECTIVE DATE.**—The amendments made by  
15 subsection (a) shall apply with respect to violations occur-  
16 ring after the 60-day period which begins on the date of  
17 the enactment of this Act.

18 **SEC. 9. REMOVE CRIMINAL PENALTIES FOR CARRYING A  
19 FIREARM IN ONE’S DWELLING OR OTHER  
20 PREMISES.**

21 (a) **IN GENERAL.**—Section 4(a) of the Act of July  
22 8, 1932 (47 Stat. 651; sec. 22—4504(a), D.C. Official  
23 Code) is amended—

24 (1) in the matter before paragraph (1), by  
25 striking “a pistol,” and inserting the following: “ex-

1       cept in his dwelling house or place of business or on  
2       other land possessed by that person, whether loaded  
3       or unloaded, a firearm,"; and

4           (2) by striking "except that:" and all that fol-  
5       lows through "(2) If the violation" and inserting  
6       "except that if the violation".

7       (b) CONFORMING AMENDMENT.—Section 5 of such  
8       Act (47 Stat. 651; sec. 22—4505, D.C. Official Code) is  
9       amended—

10           (1) by striking "pistol" each place it appears  
11       and inserting "firearm"; and

12           (2) by striking "pistols" each place it appears  
13       and inserting "firearms".

14       **SEC. 10. AUTHORIZING PURCHASES OF FIREARMS BY DIS-**  
15           **TRICT RESIDENTS.**

16       Section 922 of title 18, United States Code, is  
17       amended in paragraph (b)(3) by inserting after "other  
18       than a State in which the licensee's place of business is  
19       located" the following: ", or to the sale or delivery of a  
20       handgun to a resident of the District of Columbia by a  
21       licensee whose place of business is located in Maryland or  
22       Virginia,".

Amend the title so as to read: "A bill to restore Sec-  
ond Amendment rights in the District of Columbia."

