

104TH CONGRESS
1ST SESSION

H. R. 1321

To prevent handgun violence and illegal commerce in firearms.

IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1995

Mr. SCHUMER introduced the following bill; which was referred to the
Committee on the Judiciary

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 1995”.

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

7 The Congress finds and declares that—

8 (1) crimes committed with firearms threaten
9 the peace and domestic tranquility of the United
10 States and threaten the security and general welfare
11 of the Nation and its people;

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

4 (3) firearms are easily transported across State
5 boundaries and, as a result, individual State action
6 to regulate firearms is made ineffective by lax regu-
7 lation by other States; and

8 (4) it is necessary to establish uniform national
9 laws governing all aspects of the firearms industry,
10 requiring handgun licensing and registration, ex-
11 panding the categories of persons prohibited from
12 possessing firearms, limiting Federal firearms licens-
13 ees to bona fide importers, manufacturers, and deal-
14 ers, and prohibiting the sale of semiautomatic as-
15 sault weapons and other dangerous weapons.

16 **SEC. 3. TABLE OF CONTENTS.**

17 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. Prohibition of multiple handgun transfers.
- Sec. 103. Prohibition of engaging in the business of dealing in handguns with-
out specific authorization; requirement that authorization 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. Handgun barrel registration.
- Sec. 206. National Firearms Tracing Center.

TITLE III—DEALER RESPONSIBILITY

- Sec. 301. Compliance with State and local firearms licensing laws as condition to 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.

TITLE V—ARMED FELONS

- Sec. 501. Denial of administrative relief from certain firearms prohibitions; inadmissibility of additional evidence 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 of 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 new subsection:

8 “(y)(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(d)) containing a
19 photograph 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

24 “(B) the transferor (or licensed dealer) has pro-
25 vided to the chief law enforcement officer of the

1 State in which the transfer is to take place a com-
2 pleted State handgun registration form for the hand-
3 gun to be transferred.

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

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

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

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

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

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

1 “(A) The State law provides that—

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

9 “(ii) the State handgun license issued to a
10 licensee shall contain—

11 “(I) the name, address, date of birth,
12 physical description, and a photograph of
13 the licensee; and

14 “(II) a unique license number; and

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

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

22 “(i) is at least 21 years of age;

23 “(ii) is a resident of the State, by examin-
24 ing, at a minimum, in addition to a valid identi-
25 fication document (as defined in section

1 1028(d)), documentation such as a utility bill
2 or lease agreement;

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

12 “(iv) has been issued a State handgun
13 safety certificate.

14 “(D) The State law may authorize the chief law
15 enforcement officer of the State to charge a fee for
16 the issuance of a State handgun license.

17 “(E) The State law provides that, if the chief
18 law enforcement officer of the State determines that
19 an individual is ineligible to receive a State handgun
20 license and the individual in writing requests the of-
21 ficer to provide the reasons for that determination,
22 the officer shall provide the reasons to the individual
23 in writing not later than 20 business days after re-
24 ceipt of the request.

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

7 “(ii) The State law provides that, not later than
8 10 days after a person possessing a State handgun
9 license that has been revoked receives notice of the
10 revocation, the person shall return the license to the
11 chief law enforcement officer who issued the license.

12 “(G)(i) The State law provides that, not later
13 than 24 hours after a State handgun licensee discov-
14 ers that a handgun has been stolen from or lost by
15 the licensee, the licensee shall report the theft or loss
16 to—

17 “(I) the Secretary;

18 “(II) the chief law enforcement officer of
19 the State; and

20 “(III) appropriate local authorities.

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

24 “(6) As used in this subsection, the term ‘State hand-
25 gun registration form’ means a handgun registration form

1 prescribed under a State law that, at a minimum, meets
2 the following requirements:

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

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

11 “(ii) information identifying the handgun,
12 including the make, model, caliber, and serial
13 number of the handgun.

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

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

22 “(7) As used in this subsection, the term ‘State hand-
23 gun safety certificate’ means a certificate issued under a
24 State law that, at a minimum, meets the following require-
25 ments:

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

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

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

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

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

21 “(C) The State law may authorize the chief law
22 enforcement officer of the State to charge a fee for
23 the handgun safety course and examination de-
24 scribed in subparagraph (B).”.

1 (b) DEFINITION OF HANDGUN AMMUNITION.—Sec-
2 tion 921(a) of title 18, United States Code, is amended
3 by adding at the end the following new paragraph:

4 “(33) The term ‘handgun ammunition’ means—

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

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

9 (c) REGULATIONS.—Section 926 of title 18, United
10 States Code, is amended by adding at the end the follow-
11 ing new subsection:

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

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

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

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

21 (d) PENALTIES FOR VIOLATIONS OF SECTION 922(y)
22 OF TITLE 18.—Section 924(a)(1)(B) of title 18, United
23 States Code, is amended by striking “or (w)” and insert-
24 ing “(w), or (y)”.

