

103^D CONGRESS
2^D SESSION

H. R. 4300

To prevent handgun violence and illegal commerce in firearms.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 1994

Mr. SCHUMER (for himself, Ms. SCHENK, Mr. McDERMOTT, Ms. PELOSI, Ms. WATERS, Mr. REYNOLDS, Mr. STARK, Mr. DEUTSCH, Mr. ACKERMAN, Mr. BERMAN, Mr. EDWARDS of California, and Mr. FRANK of Massachusetts) introduced the following bill; which was referred to the Committee on the Judiciary

OCTOBER 27, 1994

Additional sponsors: Mr. KREIDLER, and Mr. LEWIS of Georgia

A BILL

To prevent handgun violence and illegal commerce in
firearms.

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 “Handgun Control and
5 Violence Prevention Act of 1994”.

6 **SEC. 2. FINDINGS AND DECLARATIONS.**

7 The Congress finds and declares that—

1 (1) crimes committed with firearms threaten
2 the peace and domestic tranquility of the United
3 States, and threaten the security and general welfare
4 of the Nation and its people;

5 (2) crimes committed with firearms, especially
6 those committed with handguns, have imposed a
7 substantial burden on interstate commerce;

8 (3) firearms are easily transported across State
9 boundaries and, as a result, individual State action
10 to regulate firearms is made less than effective by
11 lax regulation by other States; and

12 (4) accordingly, it is necessary to establish uni-
13 form national laws governing all aspects of the fire-
14 arms industry, requiring handgun licensing and reg-
15 istration, expanding the categories of persons pro-
16 hibited from possessing firearms, limiting Federal
17 firearms licensees to bona fide importers, manufac-
18 turers, and dealers, and prohibiting the sale of semi-
19 automatic assault weapons and other dangerous
20 weapons.

21 **SEC. 3. TABLE OF CONTENTS.**

22 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Findings and declarations.
- Sec. 3. Table of contents.

TITLE I—NATIONAL HANDGUN CONTROLS

- Sec. 101. State license required to receive a handgun.
- Sec. 102. Multiple handgun transfer prohibition.

- Sec. 103. Prohibition against engaging in the business of dealing in handguns without specific authorization; authorization required to be provided if applicant demonstrates significant unmet economic demand.

TITLE II—TRACING OF GUNS USED IN CRIMES

- Sec. 201. Dealer assistance with tracing of firearms.
 Sec. 202. Computerization of records.
 Sec. 203. Interstate transportation of firearms.
 Sec. 204. Gun running.
 Sec. 205. National Firearms Tracing Center.

TITLE III—DEALER RESPONSIBILITY

- Sec. 301. Compliance with State and local firearms licensing laws required before issuance of Federal firearms license.
 Sec. 302. Background investigation of licensees.
 Sec. 303. Increased license fees for dealers.
 Sec. 304. Increased penalties for making knowingly false statements in connection with firearms.
 Sec. 305. Dealer inspections.
 Sec. 306. Gun shows.
 Sec. 307. Acquisition and disposition records of dealers suspected of serving as sources of illegal firearms.
 Sec. 308. Dealer responsibility for sales to felons or minors.
 Sec. 309. Interstate shipment of firearms.

TITLE IV—THEFT OF FIREARMS

- Sec. 401. Dealer reporting of firearm thefts.
 Sec. 402. Theft of firearms or explosives.
 Sec. 403. Theft of firearms or explosives from licensee.
 Sec. 404. Security of licensed firearms dealers.
 Sec. 405. Prohibition against transactions involving stolen firearms which have moved in interstate or foreign commerce.

TITLE V—ARMED FELONS

- Sec. 501. Individuals denied administrative relief from certain firearms prohibitions; additional evidence not admissible in judicial review of denials of such administrative relief for other persons.
 Sec. 502. Clarification of definition of conviction.
 Sec. 503. Enhanced penalty for use of a semiautomatic firearm during a crime of violence or a drug trafficking crime.
 Sec. 504. Violation of firearms laws in aid of drug trafficking.
 Sec. 505. Mandatory penalties for firearms possession by violent felons and serious drug offenders.

TITLE VI—VIOLENT MISDEMEANANTS

- Sec. 601. Prohibition against disposal of firearms or ammunition to, or receipt of firearms or ammunition by, persons convicted of a violent crime or subject to a protection order.

TITLE VII—AMMUNITION

- Sec. 701. Federal license to deal in ammunition.

Sec. 702. Regulation of the manufacture, importation, and sale of certain particularly dangerous bullets.

1 **TITLE I—NATIONAL HANDGUN**
2 **CONTROLS**

3 **SEC. 101. STATE LICENSE REQUIRED TO RECEIVE A HAND-**
4 **GUN.**

5 (a) IN GENERAL.—Section 922 of title 18, United
6 States Code, is amended by adding at the end the follow-
7 ing:

8 “(v)(1) It shall be unlawful for any person to sell,
9 deliver, or otherwise transfer a handgun to an individual
10 who is not licensed under section 923 unless—

11 “(A) the transferor (or a licensed dealer, if
12 State law so directs or allows) has verified that the
13 transferee possesses a valid State handgun license
14 by—

15 “(i) examining the State handgun license;

16 “(ii) examining, in addition to the State
17 handgun license, a valid identification document
18 (as defined in section 1028) containing a photo-
19 graph of the transferee; and

20 “(iii) contacting the chief law enforcement
21 officer of the State that issued the State hand-
22 gun license to confirm that the State handgun
23 license has not been revoked; and

1 “(B) the transferor (or licensed dealer) has pro-
2 vided to the chief law enforcement officer of the
3 State in which the transfer is to take place a com-
4 pleted State handgun registration form for the hand-
5 gun to be transferred.

6 “(2) It shall be unlawful for any person to sell, de-
7 liver, or otherwise transfer handgun ammunition to an in-
8 dividual who is not licensed under section 923 unless the
9 transferor (or licensed dealer, if State law so directs or
10 allows) has verified that the transferee possesses a valid
11 State handgun license by—

12 “(A) examining the State handgun license; and

13 “(B) examining, in addition to the State hand-
14 gun license, a valid identification document (as de-
15 fined in section 1028) containing a photograph of
16 the transferee.

17 “(3) It shall be unlawful for any individual who is
18 not licensed under section 923 to receive a handgun or
19 handgun ammunition unless the individual possesses a
20 valid State handgun license.

21 “(4) As used in this subsection, the term ‘chief law
22 enforcement officer of the State’ means the chief, or equiv-
23 alent officer, of the State police force, or the designee of
24 that officer.

