

119TH CONGRESS
1ST SESSION

H. R. 45

To amend title 41, United States Code, to prohibit the Federal Government from entering into contracts with an entity that discriminates against the firearm and ammunition industry, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2025

Mr. BERGMAN (for himself, Mr. CRENSHAW, Mr. CRANE, Mrs. MILLER of Illinois, Mr. FINSTAD, Mr. OGLES, Ms. TENNEY, Mr. MESSMER, Mr. RESCHENTHALER, Mr. CLOUD, Mr. KENNEDY of Utah, Mr. ESTES, Mr. LANGWORTHY, Mr. LAMALFA, Mr. HIGGINS of Louisiana, Mr. WEBER of Texas, Mrs. HINSON, Mrs. HOUCHIN, Mr. KUSTOFF, Mr. MOORE of Alabama, Mr. MILLER of Ohio, Mr. GUTHRIE, Mr. ALLEN, Mr. BURLISON, Mr. AUSTIN SCOTT of Georgia, Mrs. HARSHBARGER, Mr. AMODEI of Nevada, Mr. HUIZENGA, Mr. GRAVES, Mr. FEENSTRA, Mr. JOYCE of Pennsylvania, Mr. MOOLENAAR, Mr. JACKSON of Texas, Mr. CARTER of Georgia, and Mrs. FISCHBACH) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend title 41, United States Code, to prohibit the Federal Government from entering into contracts with an entity that discriminates against the firearm and ammunition industry, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Firearm Industry Non-
3 Discrimination Act” or the “FIND Act”.

4 **SEC. 2. PROHIBITION ON ENTERING INTO CONTRACTS**
5 **WITH ENTITIES DISCRIMINATING AGAINST**
6 **THE FIREARM AND AMMUNITION INDUSTRY.**

7 (a) PROHIBITION.—Chapter 47 of title 41, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

10 **“§ 4715. Prohibition on entering into contracts with**
11 **entities discriminating against the fire-**
12 **arm and ammunition industry.**

13 “(a) PROHIBITION.—

14 “(1) IN GENERAL.—The head of an executive
15 agency shall include in each contract for the pro-
16 curement of goods or services awarded by the execu-
17 tive agency, a clause requiring the prime contractor
18 to certify that the contractor—

19 “(A) has no policy, practice, guidance, or
20 directive that discriminates against a firearm
21 entity or firearm trade association; and

22 “(B) will not adopt a policy, practice, guid-
23 ance, or directive that discriminates against a
24 firearm entity or firearm trade association dur-
25 ing the term of the contract.

1 “(2) SUBCONTRACTS.—The head of an execu-
2 tive agency shall include in each contract for the
3 procurement of goods or services awarded by the ex-
4 ecutive agency, a clause that prohibits the prime
5 contractor on such contract from—

6 “(A) awarding a first-tier subcontract with
7 a value greater than 10 percent of the total
8 value of the prime contract to an entity that
9 fails to certify in writing to the prime con-
10 tractor that the entity—

11 “(i) has no policy, practice, guidance,
12 or directive that discriminates against a
13 firearm entity or firearm trade association;
14 and

15 “(ii) will not adopt a policy, practice,
16 guidance, or directive that discriminates
17 against a firearm entity or firearm trade
18 association during the term of the con-
19 tract; and

20 “(B) structuring subcontract tiers in a
21 manner designed to avoid violating subpara-
22 graph (A) by enabling a subcontractor to per-
23 form more than 10 percent of the total value of
24 the prime contract as a lower-tier subcon-
25 tractor.

1 “(3) PENALTIES.—The clause included in con-
2 tracts pursuant to paragraph (1) or paragraph (2)
3 shall provide that, in the event that the prime con-
4 tractor violates the clause—

5 “(A) the prime contract shall be termi-
6 nated for default; and

7 “(B) a suspension or debarment pro-
8 ceeding will be initiated for the contractor on
9 the basis of the violation.

10 “(b) EXCEPTION.—Subsection (a) shall not apply to
11 a contract for the procurement of goods or services that
12 is a sole-source contract.

13 “(c) DEFINITIONS.—In this section:

14 “(1) DISCRIMINATE.—The term ‘discriminate’
15 means to—

16 “(A) make a judgement about a policy,
17 practice, guidance, or directive on the basis
18 of—

19 “(i) partial criteria or a category-
20 based assessment analysis, rather than—

21 “(I) on a case-by-case basis; or

22 “(II) using empirical data evalu-
23 ated under quantifiable standards; or

24 “(ii) criteria other than criteria free
25 from—

1 “(I) favoritism or prejudice
2 against or dislike for the firearm enti-
3 ty or trade association or the products
4 or services sold by the firearm entity
5 or trade association; or

6 “(II) favoritism for market alter-
7 natives to the business of the firearm
8 entity or the trade association;

9 “(B) refuse to provide services, or deny,
10 cancel, or limit services, to the firearm entity or
11 trade association on the basis of criteria other
12 than—

13 “(i) criteria free from—

14 “(I) favoritism or prejudice
15 against or dislike for the firearm enti-
16 ty or trade association or the products
17 or services sold by the firearm entity
18 or trade association; or

19 “(II) favoritism for market alter-
20 natives to the business of the firearm
21 entity or the trade association;

22 “(ii) criteria related to credit history
23 and financial risk specific to a customer or
24 potential customer; or

1 “(iii) criteria related to noncompliance
2 with Federal, State, or local law; or

3 “(C) limit the operations of the firearm en-
4 tity or trade association in manner not required
5 by—

6 “(i) Federal, State, or local law; or

7 “(ii) Federal, State, or local regula-
8 tion.

9 “(2) FIREARM ENTITY.—The term ‘firearm en-
10 tity’ means any—

11 “(A) person who is licensed under section
12 923 of title 18 to import, manufacture, or deal
13 in firearms;

14 “(B) seller of ammunition, as defined in
15 section 7903 of title 15;

16 “(C) manufacturer or importer of, or deal-
17 er in, a secure gun storage or safety device, as
18 defined in section 921(a) of title 18; and

19 “(D) manufacturer or importer of, or deal-
20 er in, a component part or accessory of a fire-
21 arm or ammunition.

22 “(3) FIREARM TRADE ASSOCIATION.—The term
23 ‘firearm trade association’ has the meaning in sec-
24 tion 7903 of title 15.

1 “(4) FIRST-TIER SUBCONTRACT.—The term
 2 ‘first-tier subcontract’ means a subcontract entered
 3 into by a subcontractor with the prime contractor
 4 for the purposes of carrying out the prime contract.

5 “(5) LOWER-TIER SUBCONTRACTOR.—The term
 6 ‘lower-tier subcontractor’ means any person entering
 7 into a contract with a subcontractor of a prime con-
 8 tractor for the purposes of carrying out the prime
 9 contract.

10 “(6) PRIME CONTRACT; PRIME CONTRACTOR.—
 11 The terms ‘prime contract’ and ‘prime contractor’
 12 have the meaning given those terms in section 8701
 13 of title 41.”.

14 (b) APPLICATION.—Section 4715 of title 41, United
 15 States Code, as added by subsection (a), shall apply with
 16 respect to contracts awarded on or after the date of the
 17 enactment of this Act.

18 (c) CLERICAL AMENDMENT.—The table of sections
 19 for chapter 47 of title 41, United States Code, is amended
 20 by adding at the end the following:

“4715. Prohibition on entering into contracts with entities discriminating
 against the firearm and ammunition industry.”.

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