1 (e) TECHNICAL CORRECTION TO BRADY ACT.—Sec-
2 tion 922(t)(1)(B)(ii) of title 18, United States Code, is
3 amended by inserting “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(y) of
16 title 18, United States Code, as added by subsection
17 (a).

18 (2) AUTHORIZATION OF APPROPRIATIONS.—
19 There is authorized to be appropriated for grants
20 under paragraph (1) not more than \$200,000,000,
21 to remain available until expended.

1 **SEC. 102. PROHIBITION OF MULTIPLE HANDGUN TRANS-**
2 **FERS.**

3 Section 922 of title 18, United States Code, as
4 amended by section 101(a), is amended by adding at the
5 end the following new subsection:

6 “(z)(1) It shall be unlawful for any licensed dealer—

7 “(A) during any 30-day period, to sell 2 or
8 more handguns to an individual who is not licensed
9 under section 923; or

10 “(B) to sell a handgun to an individual who is
11 not licensed under section 923 and who purchased a
12 handgun during the 30-day period ending on the
13 date of the sale.

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

17 “(3) Paragraph (1) shall not apply to an exchange
18 (with or without consideration) of a handgun for a hand-
19 gun.”.

1 **SEC. 103. PROHIBITION OF ENGAGING IN THE BUSINESS OF**
2 **DEALING IN HANDGUNS WITHOUT SPECIFIC**
3 **AUTHORIZATION; REQUIREMENT THAT AU-**
4 **THORIZATION BE PROVIDED IF APPLICANT**
5 **DEMONSTRATES SIGNIFICANT UNMET ECO-**
6 **NOMIC DEMAND.**

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

11 (1) by striking “or” at the end of subparagraph
12 (A);

13 (2) by redesignating subparagraph (B) as sub-
14 paragraph (C); and

15 (3) by inserting after subparagraph (A) the fol-
16 lowing new subparagraph:

17 “(B) to engage in the business of dealing
18 in handguns, or in the course of such business,
19 to ship, transport, or receive any handgun in
20 interstate or foreign commerce, unless the per-
21 son is specifically authorized to do so under sec-
22 tion 923(d)(2)(A); or”.

23 (b) REQUIREMENT THAT AUTHORIZATION BE PRO-
24 VIDED IF APPLICANT DEMONSTRATES THAT IT IS IN THE
25 PUBLIC INTEREST.—Section 923(d) of title 18, United
26 States Code, is amended—

1 (1) by redesignating paragraph (2) as para-
2 graph (3); and

3 (2) by inserting after paragraph (1) the follow-
4 ing new paragraph:

5 “(2)(A) The Secretary shall authorize a licensed deal-
6 er (or a person whose application for a license to engage
7 in the business of dealing in firearms is required to be
8 approved by the Secretary) to engage in the business of
9 dealing in handguns if the licensed dealer (or the appli-
10 cant) demonstrates to the Secretary, in accordance with
11 regulations that the Secretary shall prescribe, that there
12 is significant unmet lawful demand for handguns in the
13 market area (as defined by the Secretary) served by the
14 licensed dealer (or to be served by the applicant).

15 “(B) For purposes of paragraph (3) of this sub-
16 section and subsections (e) and (f), a request for authority
17 to engage in the business of dealing in handguns shall be
18 considered to be an application for a license under this
19 section, and the provision of such authority shall be con-
20 sidered to be the issuance of such a license.”.

21 (c) EFFECTIVE DATE.—

22 (1) IN GENERAL.—Except as provided in para-
23 graph (2), the amendments made by this section
24 shall take effect on the date that is 1 year after the
25 date of enactment of this Act.

1 (2) 2-YEAR GRANDFATHERING OF LICENSED
2 DEALERS.—During the 2-year period that begins on
3 the effective date specified in paragraph (1), the
4 amendments made by this section shall not apply to
5 any person who, on the effective date, is a licensed
6 dealer (as defined in section 921(a)(11) of title 18,
7 United States Code).

8 **TITLE II—TRACING OF GUNS**
9 **USED IN CRIMES**

10 **SEC. 201. DEALER ASSISTANCE WITH TRACING OF FIRE-**
11 **ARMS.**

12 (a) PROVISION OF RECORD INFORMATION.—Section
13 923(g) of title 18, United States Code, is amended by add-
14 ing at the end the following new paragraph:

15 “(8) Each licensee shall, at such times and under
16 such conditions as the Secretary shall prescribe by regula-
17 tion, provide all record information required to be kept
18 by this chapter, or such lesser information as the Sec-
19 retary may specify, as may be required for determining
20 the disposition of a firearm in the course of a law enforce-
21 ment investigation.”.