1 “(5) As used in this subsection, the term ‘State hand-
2 gun license’ means a license issued under a State law that,
3 at a minimum, meets the following requirements:

4 “(A) The State law provides that—

5 “(i) the chief law enforcement officer of
6 the State shall issue State handgun licenses,
7 which shall meet such requirements as to form,
8 appearance, and security against forgery as are
9 prescribed by the Secretary in regulations, in
10 accordance with such procedures as are pre-
11 scribed by the Secretary in regulations;

12 “(ii) the State handgun license issued to a
13 licensee shall contain—

14 “(I) the name, address, date of birth,
15 physical description, and a photograph of
16 the licensee; and

17 “(II) a unique license number; and

18 “(iii) a State handgun license shall be valid
19 for a period of not more than 2 years from the
20 date of issue, unless revoked.

21 “(B) The State law provides that a State hand-
22 gun license may not be issued unless the chief law
23 enforcement officer of the State determines that the
24 applicant—

25 “(i) is at least 21 years of age;

1 “(ii) is a resident of the State, by examin-
2 ing, at a minimum, in addition to a valid identi-
3 fication document (as defined in section 1028),
4 documentation such as a utility bill or lease
5 agreement;

6 “(iii) is not prohibited from possessing or
7 receiving a handgun under Federal, State, or
8 local law, based upon name- and fingerprint-
9 based research in all available Federal, State,
10 and local recordkeeping systems, including the
11 national instant criminal background check sys-
12 tem established by the Attorney General pursu-
13 ant to section 103 of the Brady Handgun Vio-
14 lence Prevention Act; and

15 “(iv) has been issued a State handgun
16 safety certificate.

17 “(D) The State law may authorize the chief law
18 enforcement officer of the State to charge a fee for
19 the issuance of a State handgun license.

20 “(E) The State law provides that, if the chief
21 law enforcement officer of the State determines that
22 an individual is ineligible to receive a State handgun
23 license and the individual in writing requests the of-
24 ficer to provide the reasons for that determination,
25 the officer shall provide the reasons to the individual

1 in writing within 20 business days after receipt of
2 the request.

3 “(F)(i) The State law provides for the revoca-
4 tion of a State handgun license issued by the chief
5 law enforcement officer of the State if the chief law
6 enforcement officer determines that the licensee no
7 longer satisfies 1 or more of the conditions set forth
8 in subparagraph (B).

9 “(ii) The State law provides that, within 10
10 days after a person possessing a State handgun li-
11 cense that has been revoked receives notice of the
12 revocation, the person shall return the license to the
13 chief law enforcement officer who issued the license.

14 “(G)(i) The State law provides that, within 24
15 hours after a State handgun licensee discovers that
16 a handgun has been stolen from or lost by the li-
17 censee, the licensee shall report the theft or loss
18 to—

19 “(I) the Secretary;

20 “(II) the chief law enforcement officer of
21 the State; and

22 “(III) appropriate local authorities.

23 “(ii) The State law shall provide that failure to
24 make the reports described in clause (i) shall be
25 punishable by a civil penalty of not less than \$1,000.

1 “(6) As used in this subsection, the term ‘State hand-
2 gun registration form’ means a handgun registration form
3 prescribed under a State law that, at a minimum, meets
4 the following requirements:

5 “(A) The State law provides that a handgun
6 registration form shall not be considered completed
7 by an individual with respect to a handgun, unless
8 the form contains, at a minimum—

9 “(i) information identifying the individual,
10 including the name, address, date of birth, and
11 number on the State handgun license issued to
12 the individual; and

13 “(ii) information identifying the handgun,
14 including the manufacturer, model, caliber, and
15 serial number of the handgun.

16 “(B) The State law provides that the chief law
17 enforcement officer of the State shall furnish infor-
18 mation from completed handgun registration forms
19 to Federal, State, and local law enforcement authori-
20 ties upon request.

21 “(C) The State law may authorize the chief law
22 enforcement officer of the State to charge a fee for
23 the registration of a handgun.

24 “(7) As used in this subsection, the term ‘State hand-
25 gun safety certificate’ means a certificate issued under a

1 State law that, at a minimum, meets the following require-
2 ments:

3 “(A) The State law provides that the chief law
4 enforcement officer of the State shall issue State
5 handgun safety certificates.

6 “(B) The State law provides that a State hand-
7 gun safety certificate is not to be issued to an appli-
8 cant, unless the chief law enforcement officer of the
9 State determines that the applicant—

10 “(i) is a resident of the State, by examin-
11 ing, at a minimum, in addition to a valid identi-
12 fication document (as defined in section 1028),
13 documentation such as a utility bill or lease
14 agreement;

15 “(ii) has completed a course of not less
16 than 2 hours of instruction in handgun safety,
17 that was taught by law enforcement officers
18 and designed by the chief law enforcement offi-
19 cer; and

20 “(iii) has passed an examination, designed
21 by the chief law enforcement officer, testing the
22 applicant’s knowledge of handgun safety.

23 “(C) The State law may authorize the chief law
24 enforcement officer of the State to charge a fee for

1 the handgun safety course and examination de-
2 scribed in subparagraph (B).”.

3 (b) DEFINITION OF HANDGUN AMMUNITION.—Sec-
4 tion 921(a) of such title is amended by adding at the end
5 the following:

6 “(30) The term ‘handgun ammunition’ means—

7 “(A) a centerfire cartridge or cartridge case less
8 than 1.3 inches in length; or

9 “(B) a primer, bullet, or propellant powder de-
10 signed specifically for use in a handgun.”.

11 (c) REGULATIONS.—Section 926 of such title is
12 amended by adding at the end the following:

13 “(d) The Secretary shall, for purposes of section
14 922(v), prescribe regulations—

15 “(1) governing the form and appearance of
16 State handgun licenses;

17 “(2) establishing minimum standards that such
18 licenses must meet to be secure against forgery; and

19 “(3) establishing minimum standards that
20 States must meet in issuing such licenses in order
21 to prevent fraud or theft of such licenses.”.

22 (d) PENALTY.—Section 924(a)(1)(B) of such title is
23 amended by striking “or (q)” and inserting “(r), or (v)”.

1 (e) TECHNICAL CORRECTION TO BRADY ACT.—Sec-
2 tion 922(t)(1)(B)(ii) of such title is amended by inserting
3 “or State law” after “section”.

4 (f) EFFECTIVE DATE.—The amendments made by
5 this section shall become effective on the date that is 180
6 days after the date of enactment of this Act.

7 (g) FUNDING.—

8 (1) GRANTS FOR ESTABLISHING SYSTEMS OF
9 LICENSING AND REGISTRATION.—The Attorney Gen-
10 eral shall, subject to the availability of appropria-
11 tions, make a grant to each State (as defined in sec-
12 tion 921(a)(2) of title 18, United States Code) to be
13 used for the initial startup costs associated with es-
14 tablishing a system of licensing and registration con-
15 sistent with the requirements of section 922(v) of
16 title 18, United States Code.

