

103^D CONGRESS
1ST SESSION

H. R. 1927

To transfer all functions of the Bureau of Alcohol, Tobacco, and Firearms relating to the regulation of firearms from the Department of the Treasury to the Federal Bureau of Investigation.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 1993

Mr. CONYERS introduced the following bill; which was referred jointly to the Committees on Ways and Means and the Judiciary

A BILL

To transfer all functions of the Bureau of Alcohol, Tobacco, and Firearms relating to the regulation of firearms from the Department of the Treasury to the Federal Bureau of Investigation.

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. TRANSFER OF FIREARMS REGULATION FUNC-**
4 **TIONS OF BUREAU OF ALCOHOL, TOBACCO,**
5 **AND FIREARMS.**

6 (a) IN GENERAL.—The functions relating to the reg-
7 ulation of firearms which on April 29, 1993, were per-
8 formed by the Bureau of Alcohol, Tobacco, and Firearms

1 are hereby transferred from that Bureau to the Attorney
2 General.

3 (b) DELEGATION OF FUNCTIONS.—The Attorney
4 General shall delegate to the Director of the Federal Bu-
5 reau of Investigation the functions transferred under this
6 section.

7 (c) PROPERTY AND RECORDS.—The contracts, liabil-
8 ities, records, property, and other assets and interests of,
9 or made available in connection with, the functions trans-
10 ferred by this section are hereby transferred to the Attor-
11 ney General for appropriate allocation.

12 (d) PERSONNEL.—

13 (1) IN GENERAL.—The personnel employed in
14 connection with the functions transferred by this
15 section are hereby transferred to the Attorney
16 General.

17 (2) EFFECT.—Any full-time or part-time per-
18 sonnel employed in permanent positions shall not be
19 separated or reduced in grade or compensation be-
20 cause of the transfer under this subsection during
21 the 1-year period beginning on the date of the enact-
22 ment of this Act.

23 **SEC. 2. REFERENCES.**

24 Any reference in any other Federal law, Executive
25 order, rule, regulation, or delegation of authority, or any

1 document of or pertaining to the Bureau of Alcohol, To-
2 bacco, and Firearms with respect to functions transferred
3 by this Act—

4 (1) to the Secretary of the Treasury or the
5 head of that bureau is deemed to refer to the Attor-
6 ney General; and

7 (2) to the Department of the Treasury or that
8 bureau is deemed to refer to the Department of Jus-
9 tice or the Federal Bureau of Investigation, as
10 appropriate.

11 **SEC. 3. SAVINGS PROVISIONS.**

12 (a) LEGAL DOCUMENTS.—All orders, determinations,
13 rules, regulations, permits, grants, contracts, certificates,
14 licenses, and privileges—

15 (1) that have been issued, made, granted, or al-
16 lowed to become effective by the President, by the
17 head of the Bureau of Alcohol, Tobacco, and Fire-
18 arms, the Secretary of the Treasury, any other Gov-
19 ernment official, or a court of competent jurisdic-
20 tion, in the performance of functions of the head of
21 the Bureau of Alcohol, Tobacco, and Firearms that
22 are transferred by this Act, and

23 (2) that are in effect on the date of the enact-
24 ment of this Act (or become effective after such date
25 pursuant to their terms as in effect on such date),

1 shall continue in effect according to their terms until
2 modified, terminated, superseded, set aside, or revoked in
3 accordance with law by the President, the Attorney Gen-
4 eral or other authorized official, or a court of competent
5 jurisdiction, or by operation of law.

6 (b) PROCEEDINGS.—The provisions of this Act shall
7 not affect any proceedings or any application for any bene-
8 fits, service, license, permit, certificate, or financial assist-
9 ance pending before the Bureau of Alcohol, Tobacco, and
10 Firearms on the date of the enactment of this Act, but
11 such proceedings and applications shall be continued. Or-
12 ders shall be issued in such proceedings, appeals shall be
13 taken therefrom, and payments shall be made pursuant
14 to such orders, as if this Act had not been enacted, and
15 orders issued in any such proceeding shall continue in ef-
16 fect until modified, terminated, superseded, or revoked by
17 a duly authorized official, by a court of competent jurisdic-
18 tion, or by operation of law. Nothing in this subsection
19 shall be deemed to prohibit the discontinuance or modi-
20 fication of any such proceeding under the same terms and
21 conditions and to the same extent that such proceeding
22 could have been discontinued or modified if this Act had
23 not been enacted.

24 (c) SUITS.—The provisions of this Act shall not affect
25 suits commenced before the date of the enactment of this

1 Act, and in all such suits, proceeding shall be had, appeals
2 taken, and judgments rendered in the same manner and
3 with the same effect as if this Act had not been enacted.

4 (d) NONABATEMENT OF ACTIONS.—No suit, action,
5 or other proceeding commenced by or against the head of
6 the Bureau of Alcohol, Tobacco, and Firearms, or by or
7 against any individual in the official capacity of such indi-
8 vidual as an officer of such bureau shall abate by reason
9 of the enactment of this Act.

10 (e) CONTINUANCE OF SUITS.—If, before the date of
11 the enactment of this Act, any agency or officer thereof
12 in the official capacity of such officer, is party to a suit,
13 and under this Act any function of such agency or officer
14 is transferred to the Attorney General or any other official
15 of the Department of Justice, then such suit shall be con-
16 tinued with the Attorney General or other appropriate offi-
17 cial of the Department of Justice substituted or added as
18 a party.

19 **SEC. 4. AMENDMENTS TO INSPECTOR GENERAL ACT OF**
20 **1978.**

21 The Inspector General Act of 1978 (5 U.S.C. App.)
22 is amended—

23 (1) in section 8C(b)—

24 (A) by striking “the Bureau of Alcohol,
25 Tobacco, and Firearms,”; and

1 (B) by striking “Service,” and inserting
2 “Service”; and

3 (2) in section 9(a)(1)(L)—

4 (A) by striking “the ‘Office of Internal Af-
5 fairs, Bureau of Alcohol, Tobacco, and Fire-
6 arms’,”; and

7 (B) by striking “Service,” and inserting
8 “Service’ ”.

9 **SEC. 5. REPEAL OF REQUIREMENT OF AUDIT BY COMP-**
10 **TROLLER GENERAL OF THE UNITED STATES.**

11 (a) REPEAL.—Section 713 of title 31, United States
12 Code, is repealed.

13 (b) CONFORMING AMENDMENT.—The table of sec-
14 tions at the beginning of chapter 7 of title 31, United
15 States Code, is amended by striking the item relating to
16 section 713.

17 **SEC. 6. RENAMING OF BUREAU.**

18 Not later than 60 days after the date of the enact-
19 ment of this Act, the Secretary of the Treasury shall issue
20 such regulations as are necessary to rename the Bureau
21 of Alcohol, Tobacco, and Firearms as appropriate to re-
22 flect the transfer of functions by this Act.

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