22 (b) NO CRIMINAL PENALTY.—Section 924(a)(1)(D)
23 of title 18, United States Code, is amended by inserting
24 “, except section 923(g)(6)” after “chapter”.

1 **SEC. 202. COMPUTERIZATION OF RECORDS.**

2 Section 926 of title 18, United States Code, as
3 amended by section 101(c), is amended—

4 (1) in subsection (a), by striking the second
5 sentence; and

6 (2) by adding at the end the following new sub-
7 section:

8 “(e) The Director of the Bureau of Alcohol, Tobacco,
9 and Firearms shall centralize all records of receipts and
10 disposition of firearms obtained by the Bureau and main-
11 tain such records in whatever manner will enable their
12 most efficient use in law enforcement investigations.”.

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

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

16 “(3)(A) for any person not licensed under sec-
17 tion 923 to transport a firearm from one State into
18 another State; but

19 “(B)(i) subparagraph (A) shall not preclude
20 any person who lawfully acquires a firearm by be-
21 quest or intestate succession in a State other than
22 the person’s State of residence from transporting the
23 firearm into or receiving the firearm in the person’s
24 State of residence, if it is lawful for the person to
25 possess the firearm in the person’s State of resi-
26 dence; and

1 “(ii) subparagraph (A) shall not apply to—

2 “(I) the transportation or receipt of any
3 firearm obtained in conformity with subsection
4 (b)(3);

5 “(II) the transportation of any firearm ac-
6 quired in any State before the effective date of
7 this chapter;

8 “(III) the transportation of any firearm in
9 accordance with section 926A; and

10 “(IV) the transportation of any firearm,
11 under contract or agreement with a person li-
12 censed under section 923, by a person who
13 ships or transports goods in the ordinary course
14 of business;”.

15 **SEC. 204. GUN RUNNING.**

16 (a) PROHIBITIONS.—Section 922 of title 18, United
17 States Code, as amended by section 102, is amended by
18 adding at the end the following new subsection:

19 “(aa) It shall be unlawful for a person not licensed
20 under section 923 to receive a firearm with the intent to
21 transfer the firearm for profit.”.

22 (b) PENALTIES.—Section 924(a) of title 18, United
23 States Code, is amended by adding at the end the follow-
24 ing new paragraph:

1 “(6)(A) Except as provided in subparagraph (B), a
2 person who violates section 922(aa) shall be fined under
3 this title, imprisoned not less than 6 months and not more
4 than 3 years, or both.

5 “(B) A person who violates section 922(aa) with re-
6 spect to 5 or more firearms during a 30-day period shall
7 be fined under this title, imprisoned not less than 3 years,
8 or both.”.

9 **SEC. 205. HANDGUN BARREL REGISTRATION.**

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

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

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

14 “(2) Each licensed manufacturer shall, in accordance
15 with regulations prescribed by the Secretary—

16 “(A) maintain records of the ballistics of hand-
17 gun barrels made by the licensed manufacturer and
18 of the serial numbers of such barrels; and

19 “(B) make such records available to the Sec-
20 retary.”.

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

22 (a) ESTABLISHMENT.—The Secretary of the Treas-
23 ury shall establish in the Bureau of Alcohol, Tobacco, and
24 Firearms a National Firearms Tracing Center, which shall

1 be operated for the purpose of tracing the chain of posses-
2 sion of firearms and ammunition used in crimes.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—For the
4 establishment and operation of the National Firearms
5 Tracing Center there are authorized to be appropriated
6 to the Secretary of the Treasury \$20,000,000 for each of
7 fiscal years 1995, 1996, and 1997.

8 **TITLE III—DEALER** 9 **RESPONSIBILITY**

10 **SEC. 301. COMPLIANCE WITH STATE AND LOCAL FIREARMS** 11 **LICENSING LAWS AS CONDITION TO ISSU-** 12 **ANCE OF FEDERAL FIREARMS LICENSE.**

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

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

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

19 (3) by adding at the end the following new sub-
20 paragraph:

21 “(G) in the case of an application for a license
22 to engage in the business of dealing in firearms—

23 “(i) the applicant has complied with all re-
24 quirements imposed on persons desiring to en-
25 gage in such a business by the State and politi-

1 cal subdivision of the State in which the appli-
2 cant conducts or intends to conduct such busi-
3 ness;

4 “(ii) the business to be conducted pursuant
5 to the license is not prohibited by the law of the
6 State or locality in which the business premises
7 is located; and

8 “(iii) the application includes a written
9 statement that—

10 “(I) is signed by the chief of police of
11 the locality, or the sheriff of the county, in
12 which the applicant conducts or intends to
13 conduct such business, the head of the
14 State police of such State, or any official
15 designated by the Secretary; and

16 “(II) certifies that the information
17 available to the signer of the statement
18 does not indicate that the applicant is in-
19 eligible to obtain such a license under the
20 law of such State and locality.”.