17 (2) AUTHORIZATION OF APPROPRIATIONS.—
18 There is authorized to be appropriated for grants
19 under paragraph (1) a total of \$200,000,000 for fis-
20 cal year 1995 and all fiscal years thereafter.

21 **SEC. 102. MULTIPLE HANDGUN TRANSFER PROHIBITION.**

22 Section 922 of title 18, United States Code, as
23 amended by section 101(a) of this Act, is amended by add-
24 ing at the end the following:

1 “(w)(1)(A) It shall be unlawful for any licensed deal-
2 er—

3 “(i) during any 30-day period, to sell 2 or more
4 handguns to an individual who is not licensed under
5 section 923; or

6 “(ii) to sell a handgun to an individual who is
7 not licensed under section 923 and who purchased a
8 handgun during the 30-day period ending on the
9 date of the sale.

10 “(B) It shall be unlawful for any individual who is
11 not licensed under section 923 to purchase 2 or more
12 handguns during any 30-day period.

13 “(2) Paragraph (1) shall not apply to the exchange
14 of a handgun for a handgun.”.

15 **SEC. 103. PROHIBITION AGAINST ENGAGING IN THE BUSI-**
16 **NESS OF DEALING IN HANDGUNS WITHOUT**
17 **SPECIFIC AUTHORIZATION; AUTHORIZATION**
18 **REQUIRED TO BE PROVIDED IF APPLICANT**
19 **DEMONSTRATES SIGNIFICANT UNMET ECO-**
20 **NOMIC DEMAND.**

21 (a) PROHIBITION AGAINST ENGAGING IN THE BUSI-
22 NESS OF DEALING IN HANDGUNS WITHOUT SPECIFIC AU-
23 THORIZATION.—Section 922(a)(1) of title 18, United
24 States Code, is amended—

1 (1) by striking “or” at the end of subparagraph
2 (A); and

3 (2) by redesignating subparagraph (B) as sub-
4 paragraph (C) and inserting after subparagraph (A)
5 the following:

6 “(B) to engage in the business of dealing
7 in handguns, or in the course of such business,
8 to ship, transport, or receive any handgun in
9 interstate or foreign commerce, unless the per-
10 son is specifically authorized to do so under sec-
11 tion 923(d)(2)(A); or”.

12 (b) AUTHORIZATION REQUIRED TO BE PROVIDED IF
13 APPLICANT DEMONSTRATES THAT IT IS IN THE PUBLIC
14 INTEREST.—Section 923(d) of such title is amended by
15 redesignating paragraph (2) as paragraph (3) and by in-
16 serting after paragraph (1) the following:

17 “(2)(A) The Secretary shall authorize a licensed deal-
18 er (or a person whose application for a license to engage
19 in the business of dealing in firearms is required to be
20 approved by the Secretary) to engage in the business of
21 dealing in handguns if the licensed dealer (or the appli-
22 cant) demonstrates to the Secretary, in accordance with
23 regulations which the Secretary shall prescribe, that there
24 is significant unmet lawful demand for handguns in the

1 market area (as defined by the Secretary) served by the
2 licensed dealer (or to be served by the applicant).

3 “(B) For purposes of paragraph (3) of this sub-
4 section and subsections (e) and (f), a request for authority
5 to engage in the business of dealing in handguns is
6 deemed an application for a license under this section, and
7 the provision of such authority is deemed the issuance of
8 such a license.”.

9 (c) EFFECTIVE DATE.—

10 (1) IN GENERAL.—Except as provided in para-
11 graph (2), the amendments made by this section
12 shall take effect 1 year after the date of the enact-
13 ment of this Act.

14 (2) 2-YEAR GRANDFATHERING OF LICENSED
15 DEALERS.—The amendments made by this section
16 shall not apply, during the 2-year period that begins
17 with the effective date provided for in paragraph (1)
18 of this subsection, to any person who, on such effec-
19 tive date, is a licensed dealer (as defined in section
20 921(a)(11) of title 18, United States Code).

1 **TITLE II—TRACING OF GUNS**
2 **USED IN CRIMES**

3 **SEC. 201. DEALER ASSISTANCE WITH TRACING OF FIRE-**
4 **ARMS.**

5 (a) PROVISION OF RECORD INFORMATION.—Section
6 923(g) of title 18, United States Code, is amended by add-
7 ing at the end the following:

8 “(6) Each licensee shall, at such times and under
9 such conditions as the Secretary shall prescribe by regula-
10 tion, provide all record information required to be kept
11 by this chapter, or such lesser information as the Sec-
12 retary may specify, as may be required for determining
13 the disposition of a firearm in the course of a law enforce-
14 ment investigation.”.

15 (b) NO CRIMINAL PENALTY.—Section 924(a)(1)(D)
16 of such title is amended by adding at the end the follow-
17 ing: “except section 923(g)(6),”.

18 **SEC. 202. COMPUTERIZATION OF RECORDS.**

19 Section 926 of title 18, United States Code, as
20 amended by section 101(c) of this Act, is amended—

21 (1) in subsection (a), by striking the 2nd sen-
22 tence; and

23 (2) by adding at the end the following:

24 “(e) The Director of the Bureau of Alcohol, Tobacco,
25 and Firearms shall centralize all records of receipts and

1 disposition of firearms obtained by the Bureau, and main-
2 tain such records in whatever manner will enable their
3 most efficient use in law enforcement investigations.”.

4 **SEC. 203. INTERSTATE TRANSPORTATION OF FIREARMS.**

5 Section 922(a)(3) of title 18, United States Code, is
6 amended to read as follows:

7 “(3)(A) for any person not licensed under sec-
8 tion 923 of this title to transport a firearm from one
9 State into another State; and

10 “(B)(i) subparagraph (A) shall not preclude
11 any person who lawfully acquires a firearm by be-
12 quest or intestate succession in a State other than
13 the person’s State of residence from transporting the
14 firearm into or receiving the firearm in the person’s
15 State of residence, if it is lawful for the person to
16 possess the firearm in the person’s State of resi-
17 dence;

18 “(ii) subparagraph (A) shall not apply to the
19 transportation or receipt of any firearm obtained in
20 conformity with subsection (b)(3) of this section;

21 “(iii) subparagraph (A) shall not apply to the
22 transportation of any firearm acquired in any State
23 before the effective date of this chapter;

1 “(iv) subparagraph (A) shall not apply to the
2 transportation of any firearm in accordance with
3 section 926A of this title; and

4 “(v) subparagraph (A) shall not apply to the
5 transportation of any firearm under contract or
6 agreement with a person licensed under section 923
7 of this title, by a person who ships or transports
8 goods in the ordinary course of business;”.

