

103D CONGRESS
1ST SESSION

S. 496

To amend chapter 44 of title 18, United States Code, to strengthen Federal standards for licensing firearms dealers and heighten reporting requirements, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 3, 1993

Mr. SIMON (for himself, Mrs. FEINSTEIN, Mr. LAUTENBERG, and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend chapter 44 of title 18, United States Code, to strengthen Federal standards for licensing firearms dealers and heighten reporting requirements, 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. IDENTIFICATION OF RECIPIENT OF FIREARM.**

4 Section 922(e) of title 18, United States Code, is
5 amended—

6 (1) by inserting “(1)” after “(e)”; and

7 (2) in paragraph (1), as designated by para-
8 graph (1), by striking “, to persons other than li-

1 censed importers, licensed manufacturers, licensed
2 dealers, or licensed collectors,”; and

3 (3) by adding at the end the following new
4 paragraph:

5 “(2) It shall be unlawful for a common or contract
6 carrier knowingly to deliver in interstate or foreign com-
7 merce a firearm to a licensed importer, licensed manufac-
8 turer, licensed dealer, or licensed collector unless the car-
9 rier or other person identifies the person to whom the fire-
10 arm is delivered and makes and maintains a record of the
11 identity of the person in such a manner as the Secretary
12 may prescribe by regulation.”.

13 **SEC. 2. SALE OF FIREARMS OR AMMUNITION HAVING REA-**
14 **SONABLE CAUSE TO BELIEVE THAT IT WILL**
15 **BE USED TO KILL A PERSON.**

16 Section 922 of title 18, United States Code, is
17 amended by adding at the end the following new sub-
18 section:

19 “(s) It shall be unlawful for a person to sell or other-
20 wise dispose of a firearm or ammunition to another person
21 if the person who sells or otherwise disposes of it has rea-
22 sonable cause to believe that the person is acquiring the
23 firearm or ammunition with the intent that it will be used
24 by that person or any other person to commit a crime of
25 violence (as defined in section 924(c)(3)).”.

1 **SEC. 3. LICENSE APPLICATION FEES FOR DEALERS IN**
2 **FIREARMS.**

3 Section 923(a)(3) of title 18, United States Code, is
4 amended—

5 (1) in subparagraph (B) by striking “\$25” and
6 inserting “\$750”; and

7 (2) in subparagraph (C) by striking “\$10” and
8 inserting “\$750”.

9 **SEC. 4. ACTION ON APPLICATION FOR LICENSE.**

10 Section 923(d) of title 18, United States Code, is
11 amended—

12 (1) by striking “(1)” after “(d)”;

13 (2) by redesignating subparagraphs (A), (B),
14 (C), (D), and (E) as paragraphs (1), (2), (3), (4),
15 and (5), respectively; and

16 (3) by striking paragraph (2).

17 **SEC. 5. COMPLIANCE WITH STATE AND LOCAL LAW AS CON-**
18 **DITION TO LICENSE.**

19 Section 923(d) of title 18, United States Code, as
20 amended by section 4, is amended—

21 (1) by striking “and” at the end of paragraph
22 (4);

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

25 (3) by adding at the end the following new
26 paragraph:

1 “(6)(A) the business to be conducted under the li-
2 cense is not prohibited by State or local law in the place
3 where the licensed premises is located; and

4 “(B) the applicant has complied with all requirements
5 of State and local law applicable to the conduct of such
6 a business.”.

7 **SEC. 6. INSPECTIONS OF FIREARMS LICENSEES.**

8 Section 923(g)(1) of title 18, United States Code, is
9 amended—

10 (1) in subparagraph (B)(ii) by striking “not
11 more than once during any twelve-month period”;

12 (2) in subparagraph (C)(i) by striking “not
13 more than once during any twelve-month period”;
14 and

15 (3) in subparagraph (D) by striking “the an-
16 nual inspection of records and inventory permitted
17 under this paragraph” and inserting “an inspection
18 under subparagraph (C)(i)”.

19 **SEC. 7. REPORTS OF THEFT OR LOSS OF FIREARMS.**

20 Section 923(g) of title 18, United States Code, is
21 amended by adding at the end the following new para-
22 graph:

23 “(6) Each licensee shall report the theft or loss of
24 a firearm from the licensee’s inventory or collection, within

1 24 hours after the theft or loss is discovered, to the Sec-
2 retary and to appropriate local authorities.”.

3 **SEC. 8. RESPONSES TO REQUESTS FOR INFORMATION.**

4 Section 923(g) of title 18, United States Code, as
5 amended by section 7, is amended by adding at the end
6 the following new paragraph:

7 “(7) Each licensee shall respond immediately to, and
8 in no event later than 24 hours after receipt of, a request
9 by the Secretary for information contained in the records
10 required to be kept by this chapter as may be required
11 for determining the disposition of one or more firearms.
12 The requested information shall be provided orally or in
13 writing, as the Secretary may require.”.

14 **SEC. 9. REGISTRATION TO REQUIRE A PHOTOGRAPH AND**
15 **FINGERPRINTS.**

16 Section 5802 of the Internal Revenue Code of 1986
17 is amended by inserting after the first sentence the follow-
18 ing: “An individual required to register under this section
19 shall include a photograph and fingerprints of the individ-
20 ual with the initial application.”.

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