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

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

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

1 (2) by striking “association)” and inserting
2 “association), which investigation shall include
3 checking the applicant’s fingerprints against all ap-
4 propriate compilations of criminal records, the Sec-
5 retary determines that the applicant”.

6 (b) INSPECTION OF APPLICANT’S PREMISES.—Sec-
7 tion 923(d)(1) of title 18, United States Code, as amended
8 by section 301, is amended—

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

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

13 (3) by adding at the end the following new sub-
14 paragraph:

15 “(H) the Secretary has conducted an inspection
16 of the place at which the applicant is to conduct
17 business pursuant to the license.”.

18 (c) BUSINESS PREMISES REQUIRED OF APPLI-
19 CANT.—Section 923(d)(1)(E) of title 18, United States
20 Code, is amended by inserting “business” after “(i)”.

21 (d) EXTENSION OF PERIOD FOR APPROVING OR DE-
22 NYING APPLICATION.—Section 923(d)(3) of title 18, Unit-
23 ed States Code, as redesignated by section 103(b), is
24 amended by striking “60-day” and inserting “180-day”.

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

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

4 “(3) If the applicant—

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

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

10 **SEC. 304. INCREASED PENALTIES FOR MAKING KNOWINGLY**
11 **FALSE STATEMENTS IN CONNECTION WITH**
12 **FIREARMS.**

13 Section 924(a)(3) of title 18, United States Code, is
14 amended by striking “one year” and inserting “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 one or more particular firearms.”.

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

22 (a) PROHIBITION OF CERTAIN HANDGUN TRANS-
23 FERS AT GUN SHOWS.—Section 922(b) of title 18, United
24 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 new paragraph:

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) TECHNICAL AMENDMENTS.—Section 923 of title
10 18, United States Code, is amended—

11 (1) in the first sentence of subsection (j), by in-
12 serting “, consistent with section 922(b)(6),” before
13 “temporarily”; and

14 (2) by redesignating subsection (1), as added by
15 section 110307 of the Violent Crime Control and
16 Law Enforcement Act of 1994, as subsection (l).

17 **SEC. 307. ACQUISITION AND DISPOSITION RECORDS OF**
18 **DEALERS SUSPECTED OF SERVING AS**
19 **SOURCES OF ILLEGAL FIREARMS.**

20 Section 923(g)(1) of title 18, United States Code, is
21 amended by adding at the end the following new subpara-
22 graph:

23 “(E) If the Secretary, during a 1-year period, has
24 identified a licensed dealer as the source of 3 or more fire-
25 arms that have been recovered by law enforcement officials

1 in criminal investigations, or if the Secretary has reason
2 to believe that a licensed dealer is a source of firearms
3 used in crimes, the Secretary may require the dealer to
4 produce any or all records maintained by the dealer of ac-
5 quisition and disposition of firearms, and may continue
6 to impose that requirement until the Secretary determines
7 that the dealer is not a source of firearms used in
8 crimes.”.

9 **SEC. 308. DEALER RESPONSIBILITY FOR SALES TO FELONS**
10 **OR MINORS.**

11 (a) IN GENERAL.—Chapter 44 of title 18, United
12 States Code, is amended by inserting after section 922 the
13 following new section:

14 **“§922A. Tort liability of licensed dealers**

15 “(a)(1) Any person suffering physical injury arising
16 from a crime of violence (as defined in section 924(c)(3))
17 in which a qualified firearm is used may bring an action
18 in any United States district court against any qualified
19 licensed dealer for damages and such other relief as the
20 court determines to be appropriate.

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

23 “(A) has been transferred by a licensed dealer
24 to a person who—

1 “(i) has been convicted in any court of a
2 crime punishable by imprisonment for a term
3 exceeding 1 year; or

4 “(ii) has not attained the age of 18 years;
5 and

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

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

14 “(b)(1) The defendant in an action brought under
15 subsection (a) shall be held liable in tort, without regard
16 to fault or proof of defect, for all direct and consequential
17 damages arising from the crime of violence referred to
18 therein, except as provided in paragraph (2). The court,
19 in its discretion, may award punitive damages.