9 **SEC. 204. GUN RUNNING.**

10 (a) PROHIBITIONS.—Section 922 of title 18, United
11 States Code, as amended by sections 101(a) and 102 of
12 this Act, is amended by adding at the end the following:

13 “(x) It shall be unlawful for any person not licensed
14 under section 923 to receive a firearm with the intent to
15 transfer the firearm for profit.”.

16 (b) PENALTIES.—Section 924(a) of such title is
17 amended by adding at the end the following:

18 “(6)(A) Except as provided in subparagraph (B) of
19 this paragraph, whoever violates section 922(x) shall be
20 fined under this title, imprisoned not less than 6 months
21 and not more than 3 years, or both.

22 “(B) Whoever violates section 922(x) with respect to
23 5 or more firearms during a 30-day period shall be fined
24 under this title, imprisoned not less than 3 years, or
25 both.”.

1 **SEC. 205. HANDGUN BARREL REGISTRATION.**

2 Section 923(i) of title 18, United States Code, is
3 amended—

4 (1) by inserting “(1)” after “(i)”; and

5 (2) by adding at the end the following:

6 “(2) Each licensed manufacturer shall maintain
7 records of the ballistics of handgun barrels made by the
8 licensed manufacturer, and the serial numbers of such
9 barrels, and shall make such records available to the Sec-
10 retary, in accordance with regulations prescribed by the
11 Secretary.”.

12 **SEC. 206. NATIONAL FIREARMS TRACING CENTER.**

13 (a) ESTABLISHMENT.—The Secretary of the Treas-
14 ury shall establish in the Bureau of Alcohol, Tobacco, and
15 Firearms a National Firearms Tracing Center which shall
16 be operated for the purpose of tracing the chain of posses-
17 sion of firearms and ammunition used in crimes.

18 (b) LIMITATION ON AUTHORIZATION OF APPROPRIA-
19 TIONS.—For the establishment and operation of the Na-
20 tional Firearms Tracing Center, there are authorized to
21 be appropriated to the Secretary of the Treasury not to
22 exceed \$20,000,000 for each of fiscal years 1994, 1995,
23 and 1996.

1 **TITLE III—DEALER**
2 **RESPONSIBILITY**

3 **SEC. 301. COMPLIANCE WITH STATE AND LOCAL FIREARMS**
4 **LICENSING LAWS REQUIRED BEFORE ISSU-**
5 **ANCE OF FEDERAL FIREARMS LICENSE.**

6 Section 923(d)(1) of title 18, United States Code, is
7 amended—

8 (1) by striking “and” at the end of subpara-
9 graph (D);

10 (2) by striking the period at the end of sub-
11 paragraph (E) and inserting “; and”; and

12 (3) by adding at the end the following:

13 “(F) in the case of an application for a license
14 to engage in the business of dealing in firearms—

15 “(i) the applicant has complied with all re-
16 quirements imposed on persons desiring to en-
17 gage in such a business by the State and politi-
18 cal subdivision thereof in which the applicant
19 conducts or intends to conduct such business;

20 “(ii) the business to be conducted pursuant
21 to the license is not prohibited by the law of the
22 State or locality in which the business premises
23 is located; and

24 “(iii) the application includes a written
25 statement which—

1 “(I) is signed by the chief of police of
2 the locality, or the sheriff of the county, in
3 which the applicant conducts or intends to
4 conduct such business, the head of the
5 State police of such State, or any official
6 designated by the Secretary; and

7 “(II) certifies that the information
8 available to the signer of the statement
9 does not indicate that the applicant is in-
10 eligible to obtain such a license under the
11 law of such State and locality.”.

12 **SEC. 302. BACKGROUND INVESTIGATION OF LICENSEES.**

13 (a) IN GENERAL.—Section 923(d)(1)(B) of title 18,
14 United States Code, is amended—

15 (1) by inserting “after a thorough investigation
16 of” before “the applicant”; and

17 (2) by striking “association)” and inserting
18 “association), which investigation shall include
19 checking the applicant’s fingerprints against all ap-
20 propriate compilations of criminal records, the Sec-
21 retary determines that the applicant”.

22 (b) INSPECTION OF APPLICANT’S PREMISES.—Sec-
23 tion 923(d)(1) of such title, as amended by section 301
24 of this Act, is amended—

1 (1) by striking “and” at the end of subpara-
2 graph (E);

3 (2) by striking the period at the end of sub-
4 paragraph (F) and inserting “; and”; and

5 (3) by adding at the end the following:

6 “(G) the Secretary has conducted an inspection
7 of the place at which the applicant is to conduct
8 business pursuant to the license.”.

9 (c) BUSINESS PREMISES REQUIRED OF APPLI-
10 CANT.—Section 923(d)(1)(E) of such title is amended by
11 inserting “business” after “(i)”.

12 (d) EXTENSION OF PERIOD FOR APPROVING OR DE-
13 NYING APPLICATION.—Section 923(d)(3) of such title, as
14 so redesignated by section 103(b) of this Act, is amended
15 by striking “forty-five-day” and inserting “180-day”.

16 **SEC. 303. INCREASED LICENSE FEES FOR DEALERS.**

17 Section 923(a)(3) of title 18, United States Code, is
18 amended to read as follows:

19 “(3) If the applicant—

20 “(A) is a dealer in destructive devices or ammu-
21 nition for destructive devices, a fee of \$2,000 per
22 year; or

23 “(B) is a dealer not described in subparagraph
24 (A), a fee of \$3,000 for 3 years.”.

1 **SEC. 304. INCREASED PENALTIES FOR MAKING KNOWINGLY**
2 **FALSE STATEMENTS IN CONNECTION WITH**
3 **FIREARMS.**

4 (a) IN ACQUIRING A FIREARM FROM A LICENSED
5 DEALER.—Section 924(a) of title 18, United States Code,
6 is amended—

7 (1) in paragraph (1)(B), by striking “(a)(6),”;
8 and

9 (2) in paragraph (2), by inserting “(a)(6),”
10 after “subsection”.

11 (b) IN RECORDKEEPING.—Section 924(a)(3) of such
12 title is amended by striking “fined not more than \$1,000,
13 imprisoned not more than one year” and inserting “fined
14 under this title, imprisoned not more than 10 years”.

15 **SEC. 305. DEALER INSPECTIONS.**

16 Section 923(g)(1)(B) of title 18, United States Code,
17 is amended by striking all after “warrant” and inserting
18 “as necessary to ensure compliance with this chapter, to
19 further a criminal investigation, or to determine the dis-
20 position of 1 or more particular firearms.”.

21 **SEC. 306. GUN SHOWS.**

22 (a) PROHIBITION AGAINST CERTAIN HANDGUN
23 TRANSFERS AT GUN SHOWS.—Section 922(b) of title 18,
24 United States Code, is amended—

25 (1) by striking “and” at the end of paragraph
26 (4);

1 (2) by striking the period at the end of para-
2 graph (5) and inserting “; or”; and

3 (3) by inserting after paragraph (5) the follow-
4 ing:

5 “(6) any handgun to any person who is not a
6 licensed importer, licensed manufacturer, or licensed
7 dealer, at any place other than the location specified
8 on the license of the transferor.”.

9 (b) CONFORMING AMENDMENT.—Section 923(j) of
10 such title is amended by inserting “, consistent with sec-
11 tion 922(b)(6),” before “temporarily”.

12 **SEC. 307. ACQUISITION AND DISPOSITION RECORDS OF**
13 **DEALERS SUSPECTED OF SERVING AS**
14 **SOURCES OF ILLEGAL FIREARMS.**

15 Section 923(g)(1) of title 18, United States Code, is
16 amended by adding at the end the following:

17 “(E) If the Secretary, during a 1-year period, has
18 identified a licensed dealer as the source of 3 or more fire-
19 arms that have been recovered by law enforcement officials
20 in criminal investigations, or if the Secretary has reason
21 to believe that a licensed dealer is a source of firearms
22 used in crimes, the Secretary may require the dealer to
23 produce any or all records maintained by the dealer of ac-
24 quisition and disposition of firearms, and may continue
25 to impose such requirement until the Secretary determines

1 that the dealer is not a source of firearms used in
2 crimes.”.

3 **SEC. 308. DEALER RESPONSIBILITY FOR SALES TO FELONS**
4 **OR MINORS.**

5 (a) IN GENERAL.—Chapter 44 of title 18, United
6 States Code, is amended by inserting after section 922 the
7 following:

8 **“§922A. Tort liability of licensed dealers**

9 “(a)(1) Any person suffering physical injury arising
10 from a crime of violence (as defined in section 924(c)(3))
11 in which a qualified firearm is used may bring an action
12 in any United States district court against any qualified
13 licensed dealer for damages and such other relief as the
14 court deems appropriate.

15 “(2) As used in paragraph (1), the term ‘qualified
16 firearm’ means a firearm that—

17 “(A) has been transferred by a licensed dealer
18 to a person who—

19 “(i) has been convicted in any court of a
20 crime punishable by imprisonment for a term
21 exceeding one year; or

22 “(ii) has not attained the age of 18 years;
23 and

24 “(B) is subsequently used by any person in a
25 crime of violence (as defined in section 924(c)(3)).

1 “(3) As used in paragraph (1), the term ‘qualified
2 licensed dealer’ means, with respect to a firearm, a li-
3 censed dealer who transfers the firearm to a person, know-
4 ing or having reasonable cause to believe that the person
5 is prohibited by Federal or State law from receiving the
6 firearm.

7 “(b)(1) The defendant in an action brought under
8 subsection (a) shall be held liable in tort, without regard
9 to fault or proof of defect, for all direct and consequential
10 damages arising from the crime of violence referred to
11 therein, except as provided in paragraph (2) of this sub-
12 section. The court, in its discretion, may award punitive
13 damages.

14 “(2) There shall be no liability under subsection (a)
15 if it is established by a preponderance of the evidence that
16 the plaintiff suffered the physical injury while committing
17 the crime of violence referred to therein.”.

18 (b) CLERICAL AMENDMENT.—The section analysis
19 for such chapter is amended by inserting after the item
20 relating to section 922 the following:

“Sec. 922A. Tort liability of licensed dealers.”.

21 **SEC. 309. INTERSTATE SHIPMENT OF FIREARMS.**

22 Section 922(e) of title 18, United States Code, is
23 amended—

24 (1) by inserting “Any common or contract car-
25 rier that undertakes to transport or deliver firearms

1 in interstate or foreign commerce shall, not less fre-
2 quently than monthly, obtain from the Secretary a
3 list of licensed dealers. The Secretary shall provide
4 to any common or contract carrier, upon request
5 and without charge, a list of licensed dealers and
6 their license numbers.” before “It shall”;

7 (2) by striking “, to persons other than licensed
8 importers, licensed manufacturers, licensed dealers,
9 or licensed collectors,”;

10 (3) by inserting “(1)” after “without”;

11 (4) by inserting “, and (2) if the intended recip-
12 ient of the package or container is a licensed dealer,
13 written notice of the dealer’s license number” before
14 the semicolon; and

15 (5) by adding at the end the following: “A com-
16 mon or contract carrier shall be considered to have
17 cause to believe that a shipment of firearms would
18 violate this chapter if it is alleged to the carrier that
19 the intended recipient of the shipment is a licensed
20 dealer and the carrier fails to verify that the in-
21 tended recipient is a licensed dealer.”.

1 **TITLE IV—THEFT OF FIREARMS**

2 **SEC. 401. DEALER REPORTING OF FIREARM THEFTS.**

3 Section 923(g) of title 18, United States Code, as
4 amended by section 201(a) of this Act, is amended by add-
5 ing at the end the following:

6 “(7) Each licensee shall report to the Secretary, and
7 to the chief law enforcement officer (as defined in section
8 922(s)(8)) of the locality in which the premises specified
9 on the license is located, any theft of firearms from the
10 licensee, not later than the close of business on the first
11 business day of the licensee after the day that the licensee
12 discovers the theft.”.

13 **SEC. 402. THEFT OF FIREARMS OR EXPLOSIVES.**

14 (a) FIREARMS.—Section 924 of title 18, United
15 States Code, is amended by adding at the end the follow-
16 ing:

17 “(j) Whoever steals any firearm which is moving as,
18 or is a part of, or which has moved in, interstate or foreign
19 commerce shall be fined under this title, imprisoned for
20 not less than 2 nor more than 10 years, or both.”.

21 (b) EXPLOSIVES.—Section 844 of such title is
22 amended by adding at the end the following:

23 “(k) Whoever steals any explosive materials which are
24 moving as, or are a part of, or which have moved in, inter-
25 state or foreign commerce shall be fined under this title,

1 imprisoned for not less than 2 nor more than 10 years,
2 or both.”.

3 **SEC. 403. THEFT OF FIREARMS OR EXPLOSIVES FROM LI-**
4 **CENSEE.**

5 (a) FIREARMS.—Section 924 of title 18, United
6 States Code, as amended by section 402(a) of this Act,
7 is amended by adding at the end the following:

8 “(k) Whoever steals any firearm from a licensed im-
9 porter, licensed manufacturer, licensed dealer or licensed
10 collector shall be fined under this title, imprisoned not
11 more than 10 years, or both.”.