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

24 (b) TECHNICAL AMENDMENT.—The chapter analysis
25 for chapter 44 of title 18, United States Code, is amended

1 by inserting after the item relating to section 922 the fol-
2 lowing new item:

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

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

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

6 (1) in the first sentence by striking “It shall
7 be” and inserting the following:

8 “(2) It shall be”;

9 (2) in the second sentence by striking “No com-
10 mon or contract carrier” and inserting the following:

11 “(3) No common or contract carrier”;

12 (3) by inserting “(1) Any common or contract
13 carrier that undertakes to transport or deliver fire-
14 arms in interstate or foreign commerce shall, not
15 less frequently than monthly, obtain from the Sec-
16 retary a list of licensed dealers. The Secretary shall
17 provide to any common or contract carrier, upon re-
18 quest and without charge, a list of licensed dealers
19 and their license numbers.” after “(e)”;

20 (4) in paragraph (2), as designated by para-
21 graph (1)—

22 (A) by striking “, to persons other than li-
23 censed importers, licensed manufacturers, li-
24 censed dealers, or licensed collectors,”; and

1 (B) by striking “ammunition” the first
2 place it appears and all that follows through
3 “passenger” and inserting “ammunition—

4 “(A) without providing written notice to the
5 carrier that the firearm or ammunition is being
6 transported or shipped; and

7 “(B) if the intended recipient of the package or
8 container is a licensed dealer, providing written no-
9 tice of the dealer’s license number,
10 except that any passenger”; and

11 (5) by adding at the end the following new
12 paragraph:

13 “(4) A common or contract carrier shall be consid-
14 ered to have cause to believe that a shipment of firearms
15 would violate this chapter if it is alleged to the carrier
16 that the intended recipient of the shipment is a licensed
17 dealer and the carrier fails to verify that the intended re-
18 cipient is a licensed dealer.”.

19 **TITLE IV—THEFT OF FIREARMS**

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

21 Section 923(g)(6) of title 18, United States Code, is
22 amended to read as follows:

23 “(6) Each licensee shall report to the Secretary, and
24 to the chief law enforcement officer (as defined in section
25 922(s)(8)) of the locality in which the premises specified

1 on the license is located, any theft of firearms from the
2 licensee, as soon as practicable after discovery of the theft,
3 but in no event later than the close of business on the
4 first business day after the day on which the licensee dis-
5 covers the theft.”.

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

7 (a) FIREARMS.—Section 924 of title 18, United
8 States Code, is amended by adding at the end the follow-
9 ing new subsection:

10 “(o) A person who steals any firearm that is moving
11 as, or is a part of, or that has moved in, interstate or
12 foreign commerce shall be fined under this title, impris-
13 oned not less than 2 nor more than 10 years, or both.”.

14 (b) EXPLOSIVES.—Section 844 of title 18, United
15 States Code, is amended by adding at the end the follow-
16 ing new subsection:

17 “(n) A person who steals any explosive materials that
18 are moving as, or are a part of, or that have moved in,
19 interstate or foreign commerce shall be fined under this
20 title, imprisoned not less than 2 nor more than 10 years,
21 or both.”.

1 **SEC. 403. THEFT OF FIREARMS OR EXPLOSIVES FROM LI-**
2 **CENSEE.**

3 (a) FIREARMS.—Section 924 of title 18, United
4 States Code, as amended by section 402(a), is amended
5 by adding at the end the following new subsection:

6 “(p) A person who steals any firearm from a licensed
7 importer, licensed manufacturer, licensed dealer, or li-
8 censed collector shall be fined under this title, imprisoned
9 not more than 10 years, or both.”.

10 (b) EXPLOSIVES.—Section 844 of title 18, United
11 States Code, as amended by section 402(b), is amended
12 by adding at the end the following new subsection:

13 “(o) A person who steals explosive materials from a
14 licensed importer, licensed manufacturer, licensed dealer,
15 or any permittee shall be fined under this title, imprisoned
16 not more than 10 years, or both.”.

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

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

21 “(m) A licensed dealer shall provide for security
22 against theft of firearms from the dealer’s business prem-
23 ises, in accordance with regulations prescribed by the Sec-
24 retary.”.