12 (b) EXPLOSIVES.—Section 844 of such title, as
13 amended by section 402(b) of this Act, is amended by add-
14 ing at the end the following:

15 “(l) Whoever steals explosive materials from a li-
16 censed importer, licensed manufacturer or licensed dealer,
17 or from any permittee shall be fined under this title, im-
18 prisoned not more than 10 years, or both.”.

19 **SEC. 404. SECURITY OF LICENSED FIREARMS DEALERS.**

20 (a) REQUIREMENT.—Section 923 of title 18, United
21 States Code, is amended by adding at the end the follow-
22 ing:

23 “(l) Licensed dealers shall provide for security
24 against theft of firearms from their business premises, in
25 accordance with regulations prescribed by the Secretary.”.

1 (b) DENIAL OF DEALER'S LICENSE.—Section
2 923(d)(1)(F) of such title, as added by section 301(3),
3 and amended by section 302(b)(2), of this Act, is amend-
4 ed—

5 (1) by striking “and” at the end of clause (ii);

6 (2) by adding at the end the following:

7 “(iv) the applicant has provided for secu-
8 rity against theft of firearms from the place at
9 which business is to be conducted pursuant to
10 the license, in accordance with regulations pre-
11 scribed under subsection (l); and”.

12 **SEC. 405. PROHIBITION AGAINST TRANSACTIONS INVOLV-**
13 **ING STOLEN FIREARMS WHICH HAVE MOVED**
14 **IN INTERSTATE OR FOREIGN COMMERCE.**

15 Section 922(j) of title 18, United States Code, is
16 amended to read as follows:

17 “(j) It shall be unlawful for any person to receive,
18 possess, conceal, store, barter, sell, or dispose of any stolen
19 firearm or stolen ammunition, or pledge or accept as secu-
20 rity for a loan any stolen firearm or stolen ammunition,
21 which is moving as, which is a part of, which constitutes,
22 or which has been shipped or transported in, interstate
23 or foreign commerce, either before or after it was stolen,
24 knowing or having reasonable cause to believe that the
25 firearm or ammunition was stolen.”.

1 **TITLE V—ARMED FELONS**
2 **SEC. 501. INDIVIDUALS DENIED ADMINISTRATIVE RELIEF**
3 **FROM CERTAIN FIREARMS PROHIBITIONS;**
4 **ADDITIONAL EVIDENCE NOT ADMISSIBLE IN**
5 **JUDICIAL REVIEW OF DENIALS OF SUCH AD-**
6 **MINISTRATIVE RELIEF FOR OTHER PERSONS.**

7 (a) IN GENERAL.—Section 925(c) of title 18, United
8 States Code, is amended—

9 (1) in the 1st sentence, by inserting “(other
10 than an individual)” before “who is prohibited”;

11 (2) by striking the 2nd and 3rd sentences;

12 (3) in the 4th sentence—

13 (A) by inserting “person (other than an in-
14 dividual) who is a” before “licensed importer”;
15 and

16 (B) by striking “his” and inserting
17 “such”; and

18 (4) in the 5th sentence, by inserting “(1) the
19 name of the person, (2) the disability with respect
20 to which the relief is granted, and, if the disability
21 was imposed by reason of a criminal conviction of
22 the person, the crime for which, and the court in
23 which, the person was convicted, and (3)” before
24 “the reasons therefor”.

1 (b) APPLICABILITY.—The amendments made by sub-
2 section (a) shall apply to—

3 (1) applications for administrative relief, and
4 actions for judicial review, that are pending on the
5 date of the enactment of this Act; and

6 (2) applications for administrative relief filed,
7 and actions for judicial review brought, after the
8 date of the enactment of this Act.

9 **SEC. 502. CLARIFICATION OF DEFINITION OF CONVICTION.**

10 Section 921(a)(20) of title 18, United States Code,
11 is amended—

12 (1) in the 1st sentence—

13 (A) by inserting “(A)” after “(20)”; and

14 (B) by redesignating subparagraphs (A)
15 and (B) as clauses (i) and (ii), respectively;

16 (2) in the 2nd sentence, by striking “What”
17 and inserting the following:

18 “(B) What”; and

19 (3) by striking the 3rd sentence and inserting
20 the following:

21 “(C) Any State conviction which has been expunged
22 or set aside, or for which a person has been pardoned or
23 has had civil rights restored, shall not be considered a con-
24 viction for purposes of this chapter if—

1 “(i) the expungement, set aside, pardon, or res-
2 toration of civil rights applies to a named person
3 and expressly authorizes the person to ship, trans-
4 port, receive, and possess firearms; and

5 “(ii) the State authority granting the
6 expungement, set aside, pardon, or restoration of
7 civil rights has expressly determined that the cir-
8 cumstances regarding the conviction, and the per-
9 son’s record and reputation, are such that—

10 “(I) the applicant will not be likely to act
11 in a manner dangerous to public safety; and

12 “(II) the granting of the relief would not
13 be contrary to the public interest.

14 “(D) Subparagraph (C) shall not apply to a convic-
15 tion for a violent felony (as defined in section
16 924(e)(2)(B)) or a serious drug offense (as defined in sec-
17 tion 924(e)(2)(A)).”.

18 **SEC. 503. ENHANCED PENALTY FOR USE OF A SEMIAUTO-**
19 **MATIC FIREARM DURING A CRIME OF VIO-**
20 **LENCE OR A DRUG TRAFFICKING CRIME.**

21 (a) IN GENERAL.—Section 924(c)(1) of title 18,
22 United States Code, is amended by striking “and if the
23 firearm is a short-barreled rifle, short-barreled shotgun”
24 and inserting “if the firearm is a semiautomatic firearm,
25 a short-barreled rifle, or a short-barreled shotgun,”.

1 (b) SEMIAUTOMATIC FIREARM.—Section 921(a) of
2 such title, as amended by section 101(b) of this Act, is
3 amended by adding at the end the following:

4 “(31) The term ‘semiautomatic firearm’ means any
5 repeating firearm which utilizes a portion of the energy
6 of a firing cartridge to extract the fired cartridge case and
7 chamber the next round, and which requires a separate
8 pull of the trigger to fire each cartridge.”.