25 (b) DENIAL OF DEALER’S LICENSE.—Section
26 923(d)(1)(G) of title 18, United States Code, as added

1 by section 301(3), and amended by section 302(b)(2), of
2 this Act, is amended—

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

4 (2) by striking the period at the end of clause
5 (iii) and inserting “; and”; and

6 (3) by adding at the end the following new
7 clause:

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

13 **TITLE V—ARMED FELONS**

14 **SEC. 501. DENIAL OF ADMINISTRATIVE RELIEF FROM CER-** 15 **TAIN FIREARMS PROHIBITIONS; INADMIS-** 16 **SIBILITY OF ADDITIONAL EVIDENCE IN JUDI-** 17 **CIAL REVIEW OF DENIALS OF SUCH ADMINIS-** 18 **TRATIVE RELIEF FOR OTHER PERSONS.**

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

21 (1) in the first sentence—

22 (A) by inserting “(1)” before “A person”;

23 (B) by inserting “(as defined in section
24 921(a)(1) (other than an individual))” before

25 “who is prohibited”; and

1 (C) by striking “his” and inserting “the
2 Secretary’s”;

3 (2) by striking the second and third sentences;

4 (3) in the fourth sentence—

5 (A) by striking “A licensed importer” and
6 inserting the following:

7 “(2) A licensed importer”;

8 (B) by inserting “person (as defined in
9 section 921(a)(1) (other than an individual))
10 who is a” before “licensed importer”; and

11 (C) by striking “his” and inserting “the
12 person’s”; and

13 (4) by amending the fifth sentence to read as
14 follows:

15 “(3) When the Secretary grants relief to a person
16 under this section, the Secretary shall promptly publish
17 in the Federal Register a notice of the action, which shall
18 include—

19 “(A) the name of the person;

20 “(B) the disability with respect to which the re-
21 lief is granted, and, if the disability was imposed by
22 reason of a criminal conviction of the person, the
23 crime for which, and the court in which, the person
24 was convicted; and

25 “(C) the reasons for the action.”.

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 or
5 after the date of enactment of this Act; and

6 (2) applications for administrative relief filed,
7 and actions for judicial review brought, on or after
8 the date of 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 first 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 second sentence by striking “What”
17 and inserting the following:

18 “(B) What”; and

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

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

1 “(i) the expungement, setting aside, pardon, or
2 restoration 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, setting 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 that is dangerous to public safety;
12 and

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

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

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

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

1 and inserting “if the firearm is a semiautomatic firearm,
2 a short-barreled rifle, or a short-barreled shotgun,”.

3 (b) SEMIAUTOMATIC FIREARM.—Section 921(a) of
4 title 18, United States Code, as amended by section
5 101(b), is amended by adding at the end the following new
6 paragraph:

7 “(34) The term ‘semiautomatic firearm’ means a re-
8 peating firearm that—

9 “(A) utilizes a portion of the energy of a firing
10 cartridge to extract the fired cartridge case and
11 chamber the next round; and

12 “(B) requires a separate pull of the trigger to
13 fire each cartridge.”.

14 **SEC. 504. VIOLATION OF FIREARMS LAWS IN AID OF DRUG**
15 **TRAFFICKING.**

16 Section 924(j) of title 18, United States Code, is
17 amended to read as follows:

18 “(j)(1) A person who, with the intent to engage in
19 or to promote conduct described in paragraph (2), violates
20 any provision of this chapter or attempts to do so shall
21 be imprisoned not more than 10 years, fined under this
22 title, or both.

23 “(2) Conduct is described in this paragraph if it is
24 conduct that—

1 “(q)(1) Notwithstanding subsection (a)(2), a person
2 who violates section 922(g) and has 2 previous convictions
3 by any court for a violent felony (as defined in subsection
4 (e)(2)(B)) or a serious drug offense (as defined in sub-
5 section (e)(2)(A)), for which a term of imprisonment ex-
6 ceeding 1 year has been imposed, committed on occasions
7 different from one another shall be fined under this title,
8 imprisoned not less than 10 nor more than 20 years, or
9 both.

10 “(2) Notwithstanding any other law, the court shall
11 not suspend the sentence of, or grant a probationary sen-
12 tence to, a person described in paragraph (1) with respect
13 to the conviction under section 922(g).”.

14 (c) TECHNICAL CORRECTION.—Section 924 of title
15 18, United States Code, is amended by redesignating
16 paragraph (5), as added by section 110201(b)(2) of the
17 Violent Crime Control and Law Enforcement Act of 1994,
18 as paragraph (6).