9 **SEC. 504. VIOLATION OF FIREARMS LAWS IN AID OF DRUG**
10 **TRAFFICKING.**

11 Section 924 of title 18, United States Code, as
12 amended by sections 402(a) and 403(a) of this Act, is
13 amended by adding at the end the following:

14 “(l) Whoever, with the intent to engage in or to pro-
15 mote conduct which—

16 “(1) is punishable under the Controlled Sub-
17 stances Act (21 U.S.C. 801 et seq.), the Controlled
18 Substances Import and Export Act (21 U.S.C. 951
19 et seq.), or the Maritime Drug Law Enforcement
20 Act (46 U.S.C. App. 1901 et seq.);

21 “(2) violates any law of a State relating to any
22 controlled substance (as defined in section 102 of
23 the Controlled Substances Act, 21 U.S.C. 802); or

24 “(3) constitutes a crime of violence (as defined
25 in subsection (c)(3)),

1 violates any provision of this chapter, or attempts to do
2 so, shall be imprisoned for not more than 10 years, fined
3 under this title, or both.”.

4 **SEC. 505. MANDATORY PENALTIES FOR FIREARMS POSSES-**
5 **SION BY VIOLENT FELONS AND SERIOUS**
6 **DRUG OFFENDERS.**

7 (a) 1 PRIOR CONVICTION.—Section 924(a)(2) of title
8 18, United States Code, is amended by inserting “, and
9 if the violation is of section 922(g)(1) by a person who
10 has a previous conviction for a violent felony or a serious
11 drug offense (as defined in subsections (e)(2) (A) and (B)
12 of this section), a sentence imposed under this paragraph
13 shall include a term of imprisonment of not less than five
14 years” before the period.

15 (b) 2 PRIOR CONVICTIONS.—Section 924 of such
16 title, as amended by sections 402(a), 403(a), and 504 of
17 this Act, is amended by adding at the end the following:

18 “(m)(1) Notwithstanding subsection (a)(2) of this
19 section, any person who violates section 922(g) and has
20 2 previous convictions by any court referred to in section
21 922(g)(1) for a violent felony (as defined in subsection
22 (e)(2)(B) of this section) or a serious drug offense (as de-
23 fined in subsection (e)(2)(A) of this section) committed
24 on occasions different from one another shall be fined as

1 provided in this title, imprisoned not less than 10 years
2 and not more than 20 years, or both.

3 “(2) Notwithstanding any other provision of law, the
4 court shall not suspend the sentence of, or grant a proba-
5 tionary sentence to, such person with respect to the convic-
6 tion under section 922(g).”.

7 **TITLE VI—VIOLENT** 8 **MISDEMEANANTS**

9 **SEC. 601. PROHIBITION AGAINST DISPOSAL OF FIREARMS**

10 **OR AMMUNITION TO, OR RECEIPT OF FIRE-**

11 **ARMS OR AMMUNITION BY, PERSONS CON-**

12 **VICTED OF A VIOLENT CRIME OR SUBJECT**

13 **TO A PROTECTION ORDER.**

14 (a) PROHIBITION AGAINST DISPOSAL.—Section
15 922(d) of title 18, United States Code, is amended—

16 (1) by striking “or” at the end of paragraph
17 (6);

18 (2) by striking the period at the end of para-
19 graph (7) and inserting a semicolon; and

20 (3) by inserting after paragraph (7) the follow-
21 ing:

22 “(8) has been convicted in any court of an of-
23 fense that—

24 “(A) is punishable by imprisonment for
25 more than 6 months; and

1 “(B)(i) has, as an element, the use, at-
2 tempted use, or threatened use of physical force
3 against another person; or

4 “(ii) by its nature, involves a substantial
5 risk that physical force against a person de-
6 scribed in subparagraph (A) may be used in the
7 course of committing the offense; or

8 “(9) is required, pursuant to an order issued by
9 a court in a case involving the use, attempted use,
10 or threatened use of physical force against another
11 person, to refrain from contact with or maintain a
12 minimum distance from that person.”.

13 (b) PROHIBITION AGAINST RECEIPT.—Section
14 922(g) of such title is amended—

15 (1) by striking “or” at the end of paragraph
16 (6); and

17 (2) by inserting after paragraph (7) the follow-
18 ing:

19 “(8) who has been convicted in any court of an
20 offense that—

21 “(A) is punishable by imprisonment for
22 more than 6 months; and

23 “(B)(i) has, as an element, the use, at-
24 tempted use, or threatened use of physical force
25 against another person; or

1 “(ii) by its nature, involves a substantial
2 risk that physical force against a person de-
3 scribed in subparagraph (A) may be used in the
4 course of committing the offense; or

5 “(9) who is required, pursuant to an order is-
6 sued by a court in a case involving the use, at-
7 tempted use, or threatened use of physical force
8 against another person, to refrain from contact with
9 or maintain a minimum distance from that person.”.

10 **TITLE VII—AMMUNITION**

11 **SEC. 701. FEDERAL LICENSE TO DEAL IN AMMUNITION.**

12 (a) DEFINITIONS.—

13 (1) DEALER.—Section 921(a)(11)(A) of title
14 18, United States Code, is amended by inserting “or
15 ammunition” after “firearms”.

16 (2) COLLECTOR.—Section 921(a)(13) of such
17 title is amended by inserting “or ammunition” after
18 “firearms”.

19 (3) ENGAGED IN THE BUSINESS.—Section
20 921(a)(21) of such title is amended by redesignating
21 subparagraphs (E) and (F) as subparagraphs (F)
22 and (G), respectively, and by inserting after sub-
23 paragraph (D) the following:

24 “(E) as applied to a dealer in ammunition, a
25 person who devotes time, attention, and labor to en-

1 gaging in such activity as a regular course of trade
2 or business with the principal objective of livelihood
3 and profit through the repetitive purchase and resale
4 of ammunition, but such term shall not include a
5 person who makes occasional sales, exchanges, or
6 purchases of ammunition for the enhancement of a
7 personal collection or for a hobby, or who sells all or
8 part of his personal collection of ammunition;”.

9 (b) PROHIBITIONS.—Section 922 of such title is
10 amended—

11 (1) in subsection (a)—

12 (A) in paragraph (1) (as amended by sec-
13 tion 103(a) of this Act)—

14 (i) by amending subparagraph (A) to
15 read as follows:

16 “(A) except a licensed importer, licensed manu-
17 facturer, or licensed dealer, to engage in the busi-
18 ness of importing, manufacturing, or dealing in fire-
19 arms or ammunition, or in the course of such busi-
20 ness to ship, transport, or receive any firearm or
21 ammunition in interstate or foreign commerce; or”;

22 (ii) by striking “or” at the end of sub-
23 paragraph (B); and

24 (iii) by striking subparagraph (C);

1 (B) in paragraphs (2), (3) and (5), by in-
2 serting “or ammunition” after “firearm” each
3 place such term appears;

4 (2) in subsection (b)(3)—

5 (A) by inserting “or ammunition” after
6 “firearm” each place such term appears; and

7 (B) by inserting “, or ammunition for a
8 rifle or shotgun,” after “shotgun”;

9 (3) in subsection (c)—

10 (A) by inserting “or ammunition” after
11 “firearm” in the 1st, 3rd, 4th, 5th, 6th and 7th
12 places such term appears;

13 (B) by inserting “or any ammunition other
14 than for a shotgun or rifle,” after “rifle,” the
15 1st place such term appears; and

16 (C) by inserting “or ammunition for a
17 shotgun or rifle,” after “rifle,” the 2nd place
18 such term appears;

19 (4) in subsection (e) (as amended by section
20 309 of this Act), by inserting “or ammunition” after
21 “firearms” each place such term appears; and

22 (5) in subsection (q)(1)—

23 (A) in subparagraph (A), by inserting “or
24 ammunition” after “firearm”; and

25 (B) by adding at the end the following:

1 “(C) Subparagraph (A) shall not apply to the posses-
2 sion of ammunition—

3 “(i) on private property not part of school
4 grounds;

5 “(ii) if the individual possessing the ammuni-
6 tion is licensed to do so by the State in which the
7 school zone is located or a political subdivision of the
8 State, and the law of the State requires that, before
9 an individual obtain such a license, the law enforce-
10 ment authorities of the State or political subdivision
11 verify that the individual is qualified under law to
12 receive the license;

13 “(iii) which is in a locked container;

14 “(iv) by an individual for use in a program ap-
15 proved by a school in the school zone;

16 “(v) by an individual in accordance with a con-
17 tract entered into between a school in the school
18 zone and the individual or an employer of the indi-
19 vidual;

20 “(vi) by a law enforcement officer acting in his
21 or her official capacity; or

22 “(vii) which is possessed by an individual while
23 traversing school premises for the purpose of gaining
24 access to public or private lands open to hunting, if

1 the entry on school premises is authorized by school
2 authorities.”.

3 (c) LICENSING.—Section 923 of such title is amend-
4 ed—

5 (1) in subsection (a), by striking “, or import-
6 ing or manufacturing”;

7 (2) in subsection (g)—

8 (A) in paragraph (1)—

9 (i) in subparagraph (A)—

10 (I) by inserting “and ammuni-
11 tion” after “firearms” the 1st place
12 such term appears;

13 (II) by striking “firearms” the
14 2nd place such term appears; and

15 (III) by striking “or any licensed
16 importer or manufacturer of ammuni-
17 tion,”;

18 (ii) in each of subparagraphs (B)(iii)
19 and (C)(ii), by inserting “or rounds of am-
20 munition” after “firearms”; and

21 (iii) in subparagraph (D)(iv) (as
22 added by section 404(b) of this Act), by in-
23 serting “or rounds of ammunition” after
24 “firearms”;

25 (B) in paragraph (2)—

1 (i) by inserting “or ammunition” after
2 “firearm”; and

3 (ii) by inserting “or ammunition”
4 after “firearms”.

5 (C) in paragraph (6) (as added by section
6 201(a) of this Act), by inserting “or ammuni-
7 tion” after “firearm”; and

8 (D) in paragraph (7) (as added by section
9 401 of this Act), by inserting “or ammunition”
10 after “firearms”;

11 (3) in subsection (j)—

12 (A) by inserting “or ammunition” after
13 “firearms” the 2nd place such term appears;
14 and

15 (B) by inserting “and ammunition” after
16 “firearms” the 3rd place such term appears;
17 and

18 (4) in subsection (l) (as added by section
19 404(a) of this Act), by inserting “or ammunition”
20 after “firearms”.

21 (d) PENALTIES.—Section 924 of such title is amend-
22 ed—

23 (1) in subsection (g), by inserting “or ammuni-
24 tion” after “firearm”;

1 (2) in subsection (h), by inserting “or ammuni-
2 tion” after “firearm” each place such term appears;

3 (3) in subsection (j) (as added by section
4 402(a) of this Act), by inserting “or ammunition”
5 after “firearm”; and

6 (4) in subsection (k) (as added by section
7 403(a) of this Act), by inserting “or ammunition”
8 after “firearm”.

9 (e) INTERSTATE TRANSPORTATION.—Section 926A
10 of such title is amended—

11 (1) in the section heading, by inserting “**and**
12 **ammunition**” after “**firearms**”; and

13 (2) in the text, by inserting “or ammunition”
14 after “firearm” in the 1st, 2nd, 3rd, and 4th places
15 such term appears.

16 (f) POSSESSION IN FEDERAL FACILITIES.—Section
17 930 of such title is amended—

18 (1) in the section heading, by inserting “, **am-**
19 **munitio**,” after “**firearms**”;

20 (2) by inserting “, ammunition,” after “fire-
21 arm” each place such term appears; and

22 (3) in subsection (c)(3), by inserting “, ammu-
23 nition,” after “firearms”.

24 (g) CLERICAL AMENDMENTS.—The table of sections
25 for chapter 44 of such title is amended—

1 (1) in the item relating to section 926A, by in-
2 sserting “and ammunition” after “firearms”; and

3 (2) in the item relating to section 930, by in-
4 sserting “, ammunition,” after “firearms”.

5 **SEC. 702. REGULATION OF THE MANUFACTURE, IMPORTA-**
6 **TION, AND SALE OF CERTAIN PARTICULARLY**
7 **DANGEROUS BULLETS.**

8 Section 921(a)(17) of title 18, United States Code,
9 is amended by striking subparagraph (B) and inserting
10 the following:

11 “(B) The term ‘armor piercing ammunition’ means—

12 “(i) a projectile or projectile core which may be
13 used in a handgun and which is constructed entirely
14 (excluding the presence of traces of other sub-
15 stances) from one or a combination of tungsten al-
16 loys, steel, iron, brass, bronze, beryllium copper, or
17 depleted uranium;

18 “(ii) a jacketed, hollow point projectile which
19 may be used in a handgun and the jacket of which
20 is designed to produce, upon impact, evenly spaced
21 sharp or barb-like projections that extent beyond the
22 diameter of the unfired projectile; or

23 “(iii) a jacketed projectile which may be used in
24 a handgun and the jacket of which has a weight of

1 more than 25 percent of the total weight of the pro-
2 jectile.

3 “(C) The term ‘armor piercing ammunition’ does not
4 include shotgun shot required by Federal or State environ-
5 mental or game regulations for hunting purposes, a fran-
6 gible projectile designed for target shooting, a projectile
7 which the Secretary finds is primarily intended to be used
8 for sporting purposes, or any other projectile or projectile
9 core which the Secretary finds is intended to be used for
10 industrial purposes, including a charge used in an oil and
11 gas well perforating device.”.

○

HR 4300 SC—2

HR 4300 SC—3

HR 4300 SC—4