1 **TITLE VI—VIOLENT**
2 **MISDEMEANANTS**

3 **SEC. 601. PROHIBITION OF DISPOSAL OF FIREARMS OR AM-**
4 **MUNITION TO, OR RECEIPT OF FIREARMS OR**
5 **AMMUNITION BY, PERSONS CONVICTED OF A**
6 **VIOLENT CRIME OR SUBJECT TO A PROTEC-**
7 **TION ORDER.**

8 (a) PROHIBITION OF DISPOSAL.—Section 922(d) of
9 title 18, United States Code, is amended—

10 (1) by striking “or” at the end of paragraph
11 (7);

12 (2) by striking the period at the end of para-
13 graph (8) and inserting a semicolon; and

14 (3) by inserting after paragraph (8) the follow-
15 ing new paragraphs:

16 “(9) has been convicted in any court of an of-
17 fense that—

18 “(A) is punishable by imprisonment for
19 more than 6 months; and

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

23 “(ii) by its nature, involves a substantial
24 risk that physical force against a person de-

1 scribed in subparagraph (A) may be used in the
2 course of committing the offense; or

3 “(10) is required, pursuant to an order issued
4 by a court in a case involving the use, attempted
5 use, or threatened use of physical force against an-
6 other person, to refrain from contact with or main-
7 tain a minimum distance from that person.”.

8 (b) PROHIBITION OF RECEIPT.—Section 922(g) of
9 title 18, United States Code, is amended—

10 (1) by striking “or” at the end of paragraph
11 (7);

12 (2) by striking the comma at the end of para-
13 graph (8) and inserting a semicolon; and

14 (3) by inserting immediately after paragraph
15 (8) the following new paragraphs:

16 “(9) who has been convicted in any court of an
17 offense that—

18 “(A) is punishable by imprisonment for
19 more than 6 months; and

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

23 “(ii) by its nature, involves a substantial
24 risk that physical force against a person de-

1 scribed in subparagraph (A) may be used in the
2 course of committing the offense; or

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

8 **TITLE VII—AMMUNITION**

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

10 (a) DEFINITIONS.—

11 (1) DEALER.—Section 921(a)(11)(A) of title
12 18, United States Code, is amended by inserting “or
13 ammunition” after “firearms”.

14 (2) COLLECTOR.—Section 921(a)(13) of title
15 18, United States Code, is amended by inserting “or
16 ammunition” after “firearms”.

17 (3) ENGAGED IN THE BUSINESS.—Section
18 921(a)(21) of title 18, United States Code, is
19 amended—

20 (A) by redesignating subparagraphs (E)
21 and (F) as subparagraphs (F) and (G), respec-
22 tively; and

23 (B) by inserting after subparagraph (D)
24 the following new subparagraph:

1 “(E) as applied to a dealer in ammunition, a
2 person who devotes time, attention, and labor to en-
3 gaging in such activity as a regular course of trade
4 or business with the principal objective of livelihood
5 and profit through the repetitive purchase and resale
6 of ammunition, but such term does not include a
7 person who makes occasional sales, exchanges, or
8 purchases of ammunition for the enhancement of a
9 personal collection or for a hobby, or who sells all or
10 part of the person’s personal collection of ammuni-
11 tion;”.

12 (b) PROHIBITIONS.—Section 922 of title 18, United
13 States Code, is amended—

14 (1) in subsection (a)—

15 (A) in paragraph (1) (as amended by sec-
16 tion 103(a))—

17 (i) by amending subparagraph (A) to
18 read as follows:

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

1 (ii) by striking “; or” at the end of
2 subparagraph (B) and inserting a period;
3 and

4 (iii) by striking subparagraph (C);

5 (B) in paragraphs (2), (3), and (5) by in-
6 serting “or ammunition” after “firearm” each
7 place it appears;

8 (2) in subsection (b)(3)—

9 (A) by inserting “or ammunition” after
10 “firearm” each place it appears; and

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

13 (3) in subsection (c)—

14 (A) by inserting “or ammunition” after
15 “firearm” the first, third, fourth, fifth, sixth,
16 and seventh places it appears;

17 (B) by inserting “or any ammunition other
18 than for a shotgun or rifle,” after “rifle,” the
19 first place it appears; and

20 (C) by inserting “or ammunition for a
21 shotgun or rifle,” after “rifle,” the second place
22 it appears;

23 (4) in subsection (e) (as amended by section
24 309) by inserting “or ammunition” after “firearms”
25 each place it appears; and

1 (5) in subsection (q)(2)—

2 (A) in subparagraph (A) by inserting “or
3 ammunition” after “firearm”; and

4 (B) by adding at the end the following new
5 subparagraph:

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

8 “(i) on private property not part of school
9 grounds;

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

18 “(iii) that is in a locked container;

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

21 “(v) by an individual in accordance with a con-
22 tract entered into between a school in the school
23 zone and the individual or an employer of the indi-
24 vidual;

1 “(vi) by a law enforcement officer acting in the
2 officer’s official capacity; or

3 “(vii) that is possessed by an individual while
4 traversing school premises for the purpose of gaining
5 access to public or private lands open to hunting, if
6 the entry on school premises is authorized by school
7 authorities.”.

8 (c) LICENSING.—Section 923 of title 18, United
9 States Code, is amended—

10 (1) in the first sentence of subsection (a) by
11 striking “importing or manufacturing”;

12 (2) in subsection (g)—

13 (A) in paragraph (1)—

14 (i) in subparagraph (A)—

15 (I) by inserting “and ammuni-
16 tion” after “firearms” the first place
17 it appears;

18 (II) by striking “firearms” the
19 second place it appears; and

20 (III) by striking “or any licensed
21 importer or manufacturer of ammuni-
22 tion,”; and

23 (ii) in each of subparagraphs (B)(iii)
24 and (C)(ii) by inserting “or rounds of am-
25 munition” after “firearms”; and

1 (B) in paragraph (2)—

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

4 (ii) by inserting “or ammunition”
5 after “firearms”;

6 (C) in paragraph (8), as added by section
7 201(a), by inserting “or ammunition” after
8 “firearm”; and

9 (D) in paragraph (9), as added by section
10 401, by inserting “or ammunition” after “fire-
11 arms”;

12 (3) in subsection (d)(1)(G)(iv), as added by sec-
13 tion 404(b), by inserting “or rounds of ammunition”
14 after “firearms”;

15 (4) in subsection (j)—

16 (A) by inserting “or ammunition” after
17 “firearms” the second place it appears; and

18 (B) by inserting “and ammunition” after
19 “firearms” the third place it appears; and

20 (5) in subsection (m), as added by section
21 404(a), by inserting “or ammunition” after “fire-
22 arms”.

23 (d) PENALTIES.—Section 924 of title 18, United
24 States Code, is amended—

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

3 (2) in subsection (h) by inserting “or ammuni-
4 tion” after “firearm” each place it appears;

5 (3) in subsection (o), as added by section
6 402(a), by inserting “or ammunition” after “fire-
7 arm”; and

8 (4) in subsection (p), as added by section
9 403(a), by inserting “or ammunition” after “fire-
10 arm”.

11 (e) INTERSTATE TRANSPORTATION.—Section 926A
12 of title 18, United States Code, is amended—

13 (1) in the section heading by inserting “**and**
14 **ammunition**” after “**firearms**”; and

15 (2) in the text by inserting “or ammunition”
16 after “firearm” in the first, second, third, and
17 fourth places it appears.

18 (f) POSSESSION IN FEDERAL FACILITIES.—Section
19 930 of title 18, United States Code, is amended—

20 (1) in the section heading by inserting “, **am-**
21 **munition,**” after “**firearms**”;

22 (2) by inserting “, ammunition,” after “fire-
23 arm” each place it appears; and

24 (3) in subsection (d)(3) by inserting “, ammu-
25 nition,” after “firearms”.

1 (g) TECHNICAL AMENDMENTS.—The chapter analy-
2 sis for chapter 44 of title 18, United States Code, is
3 amended—

4 (1) in the item relating to section 926A by in-
5 serting “and ammunition” after “firearms”; and

6 (2) in the item relating to section 930 by in-
7 serting “, ammunition,” after “firearms”.

8 **SEC. 702. REGULATION OF THE MANUFACTURE, IMPORTA-**
9 **TION, AND SALE OF CERTAIN PARTICULARLY**
10 **DANGEROUS BULLETS.**

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

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

15 “(i) means—

16 “(I) a projectile or projectile core that may
17 be used in a handgun and that is constructed
18 entirely (excluding the presence of traces of
19 other substances) from 1 or a combination of
20 tungsten alloys, steel, iron, brass, bronze, beryl-
21 lium copper, or depleted uranium;

22 “(II) a jacketed, hollow point projectile
23 that may be used in a handgun and the jacket
24 of which is designed to produce, upon impact,
25 evenly spaced sharp or barb-like projections

1 that extend beyond the diameter of the unfired
2 projectile; or

3 “(III) a jacketed projectile that may be
4 used in a handgun and the jacket of which has
5 a weight of more than 25 percent of the total
6 weight of the projectile; but

7 “(ii) does not include—

8 “(I) shotgun shot required by Federal or
9 State environmental or game regulations for
10 hunting purposes;

11 “(II) a frangible projectile designed for
12 target shooting;

13 “(III) a projectile that the Secretary finds
14 is primarily intended to be used for sporting
15 purposes; or

16 “(IV) any other projectile or projectile core
17 that the Secretary finds is intended to be used
18 for industrial purposes, including a charge used
19 in an oil or gas well perforating device.”.

○

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